Proceedings Public Service Commission Bombay Presidency

Including Sindh

Vol. IV
(1888)

Government

PROCEEDINGS

OF

THE PUBLIC SERVICE COMMISSION.

VOLUME IV.

PROCEEDINGS RELATING TO THE BOMBAY PRESIDENCY (INCLUDING SIND).

SECTION I.—NOTICE AND LETTERS CALLING FOR EVIDENCE AND INFORMATION SUPPLIED BY THE BOMBAY GOVERNMENT.

SECTION II.—MINUTES OF EVIDENCE TAKEN IN BOMBAY.

SECTION III.—REPLIES OF SOCIETIES AND ASSOCIATIONS AND PERSONS NOT EXAMINED BY THE COMMISSION.

PROCEEDINGS

OF

THE PUBLIC SERVICE COMMISSION.

BOMBAY PRESIDENCY (INCLUDING SIND)

VOLUME IV.—SECTIONS I.—III.

CONTENTS

SECTION I

SUB-SECTION A.—NOTICES AND LETTERS CALLING FOR EVIDENCE IN BOMBAY

No		Page
I.	NOTICE published in the Gazette and leading newspapers	1
II.	LETTER, No. 4, dated the 16th November 1886, calling for a list of names of selected officers serving in the Bombay Presidency and Sind, whom it might be desirable to invite to give evidence, and of associations and editors of newspapers and members of the general public who should be consulted, and the reply No 8543, dated the 3rd of December 1886	
III.	LETTER No. 19, dated the 30th November 1886, forwarding for distribution sets of questions bearing on the enquiries of the Commission, and the replies, No. 9000, dated the 23rd December 1886, and No 9038, dated the 28th idem	
IV.	LETTER No 75, dated the 31st December 1886, requesting that certain gentlemen be invited to give oral evidence before the Commission at Bombay, and asking for a nominal list showing the associations and persons, both official and non-official, to whom the questions had been communicated, and the reply No 95, dated the 5th of January 1887, with two enclosures	10
V.	LETTER No 83, dated the 2nd of January 1887, in continuation of No 75, dated the 31st of December 1886, asking that the gentlemen therein named be invited to give evidence, and the reply No 191, dated the 10th of January 1887	12
VI.	LETTER No 87, dated the 5th of January 1887, in continuation of letter No 83, dated the 2nd of January 1887, asking that certain gentlemen therein named be invited to give evidence, and the reply No 193, dated the 10th of January 1887, and enclosure, and No 243, dated the 12th of January 1887, in continuation, and enclosure	13
VII.	LIST of persons to whom sets of questions or issues were supplied, or who were summoned or invited or who volunteered to give oral evidence before the Public Service Commission or the Sub-Committee thereof at Bombay	16

SECTION I, SUB-SECTION B.—INFORMATION SUPPLIED BY THE BOMBAY GOVERNMENT.

I.	REPLIES of the Bombay Government to the set of questions (A)	33
II.	MEMORANDUM on the special features of the Bombay Presidency (including Sind) which bear upon its administration	57
III.	LETTER No 3, dated the 16th November 1886, calling for detailed information, showing the number of "charges" or offices in which the Covenanted and Uncovenanted officers, engaged in the administration, are employed, &c., and the reply No 49, dated the 4th January 1887	65
IV.	LETTER No 89, dated the 5th January 1887, calling for statistics showing how many persons employed in the Subordinate Judicial and Executive Services in the Bombay Presidency and Sind have passed University Examinations, and the reply No. 145, dated the 8th March 1887	68

No PAGE

V.—LETTER No 102, dated the 22nd January 1887, calling for a return showing the nationalities and castes of persons employed in the Subordinate Judicial and Executive Services in the Bombay Presidency and Sind, and the reply No 2231, dated the 13th April 1887 69

VI—LETTER No 106, dated the 28th January 1887, calling for (1) a return showing with regard to Mamlátdárs who hold the degree of Bachelor of Arts, (a) the date of appointment in each case as Mamlátdár, and (b) the period spent in each case on probation, &c, (2) a list of probationers for the appointment of Mamlátdár who have taken the B A degree, and the reply No 2744, dated the 4th May 1887 72

VII—LETTER No 112, dated the 5th February 1887, calling for a return showing (1) the number of persons who have passed University Examinations during each of the past ten years, and (2) the nationalities and castes to which such persons belong, and the reply No 2193, dated the 7th April 1887 75

VIII—LETTER No 131, dated the 7th March 1887, calling for information showing the extent to which encouragement is offered to Natives of the Bombay Presidency and Sind by means of Government scholarships or otherwise to proceed to England for the purpose of completing their education; and the reply No 814, dated the 17th May 1887 77

IX—TELEGRAM No 198, dated the 2nd May 1887, enquiring whether all the members of the Subordinate Executive and Judicial Services in the Bombay Presidency and Sind are Natives of that Presidency, and the reply No 33, dated the 28th May 1887 78

X—LETTER No 133, dated the 10th of March 1887, calling for a full and detailed answer to question No 232, and the reply No 4773, dated the 22nd July 1887 80

SECTION II.—MINUTES OF EVIDENCE TAKEN IN BOMBAY.

(SITTINGS AT BOMBAY.)

EXAMINED BY THE SUB-COMMITTEE

I—Khán Bahádur BARJORJI EDALJI MODI, M A., LL B, Subordinate Judge, Ahmedabad 1

II—Ráo Bahádur CHUNILÁL VENILÁL, Deputy Collector, Broach . . . 9

EXAMINED BY THE COMMISSION

III—W LEE-WARNER, Esq, M A., Bo C S, Acting Secretary to Government (Judicial, Political and Educational Departments), Bombay . . . 12

IV—Maulvi MEHEDI HASAN KHÁN, Chief Justice, His Highness the Nizam's Court, Hyderabad, Deccan, of the Uncovenanted Service, services lent to the Hyderabad State 30

V—Khán Bahádur HAJI GHULAM MAHOMED, Munshi, Fellow of the Bombay University; founder of the *Anjaman-i-Islam* Society 34

VI—PÁNDURANG RÁMCHANDRA DESAI, Pleader, Thana. 37

VII—Khán Bahádur PESTANJI JEHÁNGIR, C I E., Talukdari Settlement Officer, Guzerat, Ahmedabad 41

VIII—A U FANSHAWE, Esq, B C S, Post-Master General, Bombay . . . 47

IX—Khán Sáheb A'BBÁS ALI BEG MIRZA, B A, *Karbhari* of the Janjira State . 54

X.—MANCHERJI M. BHÁVNAGRI, C I E, Agent in Bombay to His Highness the Thákur of Bhávnagar 58

XI—F C BREWIN, Esq, Superintendent, Accountant-General's Office, Bombay, Representative of the Eurasian and Anglo-Indian Association of Western India, Bombay 63

XII—The Hon'ble Ráo BAHÁDUR MAHÁDEV VÁSUDEV BÁRVE, C I E., Member of the Legislative Council, and Fellow of the University, Bombay . . . 73

XIII.—DR THEODORE COOKE, M A., LL D, Principal, College of Science, Poona . 76

XIV—SATYENDRANÁTH TÁGORE, Esq, Bo C S, District and Sessions Judge, Sholápur . 78

XV—KÁLÁBHÁI LALLUBHÁI, Pleader, Surat 81

XVI—Professor RÁMKRISHNA GOPÁL BHANDÁRKAR, M.A., PH D, Professor of Oriental Languages, Deccan College, Poona 84

PAGE

XVII.—RÁO SÁHEB VIEPRASÁD TÁPIPRASÁD, Special Assistant to the Municipal Commissioners for the City of Bombay 87

XVIII.—C E G CRAWFORD, Esq, Bo C S, Registrar, High Court (Appellate Side), Bombay 89

XIX.—Khán Sáheb IBRÁHIM M SÁYÁNI, B A, Head Master, High School, Nadiád 92

XX.—RÁO BAHÁDUR GOPÁLRÁO HARI DESHMUKH, Fellow of the Bombay University, of the Uncovenanted Service (retired) 94

XXI.—RAHIMUTULLA MAHOMED SÁYÁNI, M A, LL B, Solicitor, High Court, Bombay, J P., Fellow of the University, and Member of the Municipal Corporation, Bombay 98

XXII.—Professor W. WORDSWORTH, M A., Principal, Elphinstone College, Bombay 103

XXIII.—MAHOMED HUSEN HAKIM, Barrister-at-Law, J P., Fellow of the University, and Member of the Municipal Corporation, Bombay 112

XXIV.—KAIKHOSHRU NAVROJI KÁBRÁJI, Editor, *Rást Goftár*, Newspaper, Bombay, J. P, Fellow of the University, and Member of the Municipal Corporation, Bombay 114

XXV.—The Hon'ble SIR CHARLES SARGENT, KT, Barrister-at-Law, Chief Justice, High Court, Bombay 121

XXVI.—The Hon'ble DÁDÁBHÁI NAVROJI, J P, Member of the Legislative Council, Bombay, Fellow of the University, Vice-Chairman, Bombay Branch, East India Association 126

XXVII.—G W. FOREST, Esq, B A, Professor of Mathematics, Deccan College, Poona . 135

XXVIII.—The Hon'ble Ráo Bahádur MAHÁDEV GOBIND RÁNADÉ, M A, LL B, Member of the Legislative Council, Bombay, Special Judge under the Deccan Agriculturists' Relief Act, Poona 141

XXIX.—Maulvi CHIRÁG ALI, Secretary, Revenue Department, His Highness the Nizam's Government, Hyderabad, Deccan 146

XXX.—R. G. OXENHAM, Esq, M A, Principal and Professor of English Literature, Deccan College, Poona 149

XXXI.—Ráo Bahádur KHANDRÁO C BEDARKAR, B A, LL B, Deputy Registrar, High Court, Bombay, Acting Judge, Small Cause Court, Poona 152

XXXII.—KHARSHEDJI RATANJI BAMANJI, of the Statutory Service, Assistant Collector, Kaira 162

XXXIII.—SYDENHAM SMITH, Esq, Pleader, Poona, Representative, Eurasian and Anglo-Indian Association, Poona 167

XXXIV.—J F. FERNANDEZ, Esq, late of the Uncovenanted Service, Manager, Morárji Gokuldás Spinning and Weaving Company, Bombay . . . 169

XXXV.—Khan Bahádur KAZI KÁMARUDDIN, Uncovenanted Service, Assistant Settlement Officer, Ratnágiri 174

XXXVI.—W. R HAMILTON, Esq, Uncovenanted Service, Deputy Collector, Ahmednagar 177

XXXVII.—PHIROZSHÁH MERWÁNJI MEHTA, M A, Barrister-at Law; J P, Fellow of the Bombay University, and Member of the Municipal Corporation, Bombay, Joint Honorary Secretary, Bombay Presidency Association . . . 184

XXXVIII.—J MACNABB CAMPBELL, Esq, C I E, M A., LL D, Bo.C.S, Acting Collector, Panchmahals, Editor of the *Bombay Gazetteer* 194

XXXIX.—S HAMMICK, Esq, Bo C S, District and Sessions Judge, Surat . . 198

XL.—MANCHERJI PESTONJI KHAREGHÁT, Esq, Bo C S, Assistant Collector, Ahmedabad 200

XLI.—RÁO BAHÁDUR BHIMBHÁI KIRPÁRÁM, Personal Assistant to the Director of Agriculture, Poona 206

XLII.—MULLA ABDUL HYE MAHOMED ALI, Munshi, Surat 211

XLIII.—HARILÁL HARSADRÁI DHRUVA, B A, LL B, Pleader, Surat, Honorary Secretary, *Praja Hit Vardhak Sabha*, Surat 212

XLIV.—DAYÁRÁM GIDUMAL, B A. LL.B, Statutory Service, Assistant Collector, Karachi 214

XLV.—F. A H ELLIOT, Esq, Bo C S, Survey and Settlement Commissioner, Baroda 218

XLVI.—A H. PLUNKETT, Esq, Uncovenanted Service, City Magistrate, Poona . 221

XLVII.—Ráo BAHÁDUR GURSHIDAPA VIRBASAPA GILGANCHI, Uncovenanted Service, Deputy Collector, Belgaum 224

XLVIII.—F. L. GOLDSMID, Esq, District Superintendent of Police, Kolába . . . 226

XLIX.—NÁRÁYAN GANESH CHANDÁVARKAR, B A, LL B, Fellow of the Bombay University, Editor, *Indu Prakash*, Pleader, High Court, Bombay . . . 229

L.—THE HON'BLE KÁSHINÁTH TRIMBAK TELANG, C.I E, M A, LL.B, Member of the Legislative Council, Bombay J P, Advocate, High Court, Bombay, Fellow of the Bombay University, &c. 231

No.		Page
LI	—Ráo Sáheb Mahipatrám Ruprám Nilkanth, C.I.E., Principal, Training College, Ahmedabad	244
LII	—Ráo Báhádur Yeshwant Moreshvar Kelkar, Assistant to the Commissioner, Southern Division, Acting Oriental Translator to Government, Bombay	245
LIII	—W. B. Mulock, Esq., Bo C S, Acting Collector, Surat	248
LIV	—J W Ore, Esq., M A, Barrister-at-Law, Prothonotary, High Court, Bombay	254
LV	—Váman A'báji Modak, B A, Principal, Elphinstone High School, Bombay	256
LVI	—Grattan Geary, Esq., Editor and Proprietor, *Bombay Gazette*, J. P, Fellow of the Bombay University	265
LVII	—Gangárám Bháu Maske, Pleader, Poona	275
LVIII	—The Rev D' Mackichan, M A, D D, Principal, Free General Assembly's Institution, Bombay, Fellow of the Bombay University	279
LIX.	—Kávasji Dádábhái Náegámwála, M A, F.C.H, F R A S, F.C S, Lecturer on Experimental Physics, Elphinstone College, Bombay, J P, Fellow of the Bombay University, Representative of the Graduates Association, Bombay.	282
LX.	—Munshi Nur Mahomed Khán, Secretary, *Anjaman-i-Takwiyat-ul-Islam*, Poona	289
LXI	—Ráo Báhadur Raghunáth Shivrám Tipnis, B A., L L B, Uncovenanted Service, Subordinate Judge, Poona	291
LXII	—The Rev J. Maye, S J, Rector of St Xavier's College, Bombay, Fellow of the Bombay University	294
LXIII	—Shankar Pándurang Pandit, M A, Oriental Translator to Government, Bombay	300
LXIV	—Sorábji Shápurji Bengáli, Merchant, J P, Fellow of the Bombay University	307
LXV	—A T Shuttleworth, Esq., Conservator of Forests, N C, Bombay	309
LXVI	—Jhaverilál Umiáshankar Yájnik, Agent in Bombay to H. H the Ráo of Kutch, J P, Fellow of the Bombay University, Member of the Municipal Corporation, &c	312
LXVII	—Dáji A'báji Khare, B A, L L B, Vakil, High Court, Bombay, Joint Honorary Secretary, Bombay Branch, East Indian Association	316
LXVIII	—Mahádev Balláb Námjoshi, Member of the Deccan Education Society, Poona	320
LXIX	—Bál Gangádhar Tilak, B A, L L B, Editor, *Mahratta* Newspaper, Poona, Professor, Fergusson College, Poona	324
LXX	—A T Crawford, Esq., Bo C.S, Commissioner, Central Division, Bombay	327
LXXI	—W H, Crowe, Esq., Bo C S, District Judge, Poona	333
LXXII.	—Siddeshvar, Mitter, Delegate of the Society for the Translation of the Mahábhárat	336
LXXIII	—Jehángirsháh Erachsháh Kohiyar, Assistant Secretary to Government, Bombay	337
LXXIV	—The Hon'ble Raymond West, Esq., M A, F R G S, L L D, Bo C.S, Barrister-at-Law, Judge, High Court, Bombay	344
LXXV	—Surgeon K R Kirtikar, C.R.L.P M R C S, Indian Medical Service, Acting Professor of Anatomy, Grant Medical College, and Second Surgeon, J J. Hospital, Bombay	357
LXXVI	—Dinsha E Váchha, Merchant, Joint Honorary Secretary, Bombay Presidency Association, Bombay	363

SECTION III.—SUB-SECTION A.—REPLIES OF SOCIETIES AND ASSOCIATIONS

I.	—The Loka Hittechu Sabha, Broach	1
II.	—The Sind Sabha, Karachi	3

SECTION III.—SUB-SECTION B.—REPLIES RECEIVED FROM PERSONS SUMMONED OR INVITED BUT WHO WERE UNABLE TO ATTEND THE SITTINGS OF THE COMMISSION.

I	—The Hon'ble J Jardine, M A, C S, Judge, High Court, Bombay	11
II.	—The Hon'ble Sir M Melvill, C S, C S I, K C I E, Member of Council, Bombay	17
III	—The Hon'ble H M Birdwood M A, L L M, C S, Judge, High Court, Bombay	22
IV	—The Hon'ble L H Bayley, Barrister at-Law, Judge, High Court, Bombay	26
V	—The Hon'ble W E Hart, B A, Barrister-at-Law, Chief Judge, Small Cause Court, Bombay	28
VI	—W. H Propert, Esq., C S, Commissioner, Southern Division	33
VII	—E. T Candy, Esq., C S, Acting Judicial Commissioner, Sind	39
VIII	—Chester Macnaghten, Esq., M A, Principal, Rajkumar College, Káthiáwar.	47
IX	—E M H Fulton, Esq., C S, Acting District Judge, Belgaum	55

No.		Page
X.	—G. C. Whitworth, Esq, Judicial Assistant to the Political Agent, Káthiawár	59
XI.	—The Hon'ble Dayaram Jethmal, Additional Member of the Legislative Council, Bombay	64
XII.	—The Hon'ble J. B. Richey, C S, C.S I., Temporary Member of Council, Bombay.	74
XIII.	—T D. Mackenzie, Esq, C S, Acting Chief Secretary to Government, Bombay.	78
XIV.	—J. Monteath, Esq, M A, C.S, Private Secretary to His Excellency the Governor of Bombay	83
XV.	—Vinayak Vasudev, J. P, Fellow of the University and Secretary to the Civil Military Examination Committee, Bombay	87
XVI.	—Syad Nuruddin Khan, C.S., (Statutory) Assistant Collector, Thana	88
XVII.	—Khan Bahadur, Navroji Dorabji Khandalavala, B.A., Acting Judge, Small Cause Court, Ahmedabad	96
XVIII.	—Narayan Meghaji Lokhanday, Editor, *Dinbandhu*, Bombay	106
XIX.	—Manekji Barjorji Minocherhomji, Editor, *Bombay Samachar*, Bombay	109
XX.	—Rao Saheb Madhvachram Balvachram Hora, Subordinate Judge, Balsar	111
XXI.	—Behramji Merwanji Malbari, Editor, *Indian Spectator*, Bombay	120
XXII.	—A. D Husen Ali, Pleader, Karachi	124
XXIII	—Dinsha Ardeshir Taleyarkhan, Municipal Commissioner, Baroda	127
XXIV	—T. S Tait, Esq, M A., principal, Baroda College, Baroda	138
XXV.	—Sitaram Hari Chiplunkar, Secretary, Sarvajanik Sabha, Poona	140
XXVI	—Khan Bahadur Nasawanji Khareshedji, Merchant, Ahmednagar	155
XXVII.	—Sir W. Wedderburn, Bart., C.S, 1st Grade Judge and Sessions Judge, Poona	160
XXVIII.	—The Hon'ble Nanabhai Haridas, Judge, High Court, Bombay	164
XXIX	—Itcharam S Desai, Editor, *Gujerati*, Bombay	172
XXX.	—Cursetji Rustumji Thanawala, Chief Justice of Baroda	176
XXXI	—Bhaishankar Nanabhai, Solicitor, High Court, Bombay	180
XXXII.	—Rao Bahadur Chintaman Narayan Bhat, B.A., LL B, Subordinate Judge, Dhulia	182
XXXIII.	—Khan Saheb Karmali Rahim Nanjiani, B A, Deputy Educational Inspector, Hindustani Schools, Northern Division	185
XXXIV.	—Rao Bahadur Becharbas Veharidas Desai, Honorary Magistrate, Nadiad	189

SECTION III.—SUB-SECTION C—SELECTED ANSWERS OF OTHER PERSONS.

I.	—The Revd. Alexander G Fraser, D D.	194
II.	—Correspondence put in by W Lee-Warner, Esq, C S., Acting Chief Secretary to Government, Bombay	196
III.	—The Hon'ble Raymond West, M.A, LL D., F R.G S, C S, Barrister-at-Law, Judge, High Court, and Vice-Chancellor of the University, Bombay	203

ERRATA

VOLUME IV —SECTION II.

Page 9, Q 174. For "undergraduates" *read* "graduates"
Page 20, Q. 300, line 3 For "after" *read* "during"
Page 41, Heading For "Taluqdar" *read* "Taluqdari," and omit "Ahmedabad"
Page 41, Q 577 For "Taluqdari Settlement Office at" *read* "Taluqdari Settlement Officer in."
Page 44, Q 638 For "Lukshminarain" *read* "Lakshman"
Page 68, Q 919, line 5 For "Mr." *read* "Lord"
Page 113, Q 1693. After "would" *insert* "you."
Page 162, Q 2271 For "even" *read* "ever"
Page 168, Q 2384, line 4 Omit "on the same pay"
Page 215, above Q 3093 For "Mr Stewart" *read* "Mr. Nulkar."
Page 314, Q 4391 For "Sathyanandan" *read* "Satyendranáth"
Page 219, Q 3182. After "would" *insert* "you"
Page 320, Q. 3199. For "Bedounis" *read* "Bedouins"
Page 231, Q 3241 For "Moriarity" *read* "Inverarity"
Page 291, Q. 4082 For "Khaist" *read* "Kayesth"
Page 311, Q 4347, line 4 For "1853" *read* "1833"

1887 to T. H. Stewart, Esq, Bombay Civil Service, Byculla Club, Bombay, with a short note of the points on which they wish to give evidence.

F. C. DAUKES,

Secretary, Public Service Commission.

January 3rd, 1887.

II.

No. 4, dated Lahore, 16th November 1886.

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of Bombay.

I am directed to request that, with the permission of His Excellency the Governor in Council, the Public Service Commission may be favoured with a list of the names of selected officers serving in the Bombay Presidency and Sind and belonging to (*a*) the Covenanted Civil Service, (*b*) the Statutory Service, and (*c*) the Uncovenanted Service, whose opinions the Bombay Government may consider it desirable for the Commission to invite on the subject-matter of the enquiries with which it has been entrusted, as set forth in the Resolution of the Government of India in the Home Department No. 34—1573-80, dated 4th October

PROCEEDINGS

THE PUBLIC SERVICE COMMISSION.

VOLUME IV.—PROCEEDINGS RELATING TO THE BOMBAY PRESIDENCY.

SECTION I, SUB-SECTION A.—NOTICE AND PAPERS CALLING FOR EVIDENCE.

I.

The following notice was published in the Bombay Government Gazette and in the leading English and Vernacular newspapers in the Bombay Presidency:— Vol IV Section I. Sub-Sec A. Bombay

NOTICE.

As the sittings of the Public Service Commission will shortly commence at Bombay, persons residing in the Bombay Presidency (including Sind), who may be desirous of tendering evidence on the subject of the Commission's enquiries are invited to communicate their names and addresses on or before the 15th January 1887 to T. H. Stewart, Esq., Bombay Civil Service, Byculla Club, Bombay, with a short note of the points on which they wish to give evidence.

F. C. DAUKES,

Secretary, Public Service Commission.

January 3rd, 1887.

II.

No. 4, dated Lahore, 16th November 1886.

From—The Secretary to the Public Service Commission,

To—The Chief Secretary to the Government of Bombay.

I am directed to request that, with the permission of His Excellency the Governor in Council, the Public Service Commission may be favoured with a list of the names of selected officers serving in the Bombay Presidency and Sind and belonging to (*a*) the Covenanted Civil Service, (*b*) the Statutory Service, and (*c*) the Uncovenanted Service, whose opinions the Bombay Government may consider it desirable for the Commission to invite on the subject-matter of the enquiries with which it has been entrusted, as set forth in the Resolution of the Government of India in the Home Department No. 34—1573-80, dated 4th October

1886. I am also to request that the Commission may be favoured with a list of (1) any local Associations or Societies, (2) the Editors of the leading newspapers, both English and Vernacular, published in the Bombay Presidency and Sind, who should, in the opinion of His Excellency the Governor in Council, be consulted by the Commission. The Commission would further be glad if the Bombay Government would be good enough to suggest the names of any members of the general public, not being in Government service, who might with advantage be consulted on the subject-matter of the enquiries in question.

2. It is hoped that His Excellency the Governor in Council, will be good enough to let it be generally known throughout the Bombay Presidency and Sind that the Public Service Commission will be glad to receive the opinions of any Association or Society or of any gentlemen, whether or not in the service of Government, who may wish to lay their views before the Commission.

No. 8543, dated Bombay Castle, 3rd December 1886.

From—T D. MACKENZIE, Esq, C S., Acting Chief Secretary to the Govt. of Bombay, Rev. Dept.,
To—The Secretary to the Public Service Commission.

In compliance with the request contained in your letter No. 4, dated the 16th ultimo, I am directed by His Excellency the Governor in Council to forward herewith a list (marked A) of the names of selected officers serving in this Presidency and belonging to (*a*) the Covenanted Civil Service, (*b*) the Statutory Civil Service, and (*c*) the Uncovenanted Civil Service, who should, in the opinion of His Excellency in Council, be invited by the Public Service Commission to offer their opinion on the subject-matter of the enquiries with which it has been entrusted, as set forth in the Resolution of the Government of India in the Home Department No. 34—1573-98, dated the 4th October 1886, and to suggest the names of the following members of the general public, not being in Government service, who might with advantage be also consulted by the Commission.—

The Hon'ble J. Macpherson, B A., Barrister-at-law, Acting Advocate General, Bombay.
„ Káshináth Trimbak Telang, M.A., LL.B., Barrister-at-law, Bombay.
„ F Forbes Adam.
„ Dádábhái Naoroji.
„ Dayárám Jethmal.
„ Ráo Bahádur Mahádev Vásudev Barve, C.I.E.

} Additional Members of the Council of His Excellency the Governor for making Laws and Regulations.

Rev. J. Mayr, S.J., Rector, St. Xavier's College, Bombay.
„ D. Mackichan, M.A., D D., Principal, Free General Assembly's Institution, Bombay.
„ J. Smith, American Mission High School, Ahmednagar.
Mr. Badrudin Tyabji, Barrister-at-Law.
„ Jhaverilál Umiashankar Yajnik.
„ Raghunáth Náráyan Khote, C.I.E.
„ Ghulám Mahomed Munshi.

2. I am at the same time directed to append a list (marked B) of (1) local Associations or Societies and (2) the Editors of the leading newspapers, both English and Vernacular, published in this Presidency, who may, in the opinion of His Excellency the Governor in Council, be also consulted by the Commission.

List (A) referred to in paragraph 1 of the letter from the Government of Bombay No. 8543, dated 3rd December 1886.

COVENANTED CIVIL SERVICE.

1. The Hon'ble M Melvill, C.S.I., Member of Council.
2. „ J. B. Richey, C.S.I., do.
3. Mr. H. N. B Erskine, Commissioner in Sind (on leave).
4. „ A. T. Crawford, Commissioner, Central Division.
5. The Hon'ble R West, M.A, F.R.G.S., LL D., Judge of the High Court of Judicature, Bombay.
6. „ H M Birdwood, M A., LL M., Judge of the High Court of Judicature, Bombay.
7. Sir W. Wedderburn, Bart, Chief Secretary to Government (on leave)
8. Mr. Satyendranáth Tagore, first grade Judge and Sessions Judge, Sholápur, Bijápur.

9. Mr. T. D. Mackenzie, Acting Chief Secretary to Government, Revenue, Financial, and General Departments.
10. „ E. T. Candy, Acting Judicial Commissioner and Judge of the Sadar Court in Sind.
11. „ E. C. K. Ollivant, Muncipal Commissioner for the City of Bombay (on leave).
12. „ W. Lee-Warner, M.A., Acting Secretary to Government, Political, Judicial, and Educational Departments
13. „ E. M. H. Fulton, Acting Judge and Sessions Judge, Belgaum.
14. „ J. Macnabb Campbell, M.A., LL.D., C.I.E., First Assistant Collector and Magistrate, Belgaum.
15. „ C. G. W. Macpherson, C.I.E., Acting Special Judge under the Dekkhan Agriculturists' Relief Act of 1879.
16. „ G. C. Whitworth, Acting Judicial Assistant to the Political Agent, Káthiáwár.
17. „ Thomas Hart-Davies, Assistant Collector and Magistrate (on furlough)
18. „ J. Monteath, M A., Private Secretary to His Excellency the Governor.
19. „ F. A. H. Elliot, on special duty, Baroda.
20. „ C. E. G. Crawford, Registrar, High Court, Appellate Side, Bombay.
21. „ S. B. Thákur, B.A, Assistant Judge, F. P., and Joint Sessions Judge, Broach (on leave)
22. „ A. Shewan, Under-Secretary to Government, Political, Judicial, and Educational Departments.
23. „ J. DeC. Atkins, Under-Secretary to Government, Revenue, Financial, and General Departments.

Statutory Civilians

1. Mr. K. R. Bamanji, Acting Second Assistant Collector, Kaira.
2. „ Dayarám Gidumal, B.A, LL.B., Assistant to Collector and Magistrate, Karáchi.
3. Syad Nur-ud-din Khán, Assistant to the Collector and Magistrate, Thána

Uncovenanted Service.

1. Mr. W. Wordsworth, M.A., Principal, Elphinstone College, Bombay.
2. Dr. T. Cooke, M.A, M.I., LL.D., Principal, College of Science, Puna.
3. Mr. R. G. Oxenham, M A, Principal, Deccan College, Puna
4. „ C. Macnaghten, M.A., Principal, Rájkumár College, Káthiáwár.
5. „ A. T. Shuttleworth, I.N., Conservator of Forests, N C.
6. Lieutenant-Colonel W. Peyton, M.S C, Conservator of Forests, S.C
7. Mr. W. E. Hart, B A., Chief Judge, Small Cause Court, Bombay.
8. The Hon'ble Ráo Sáheb Vishwanáth Náráyan Mandlik, C S.I., Government Pleader, High Court, Bombay.
9. „ Rao Bahádur Mahádev Govind Ránade, M.A., LL.B., Member of the Finance Committee.
10. Mr. Manibhái Jasbhái, Naib-Diwán, Baroda.
11. Khan Bahadur Pestanji Jehángir, C.I.E., Acting Tálukdári Settlement Officer.
12. Mr. Jehángirsha Erachsha Kohiyár, Assistant Secretary to Government, Revenue, Financial, and General Departments.
13. Khán Bahádur Barjorji Edalji Mody, M.A., LL.B, Subordinate Judge, Ahmedabad.
14. Ráo Bahádur Chintáman Náráyan Bhat, B.A., LL.B., Subordinate Judge, Dhulia.
15. Ráo Sáheb Mádhvachrám Balvacharám Hora, Subordinate Judge, Bulsár.
16. Mr. W. R. Hamilton, Huzur Deputy Collector, Ahmednagar.
17. Ráo Bahádur Yeshwant Moreshwar Kelkar, Assistant Commissioner, S.D., employed on special duty as Secretary to the Forest Commission.
18. Ráo Bahádur Báláji Gangádhar Sáthe, Native Assistant to the Commissioner, C D.
19. Ráo Bahádur Gurshiddapa Vubasapa Gilganchi, District Deputy Collector, Belgaum.
20. Ráo Bahádur Khanderáo Chimanráo Bedárkar, B.A., LL.B., Acting Judge of the Small Cause Court, Puna.
21. Ráo Bahádur Vináyak Vásudev
22. Khán Bahádur Navroji Dorábji Khandála-vála, B.A., LL.B., Acting Oriental Translator to Government.

Vol IV. Sec I Sub-Sec. A

List (B) referred to in paragraph 2 of the letter from the Government of Bombay No. 85 dated 3rd December 1886.

[e]Bombay

NAMES OF ASSOCIATIONS OR SOCIETIES.

The Bombay Branch of the East India Association
" Eurasian and Anglo-Indian Association of Western India
" Bombay Presidency Association.
" Puna Sarvajanik Sabha.
" Sind Sabha, Karáchi.

EDITORS OF NEWSPAPERS.

The Bombay Gazette, Bombay
" Times of India, Bombay.
" Indian Spectator, Bombay.
" Indu Prakásh, Bombay.
" Native Opinion, Bombay.
" Bombay Samáchár, Bombay.
" Rast Goftar, Bombay.
" Kaside Mumbai, Bombay.
" Advocate of India, Bombay.
" Jame Jamshed, Bombay.
" Dinbandhu, Bombay.
" Bombay Catholic Examiner, Bombay.
" Dnyán Prakásh, Puna.
" Mahratta and Kesari, Puna.
" Gujrát Mitra, Surat.
" Surat Akbhar, Surat.
" Dhárwár Vritt, Dhárwár.
" Bakul, Ratnágiri.
" Civil and Military Gazette, Sind Issue, Karáchi.
" Sind Times, Karáchi.

III.

No. 19, dated Lahore, 30th November 1886.

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of Bombay.

In continuation of my letter No. 4, dated 16th November 1886, I am directed by the Public Service Commission to forward herewith five separate sets of questions bearing on their enquiries which the Commission desire to address (1) to the several Local Governments and Administrations, (2) to selected officers of the Covenanted Civil Service, (3) to selected Statutory Civilians, (4) to selected officers of the Uncovenanted Service, and (5) to such Associations and Societies, Editors of newspapers, Vernacular and English, and members of the general public, not being in the service of Government, as it may be considered desirable to consult on the subject-matter of the enquiries of the Commission.

2. With reference to the questions (marked A) addressed to the Bombay Government, twenty-five copies of which are forwarded, I am to say that the Commission would be glad if His Excellency the Governor in Council, after consulting such officers as he may see fit with regard to any of them, would be good enough to cause replies to be furnished to me with as little delay as possible. It is not necessary that the replies should be detained until all the questions have been answered, and it might be convenient if answers were sent from time to time as prepared, provided that the serial number attached to each question is correctly entered opposite the reply thereto As some of the questions deal with statistical matters, it might further be convenient if the replies to these were thrown into a tabular form; but if this course is adopted, I am to request that care may be taken that the question or questions which each tabular statement embraces are accurately noted. Other questions, again, may possibly be better answered orally than in writing, and if this should appear to the Bombay Government to be the case, the Commission would be glad if His Excellency the Governor in Council would indicate in what way the answers to such questions could most conveniently be given, either by the deputation of some special officer to represent the views of the Local Government or in any other manner which may be deemed preferable

3. As regards the other sets of questions, I am to explain that those marked B, C and D, respectively, are intended to be addressed to such officers, being members of the Covenanted Civil Service, the Statutory Service, or the Uncovenanted Service, as might in the opinion of the Bombay Government be consulted with advantage by the Commission on the subject-matter of their enquiries. Fifteen copies of set B (for selected officers of the

Covenanted Service) are forwarded herewith, with five copies of set C (for selected Statutory Civilians) and twenty copies of set D (for selected officers of the Uncovenanted Service); and I am to request that, with the permission of His Excellency the Governor in Council, a copy of each set of these questions with one of the letters attached thereto in original may be supplied to those officers serving in the Bombay Presidency and Sind whom the Bombay Government may consider it desirable to consult. It will be noticed that alternative covering letters are attached to each of these sets of questions, the object being to distinguish between the cases of officers whom, owing either to their position in the service of Government or to the nature of the evidence which they may be expected to give, it is considered desirable to *summon* as witnesses before the Commission, and of those whom it is not deemed necessary to summon as witnesses, but who might be invited voluntarily to offer evidence. It is left to the Bombay Government to determine the officers in the Bombay Presidency and Sind who should be classed under each of these categories, and to distribute accordingly all the sets of questions, or as many sets as may be considered necessary, accompanied by the appropriate covering letter in each case. In order to meet the case of officers of Government or others who, although not specially consulted, may nevertheless be desirous of offering evidence before the Commission, it is proposed to issue a Notification inviting such persons to intimate their names and addresses to the Secretary to the Commission with a brief note of the particular points on which they wish to give evidence. When the plan of the Commission's operations has been further settled, copies of the Notification will be communicated to the Bombay Government for insertion in the local Gazette and in some of the leading local newspapers, English and Vernacular.

4. The remaining set of questions, marked E, of which sixty copies are forwarded, is intended for issue with the attached letters to selected local Associations and Societies, Editors of newspapers (English and Vernacular), and members of the general public. It will be observed that two covering letters are attached to this set of questions, one of which is intended for issue to the Editors of newspapers or members of the general public, and the other to Associations or Societies. The Commission would feel obliged if the Bombay Government would be good enough to cause these sets of questions to be issued, with the appropriate covering letter in each case, to such bodies or individuals of the classes named in the Bombay Presidency and Sind as may, in the opinion of His Excellency the Governor in Council, be expected to give useful advice on the subject-matter of the present enquiries.

5. It is hoped that the questions will be issued under the supervision of some responsible officer and with as little delay as practicable, and I am particularly to request that the Commission may be furnished with a complete and accurate list of all Associations, Societies, or persons, whether official or non-official, to whom sets of the questions may be communicated, the names of the Government officers who may be summoned to attend as witnesses, or who may be invited to give evidence, being separately given with their addresses in each case. The replies should, in all cases, be sent direct by those consulted to the Secretary to the Public Service Commission, and if additional copies of any of the sets of questions are required for use in the Bombay Presidency, they will be at once supplied on application.

No. 9000, dated Bombay Castle, the 23rd December 1886.

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,
To—The Secretary to the Public Service Commission, Lahore.

I am directed to forward for the information of the Public Service Commission the accompanying copy of the Resolution of this Government No. 8997 of to-day's date, showing the steps taken by this Government to give effect to the requests made in your letter No. 19, dated the 30th ultimo, and telegrams, dated respectively the 17th and 19th instant, and to state that should the Commission desire to examine as witnesses persons other than

(i) those to whom letters summoning them to appear before the Commission have been forwarded;
(ii) those who may volunteer to give evidence with reference to the option given to them to do so; and
(iii) those who happen to be in Bombay when the Commission arrives there,

such persons will be summoned on your communicating the Commission's wish to that effect.

No. 8997, dated Bombay Castle, the 23rd December 1886.

RESOLUTION—By the Government of Bombay, Revenue Department.

Letter from the Secretary, Public Service Commission, No. 19, dated 30th November 1886:—

"In continuation of my letter No. 4, dated 16th November 1886, I am directed by the Public Service Commission to forward herewith five separate sets of questions bearing on

their enquiries which the Commission desire to address (1) to the several Local Governments and Administrations, (2) to selected officers of the Covenanted Civil Service, (3) to selected Statutory Civilians, (4) to selected officers of the Uncovenanted Service, and (5) to such Associations and Societies, Editors of newspapers, Vernacular and English, and members of the general public, not being in the service of Government, as it may be considered desirable to consult on the subject-matter of the enquiries of the Commission.

"2. With reference to the questions (marked A) addressed to the Bombay Government twenty-five copies of which are forwarded, I am to say that the Commission would be glad if His Excellency the Governor in Council, after consulting such officers as he may see fit with regard to any of them, would be good enough to cause replies to be furnished to me with as little delay as possible. It is not necessary that the replies should be detained until all the questions have been answered, and it might be convenient if answers were sent from time to time as prepared, provided that the serial number attached to each question is correctly entered opposite the reply thereto. As some of the questions deal with statistical matters, it might further be convenient if the replies to these were thrown into a tabular form; but if this course is adopted, I am to request that care may be taken that the question or questions which each tabular statement embraces are accurately noted. Other questions, again, may possibly be better answered orally than in writing, and if this should appear to the Bombay Government to be the case, the Commission would be glad if His Excellency the Governor in Council would indicate in what way the answers to such questions could most conveniently be given, either by the deputation of some special officer to represent the views of the Local Government or in any other manner which may be deemed preferable.

"3. As regards the other sets of questions, I am to explain that those marked B, C, and D, respectively, are intended to be addressed to such officers, being members of the Covenanted Civil Service, the Statutory Service, or the Uncovenanted Service, as might, in the opinion of the Bombay Government, be consulted with advantage by the Commission on the subject-matter of their enquiries. Fifteen copies of set B (for selected officers of the Covenanted Service) are forwarded herewith, with five copies of set C (for selected Statutory Civilians) and twenty copies of set D (for selected officers of the Uncovenanted Service), and I am to request that, with the permission of His Excellency the Governor in Council, a copy of each set of these questions with one of the letters attached thereto in original may be supplied to those officers serving in the Bombay Presidency and Sind whom the Bombay Government may consider it desirable to consult. It will be noticed that alternative covering letters are attached to each of these sets of questions, the object being to distinguish between the cases of officers whom, owing either to their position in the service of Government or to the nature of the evidence which they may be expected to give, it is considered desirable to *summon* as witnesses before the Commission, and of those whom it is not deemed necessary to summon as witnesses, but who might be invited voluntarily to offer evidence. It is left to the Bombay Government to determine the officers in the Bombay Presidency and Sind who should be classed under each of these categories, and to distribute accordingly all the sets of questions, or as many sets as may be considered necessary, accompanied by the appropriate covering letter in each case In order to meet the case of officers of Government or others who, although not specially consulted, may nevertheless be desirous of offering evidence before the Commission, it is proposed to issue a Notification inviting such persons to intimate their names and addresses to the Secretary to the Commission with a brief note of the particular points on which they wish to give evidence. When the plan of the Commission's operations has been further settled, copies of the Notification will be communicated to the Bombay Government for insertion in the local Gazette and in some of the leading local newspapers, English and Vernacular.

"4. The remaining set of questions, marked E, of which sixty copies are forwarded, is intended for issue with the attached letters to selected local Associations and Societies, Editors of newspapers (English and Vernacular), and members of the general public. It will be observed that two covering letters are attached to this set of questions, one of which is intended for issue to the Editors of newspapers or members of the general public, and the other to Associations or Societies. The Commission would feel obliged if the Bombay Government would be good enough to cause these sets of questions to be issued, with the appropriate covering letter in each case, to such bodies or individuals of the classes named in the Bombay Presidency and Sind as may, in the opinion of His Excellency the Governor in Council, be expected to give useful advice on the subject-matter of the present enquiries.

"5. It is hoped that the questions will be issued under the supervision of some responsible officer and with as little delay as practicable, and I am particularly to request that the Commission may be furnished with a complete and accurate list of all Associations, Societies, or persons, whether official or non-official, to whom sets of the questions may be communicated, the names of the Government officers who may be summoned to attend as witnesses, or who may be invited to give evidence, being separately given, with their addresses in each case."

Letter from Mr. F. L. Goldsmid, District Superintendent of Police, Kolába, No. 666, dated 11th December 1886.

Telegram from the Secretary, Public Service Commission, dated 17th December 1886 :—

"No. 33. Please * * * ask all consulted to send replies to you. Commission would be much obliged if you would kindly have all replies printed half margin with questions on margin as they come in, so that they may be ready in print when Commission arrive. Cost debitable to Commission. Fifty copies of each sufficient. Commission extremely regret to give you trouble, but it is unavoidable as the office travels with Commission, and it is found impossible to make any other arrangement for printing which is essential to enable all members to see replies before oral examination."

Further telegram from the Secretary, Public Service Commission, dated 17th December 1886 :—

"No. 36. Your telegram 15th. Only offices in Land Revenue Department meant."

Telegram from the Secretary, Public Service Commission, dated 19th December 1886 :—

"Will you very kindly explain to Associations and persons, official or non-official, consulted in your Presidency that replies to printed questions should be confined to specific points regarding which Associations or persons consulted hold distinct opinions or wish to bring forward particular facts. Questions necessarily very general, and it was not intended that those consulted should reply to all as a matter of course."

RESOLUTION.—A copy of question 52 of set A should be forwarded to the Private Secretary to His Excellency the Governor with a request that he will be good enough to furnish this Department with a reply to it at his very early convenience.

2. The Commissioners of Divisions, the Commissioner in Sind, and the undermentioned Collectors and Judge should be requested to favour Government at their very early convenience with answers to questions Nos 59 to 87, 189 to 207, and 296 of set A as far as they are in a position to answer them. The answers should be prepared with care and should be as detailed as possible :—

Mr. W. B. Mulock, Collector of Surat.
„ G. F. M. Grant, Collector of Sátára.
„ J. F Fleet, Collector of Sholápur.
„ J. F. Muir, Collector of Belgaum.
Lieut.-Colonel R. I. Crawford, Collector of Karáchi.
Mr. S. Hammick, Judge of Surat.

3. The Commissioners of Divisions and the Commissioner in Sind should also be requested to favour Government with answers to questions Nos. 298 to 304 and 315 of set A so far as the subordinate executive service in the Land Revenue Department is concerned. The Private Secretary to His Excellency the Governor should be requested to favour this Department with any information which may be available in his office on the subject of questions Nos. 299 to 304 of set A. Very early replies should be requested.

4. The Hon'ble Mr. Justice West, Mr. Erskine, Mr. Wordsworth, and Mr Lee-Warner should be invited to favour Government at their very early convenience with their opinions on Parts II, III, IV, V, and VII, and questions Nos 316 to 324 of Part VIII of set A.

5. The Judicial Department of the Secretariat should be requested to favour this Department with the least possible delay with answers to questions Nos. 88 to 95, 268 to 270, 274, 275, 277 and 278 to 324 of set A so far as that Department is concerned.

6. Copies of set B should be forwarded to Messrs. A. T. Crawford, E. C. K. Ollivant, J. Monteath, and C. E. G. Crawford, with letters from the Secretary, Public Service Commission, in the form* giving them the option of tendering evidence orally. Copies should also be forwarded to the undermentioned members of the Covenanted Civil Service with letters from this Government inviting their replies by written statements :—

*No. 17, dated 30th November 1886

Mr. H. N. B. Erskine.
„ Satyendranáth Tágore.
„ E. T. Candy.
„ E. M. H. Fulton.
Mr. James M. Campbell.
„ C. G. W. Macpherson.
„ G. C. Whitworth.
„ F. A. H. Elliot.

7. Copies of sets C and D should be forwarded respectively to the undermentioned Statutory Civilians and "Uncovenanted Officers," with letters from the Secretary, Public Service Commission, in the form† giving them the option of tendering evidence orally :—

†No. 17, dated 30th November 1886.

Statutory Civilians.

Mr. K. R. Bamanji.
„ Dayárám Gidumal.
Syad Nur-ud-din Khán

"Uncovenanted Officers" (including officers lent to Native States or retired from the service).

Mr. W. Wordsworth.
Dr. T. Cooke
Mr. R. G. Oxenham.
„ C. Macnaghten.
„ A. T. Shuttleworth.
Lieut.-Colonel W. Peyton.
The Hon'ble Ráo Sáheb V. N. Mandlik.
„ Ráo Bahádur Mahádev G. Ránade.
Mr Manibhái Jusbhái.
Khán Bahádur Pestanji Jehángir.
Mr. J. E. Kohiyár.
Khán Bahádur Barjorji E. Modi.
Ráo Bahádur Chintáman N. Bhat.
Ráo Sáheb Madhvachrám B. Hora.
Mr. W. R. Hamilton.
Ráo Bahádur Yeshvant M. Kelkar.
„ Bálaji Gangádhar
„ Gurshidapa V. Gilganchi
„ Khandaráo C. Bedárkar.
Mr. Vináyak Wásudev.
Khán Bahádur Navroji D. Khandálávála.
Mr. F. Goldsmid.

8. Copies of set E should be forwarded to the undermentioned Associations, Editors of newspapers, and members of the general public with the letters mentioned in paragraph 4 of Mr. Daukes' letter No. 19, dated 30th November 1886:—

Associations.

The Bombay Branch, East India Association.
The Eurasian and Anglo-Indian Association of Western India.
The Bombay Presidency Associatio
The Sind Sabha, Karáchi.

Editors.

The Editors of—
The Bombay Gazette.
„ Times of India.
„ Indian Spectator.
„ Indu Frakásh.
„ Native Opinion.
„ Bombay Samáchár.
„ Rást Goftár.
„ Káside Mumbai.
„ Advocate of India.
„ Jáme Jamshed.
„ Dinbandhu.

The Editors of—
The Bombay Catholic Examiner
„ Dnyán Prakásh.
„ Mahrátta and Kesari.
„ Gujarát Mitra.
„ Surat Akhbár.
„ Dhárwár Vritt.
„ Bakul
„ Civil and Military Gazette, Sind Issue.
„ Sind Times.

Members of the General Public.

The Hon'ble J. Macpherson, Acting Advocate General.
„ Káshináth Trimbak Telang.
„ F Forbes Adam.
„ Dádábhái Navroji.
„ Dayárám Jethmal.
„ Ráo Bahádur Mahádev Wásudev Barve.
} Additional Members of the Council of His Excellency the Governor for making Laws and Regulations.

Reverend J. Mayr, S.J., Rector, St. Xavier's College, Bombay.
„ D. Mackichan, M.A., D.D., Principal, Free General Assembly's Institution, Bombay.
„ J Smith, American Mission High School, Ahmednagar.
Mr. Badrudin Tyabji.
„ Javerilál Umiáshankar Yájnik.
„ Raghunáth Náráyan Khote.
„ Ghulám Mahomed Munshi

9. Paragraph 3 of the letter from the Secretary, Public Service Commission, forwarding sets B, C, D, and E should be modified as follows with reference to Mr. Daukes' telegram No. 33, dated 17th December 1886:—

"Any written replies to the questions should be forwarded to the Secretary, Public Service Commission, to the care of the Chief Secretary to Government, Revenue Department, Bombay, as the replies have to be printed at Bombay before they

are forwarded to the Commission. Other communications should be addressed to the Secretary, Public Service Commission, with His Honor the Lieutenant-Governor, Punjab."

The written replies should, as received, be forwarded to the Superintendent, Government Central Press, who should be instructed to print them with half margin, with the questions on the margin, and debit the cost to the Commission Fifty copies of each reply should be printed for the use of the Commission, and six for the use of this Government. The latter copies should be forwarded to this Department, and the former kept at the Press till further orders.

10. The following postscript should be added to the letters from the Secretary, Public Service Commission, forwarding the sets B, D and E, with reference to Mr. Daukes' telegrams No. 36, dated 17th December 1886, and No. 37, dated 19th idem —

"The term 'subordinate executive service' used in the questions should be understood as referring to the Land Revenue Department only. It must also be understood that the written replies to the questions should be confined to specific points regarding which your (association / sabha) hold (holds) distinct opinions or wish (wishes) to bring forward particular facts. The questions are necessarily very general, and it was not intended that those consulted should reply to them all as a matter of course."

As the term "subordinate executive service" is not used in set C, the postscript to the letters forwarding copies of that set should be—

"It must be understood that the written replies to the questions should be confined to specific points regarding which you hold distinct opinions or wish to bring forward particular facts. The questions are necessarily very general, and it is not intended that those consulted should reply to them all as a matter of course."

11. The officers and department named in paragraphs 1 to 5 above should be requested to write the answer to each question on a separate half-sheet, as it is desirable that the answers to the several questions should be separate when they are submitted to Government.

12. A copy of this Resolution should be forwarded to the Secretary, Public Service Commission, and he should be informed that should the Commission desire to examine as witnesses individuals other than—

(i) those to whom letters summoning them to appear before the Commission have been forwarded,

(ii) those who may volunteer to give evidence with reference to the option given to them to do so,

(iii) those who happen to be in Bombay when the Commission arrives there,

such individuals will be summoned on Mr. Daukes' expressing the Commission's wish to that effect.

To

The Private Secretary to His Excellency the Governor,
The Commissioner, N D.,
The Commissioner, C.D,
The Commissioner, S D.,
The Commissioner in Sind,
W. B. Mulock, Esq., C S, Collector of Surat,
G. F. M. Grant, Esq, C.S., Collector of Sátára,
J. F. Fleet, Esq, C S., C.I.E., Collector of Sholápur,
J. F. Muir, Esq, C.S, Collector of Belgaum,
Lieut.-Colonel R. I. Crawford, Collector of Karáchi,
S. Hammick, Esq., C.S., District Judge, Surat,
The Honourable R. West, C.S., M.A., F.R.G.S., LL D. (by letter),
H. N. B. Erskine, Esq, C S.,
W. Lee-Warner, Esq, C.S., M.A.,
W. Wordsworth, Esq, M.A.,
The Judicial Department of the Secretariat.
} With copies of Set A.

The Superintendent, Government Central Press (with copies of Sets B, C, D and E)

The Secretary, Public Service Commission (with a copy of the letter from this Government referred to in paragraph 6 of this Resolution—By letter).

Vol IV.
Sec I.
Sub-Sec A.
Bombay.

No. 8998, dated Bombay Castle, 23rd December 1886

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,
To—

I am directed by the Governor in Council to forward to you the enclosed set of questions by the Public Service Commission relating to certain points bearing on the enquiries entrusted to the Commission by the Resolution of the Government of India, in the Home Department, No 34—1573-83, dated 4th October 1886, which you have no doubt had an opportunity of studying either in the official Gazette or in the public newspapers. These questions make no pretension to completeness, but will probably be expanded and added to in the course of the examination of witnesses

2. I am to request that you will be good enough to submit written answers to the questions with the least possible delay, and that particular care may be taken to note accurately the serial number attached to each question opposite the answer thereto.

3. The written replies to the questions should be forwarded to the Chief Secretary to Government, Revenue Department, Bombay, as the replies have to be printed at Bombay before they are forwarded to the Commission. Other communications should be addressed to the Secretary, Public Service Commission, with His Honor the Lieutenant-Governor, Punjab

4. The term "subordinate executive service" used in the questions should be understood as referring to the Land Revenue Department only. It must be understood that the written replies to the questions should be confined to specific points regarding which you hold distinct opinions or wish to bring forward particular facts. The questions are necessarily very general, and it is not intended that those consulted should reply to them all as a matter of course.

No. 9038, dated Bombay Castle, 28th December 1886.

From—The Under-Secretary to the Government of Bombay, Revenue Department,
To—The Secretary to the Public Service Commission.

In continuation of the letter from this Government No 9000, dated the 23rd instant, I am directed to inform you that besides the Associations named in paragraph 8 of the Resolution of this Government No 8997 of the same date, a copy of which accompanied that letter, the Puna Sárvajanik Sabha has been furnished with a copy of the set (E) of the Commission's questions intended for issue to selected Local Associations and Societies, Editors of newspapers, and members of the general public.

IV.

No. 75, dated the 31st December 1886.

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of Bombay.

With reference to your letter No. 8543, dated the 3rd December 1886, forwarding lists of Associations and persons, official and non-official, who should, in the opinion of the Bombay Government, be consulted by the Public Service Commission, I am directed to request that, with the permission of His Excellency the Governor in Council, the gentlemen named in the margin may be invited to give oral evidence before the Commission at Bombay. Six additional sets of the questions are forwarded herewith (without covering letters) in case any of the gentlemen named should wish to give written replies, and also six copies of certain issues which have been framed by the Commission in connection with the oral examination of witnesses. There is no objection to the replies taking the form of answers to the issues instead of to the more detailed questions, if this course should be prefered, any additional remarks being made on points regarding which those consulted may desire to offer oral evidence before the Commission.

(1) Ráo Bahadur Behardas Veharidass, Honorary Magistrate, Nadiad, Guzerat
(2) Rao Bahadur Chunilal Venilal, Deputy Collector, Broach, Guzerat
(3) G W Forrest, Esq, B A., Professor of Mathematics, Deccan College, at present on special duty in the Bombay Secretariat
(4) Sir Jamsetji Jijibhoy, Bart, Bombay
(5) F. L Goldsmith, Esq, Superintendent of Police, Ahbag, Bombay
(6) Khan Bahadur Cursetji Nusserwanji, Municipal Commissioner, Ahmednagar, Bombay.

2. I am at the same time to invite attention to my telegram dated the 21st December 1886, and to say that the Commission would be glad to be favoured with a nominal list showing the Associations and persons, both official and non-official, to whom the questions have been communicated by the Bombay Government, and who have been either (*a*) summoned or (*b*) invited to give oral evidence before the Commission.

3. The additional copies of sets of questions with covering letters asked for in your telegram, dated the 10th of December, and letter No. 8713 of the same date, have already been separately despatched to you.

No. 95, dated Bombay Castle, 5th January 1887.

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,
To—The Secretary to the Public Service Commission

With reference to your letter No. 75, dated the 31st ultimo, I am directed to forward herewith copies of letters addressed to the six gentlemen named in the margin of paragraph 1 of your letter.

No. 87, dated Bombay Castle, 5th January 1887.

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,
To—Ráo Bahádur Behardás Veharidas, Honorary Magistrate, Nadiad, in the Kaira District.

I am directed by His Excellency the Governor in Council, at the request of the Public Service Commission, to invite you to give oral evidence before the Commission at Bombay on the subject-matter of the enquiries entrusted to it by the Resolution of the Government of India in the Home Department No. 34—1573-83, dated 4th October 1886, which you have no doubt had an opportunity of studying either in the *Bombay Government Gazette* or in the public newspapers I am to forward herewith a copy of a set E of questions relating to certain points bearing on the subject in case you should wish to give written replies, as well as a copy of certain issues which have been framed by the Commission in connection with the oral examination of witnesses. There is no objection to the replies taking the form of answers to the issues instead of to the more detailed questions, if this course should be preferred, any additional remarks being made on points regarding which you may desire to offer oral evidence before the Commission.

2 In the event of written answers being sent, I am to request that they may be furnished with the least possible delay, that they may be written on one side only of the paper used, and that particular care may be taken to note accurately the serial number attached to each question or issue opposite the answer thereto. It would facilitate business and obviate delay if your answers were supplied from time to time as prepared without waiting for the whole set of replies to be completed. The written replies should be confined to specific points regarding which you hold distinct opinions or wish to bring forward particular facts. The questions are necessarily very general, and it is not intended that those consulted should reply to them all as a matter of course

3. The term "Subordinate Executive Service" used in the questions should be understood as referring to the Land Revenue Department only.

4. Any written replies to the questions or issues should be forwarded to the Secretary, Public Service Commission, to the care of the Chief Secretary to Government, Revenue Department, Bombay, as the replies have to be printed at Bombay before they are forwarded to the Commission. Other communications should be addressed to T. H. Stewart, Esq, C S, Byculla Club, Bombay.

The same to—

Sir Jamsetji Jijibhoy, Bart, Bombay.
Khán Bahádur Cursetji Nusserwanji, Municipal Commissioner, Ahmednagar.
With set D { Rao Bahadur Chunilal Venilal, District Deputy Collector, Broach.
G. W Forrest, Esq, B.A, Professor of Mathematics, Deccan College, now on special duty at Bombay.

No. 94, dated Bombay Castle, 5th January 1887.

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,
To—The Superintendent of Police, Kolaba, Alibag.

In continuation of the letter from the Secretary to the Public Service Commission No. 17, dated 30th November 1886, I am desired by the Governor in Council, at the request of the Commission, to forward to you the accompanying copy of certain issues which have been framed by the Commission in connection with the oral examination of witnesses, and to state that there is no objection to your replies taking the form of answers to the issues instead of to the more detailed questions embodied in set D, a copy of which was forwarded with the letter referred to, if this course should be preferred, any additional remarks being made on points regarding which you may desire to offer oral evidence before the Commission.

V.

No 83, dated the 2nd January 1887.

From—The Secretary to the Public Service Commission,

To—The Chief Secretary to the Government of Bombay

In continuation of my letter No. 75 of the 31st December 1886, I am desired to say that the Public Service Commission would be obliged if, with the permission of His Excellency the Governor in Council, you would be good enough to cause the gentlemen whose names are set forth in the margin to be invited to give their evidence before the Commission at Bombay. Five additional copies of the questions addressed to selected Uncovenanted officers and fourteen sets of those addressed to members of the general public are forwarded herewith together with nineteen sets of the issues which have been framed by the Commission in connection with their enquiries, and it is left optional with the gentlemen med, if they should wish to prepare written answers, to submit them in the form of replies either to the detailed questions or to the more general issues.

List of persons to whom papers of questions with the usual invitations should be sent

1 Mr R. M Sayáni, Bombay
2 Ráo Bahádur Gopalrao Hori Deshmukh, Puna
3 Ráo Sáheb Kashinath Parashram Gadgil, Pleader, Poona.
4 *Professor R. G Bhandarkar, Puna.
5 Mr Sorabji Shapurji Bengali.
6 *Mr. Waman Ahaji Modak, Principal, Elphinstone High School, mbay
7. *Ráo Bahádur S P Pandit, Bombay (on leave).
8 *Mr. Bhimbhai Kirparam, Personal Assistant to the Director of riculture
9 Khán Sáheb Mirza Abbas Ali, Dewan of Jinjira.
10. *Khán Sáheb Ibrahim bin Sayani, Head Master, Nariad High hool.
11. Farridudin Ahmed, B A., Persian Professor, Baroda.
12 Mr Hakim, Barrister at-law, Bombay
13 The Secretary Anjuman-i-Fakiryatul Islam, Puna.
14 Deputy Educational Inspector, Urdu Schools, N D.
15 Ráo Bahadur Jugjivandas Khushaldas, Surat.
16 The Editor, *Baroda Watchal*, Baroda
17 T S Tait, Esq , M A , Principal, Baroda College, Baroda.
18 Pherozsha Merwanji Mehta, Barrister-at law, Bombay
19 The Secretary, Sarvajanik Sabha, Puna

The above witnesses are suggested by the Hon'ble Kazi Shahabudin and Krishnaji mon Nulkar, Esq Those marked * are Government Uncovenanted servants

---

No 191, dated Bombay Castle, 10th January 1887.

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,

To—The Secretary to the Public Service Commission.

With reference to your letter No. 83, dated the 2nd instant, I am directed to forward herewith copy of a letter addressed to the gentlemen named therein.

2. I am to add that copies of set E have also been supplied to Messrs. Dáji Abáji Khare, B A., LL.B , Bombay, and M B. Námjoshi, Puna, with your letter in the form* giving them the option of tendering evidence orally.

* No 17, dated 30th November 1886

No 87, dated Bombay Castle, 5th January 1887.

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,

To—Professor R G. Bhandárkar, Ph. D., Puna.

I am directed by His Excellency the Governor in Council, at the request of the Public Service Commission, to invite you to give oral evidence before the Commission at Bombay on the subject-matter of the enquiries entrusted to it by the Resolution of the Government of India in the Home Department, No 34—1573-83, dated 4th October 1886, which you have no doubt had an opportunity of studying either in the *Bombay Government Gazette* or in the public newspapers. I am to forward herewith a copy of a set D of questions relating to certain points bearing on the subject in case you should wish to give written replies, as well as a copy of certain issues which have been framed by the Commssion in connection with the oral examination of witnesses. There is no objection to the replies taking the form of answersto the issues instead of to the more detailed questions, if this course should be preferred, any additional remarks being made on points regarding which you may desire to offer oral evidence before the Commission

2. In the event of written answers being sent, I am to request that they may be furnished with the least possible delay, that they may be written on one side only of the paper used, and that particular care may be taken to note accurately the serial number attached to each question or issue opposite the answer thereto It would facilitate business and obviate delay if your answers were supplied from time to time as prepared without waiting for the whole set of replies to be completed. The written replies should be confined to specific points regarding which you hold distinct opinions or wish to bring forward particular facts. The questions are necessarily very general, and it is not intended that those consulted should reply to them all as a matter of course

3. The term "Subordinate Executive Service" used in the questions should be understood as referring to the Land Revenue Department only.

4. Any written replies to the questions or issues should be forwarded to the Secretary, Public Service Commission, to the care of the Chief Secretary to Government, Revenue Department, Bombay, as the replies have to be printed at Bombay before they are forwarded to the Commission. Other communications should be addressed to T. H. Stewart, Esq., C.S., Byculla Club, Bombay.

The same to—

Vaman Abáji Modak, Esq, B A., Principal, Elphinstone High School, Bombay.
Ráo Bahádur Bhimbhái Kirpárám, Personal Assistant to the Director of Agriculture, Poona.
Khán Sáhib Ibráhim M. Sayáni, B.A, Head Master, Nadiád High School.
The Deputy Educational Inspector, Urdu Schools, N.D.

The same also to the following gentlemen, substituting the words "Set E" for the words "Set D" in line seven of paragraph 1 of the letter.—

R. M. Sayáni, Esq., M.A, LL B, Solicitor, High Court, Bombay.
Ráo Bahádur Gopálráo Hari Deshmukh, Puna.
Ráo Sáheb Káshinath Parashrám Gádgil, Pleader, Puna.
Sorábji Shápurji Bengali, Esq, C.I.E., Bombay.
S. P. Pandit, Esq., M.A, Bombay.
Khán Sahib Mirza Abbás Ali, Dewan of Jinjira.
Faridudin Ahmed, Esq., B.A, Persian Professor, Baroda.
M. H Hakim, Esq, Barrister-at-law, Bombay.
The Secretary, Anjaman-i-Fakiryatul Islam, Puna.
Ráo Báhádur Jugjivandas Khusaldás, Surat
The Editor, *Baroda Watchal*, Baroda.
T. S. Tait, Esq, M A, Principal, Baroda College, Baroda.
Pherozsha Merwánji Mehta, Esq., M A., Barrister-at-law, Bombay.
S. H. Chiplunkur, Esq., Secretary to the Puna Sárvajanik Sabha, Puna.

VI.

No. 87, dated the 5th January 1887.

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of Bombay

In continuance of my letter No. 83, dated 2nd January 1887, I am desired to say that the Public Service Commission would be obliged if, with the permission of His Excellency the Governor in Council, you would be good enough to cause the gentlemen whose names are set forth in the margin to be invited to give their evidence before the Commission at Bombay. Three additional copies of the questions addressed to the general public are forwarded herewith, together with three sets of the issues which have been framed by the Commission in connection with their enquiries, and it is left optional with the gentlemen named, if they should wish to prepare written answers, to submit them in the form of replies either to the detailed questions or to the more general issues.

1 Vasudev Jagannáth, Pleader, High Court.
2 Narayan Vasudeo Kharkar, President of Thana Municipality
3 Khán Bahádur C. Rastoomjee, Chief Justice, Baroda

No 193, dated Bombay Castle, 10th January 1887.

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,
To—The Secretary to the Public Service Commission

With reference to your letter No. 87, dated the 5th instant, I am directed to forward herewith copy of a letter addressed to the gentlemen named therein.

No 87, dated Bombay Castle, 5th January 1887.

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,
To—Ráo Sáhib Vásudev Jagannáth, Pleader, High Court, Bombay

I am directed by His Excellency the Governor in Council, at the request of the Public Service Commission, to invite you to give oral evidence before the Commission at Bombay on the subject-matter of the enquiries entrusted to it by the Resolution of the Government of India in the Home Department, No. 34—1573-83, dated 4th October 1886, which you have no doubt had an opportunity of studying either in the *Bombay Government Gazette* or in the public newspapers I am to forward herewith a copy of a set E of questions relating to certain points bearing on the subject in case you should wish to give written replies, as well as a copy of certain issues which have been framed by the Commission in connection with

the oral examination of witnesses There is no objection to the replies taking the form of answers to the issues instead of to the more detailed questions, if this course should be preferred, any additional remarks being made on points regarding which you may desire to offer oral evidence before the Commission.

2. In the event of written answers being sent, I am to request that they may be furnished with the least possible delay, that they may be written on one side only of the paper used, and that particular care may be taken to note accurately the serial number attached to each question or issue opposite the answer thereto. It would facilitate business and obviate delay if your answers were supplied from time to time as prepared without waiting for the whole set of replies to be completed The written replies should be confined to specific points regarding which you hold distinct opinions or wish to bring forward particular facts The questions are necessarily very general, and it is not intended that those consulted should reply to them all as a matter of course.

3. The term "Subordinate Executive Service" used in the questions should be understood as referring to the Land Revenue Department only.

4. Any written replies to the questions or issues should be forwarded to the Secretary, Public Service Commission, to the care of the Chief Secretary to Government, Revenue Department, Bombay, as the replies have to be printed at Bombay before they are forwarded to the Commission. Other communications should be addressed to T. H. Stewart, Esq, C.S., Byculla Club, Bombay.

The same to—

Ráo Bahádur Nárayan Vásudev Khárkar (President of the Thana Municipality).
Khán Bahádur Kharsedji Rastamji (Chief Justice of Baroda), Baroda.

No 243, dated Bombay Castle, 12th January 1887

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,
To—The Secretary to the Public Service Commission

In continuation of my letter No 193, dated the 10th instant, I am directed to forward herewith a list showing the names of persons to whom copies of questions set by the Public Service Commission and of the issues framed by them have been furnished with letters in the form annexed.

No 87, dated Bombay Castle, 5th January 1887.

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,
To—A. D Hásan Ali, Esq., Pleader, Karáchi.

I am directed by His Excellency the Governor in Council, at the request of the Public Service Commission, to invite you to give oral evidence before the Commission at Bombay on the subject-matter of the enquiries entrusted to it by the Resolution of the Government of India in the Home Department, No. 34—1573-83, dated 4th October 1886, which you have no doubt had an opportunity of studying either in the *Bombay Government Gazette* or in the public newspapers I am to forward herewith a copy of a set E of questions relating to certain points bearing on the subject in case you should wish to give written replies, as well as a copy of certain issues which have been framed by the Commission in connection with the oral examination of witnesses There is no objection to the replies taking the form of answers to the issues instead of to the more detailed questions, if this course should be preferred, any additional remarks being made on points regarding which you may desire to offer oral evidence before the Commission.

2 In the event of written answers being sent, I am to request that they may be furnished with the least possible delay, that they may be written on one side only of the paper used, and that particular care may be taken to note accurately the serial number attached to each question or issue opposite the answer thereto It would facilitate business and obviate delay if your answers were supplied from time to time as prepared without waiting for the whole set of replies to be completed. The written replies should be confined to specific points regarding which you hold distinct opinions or wish to bring forward particular facts. The questions are necessarily very general, and it is not intended that those consulted should reply to them all as a matter of course

3 The term "Subordinate Executive Service" used in the questions should be understood as referring to the Land Revenue Department only.

4 Any written replies to the questions or issues should be forwarded to the Secretary, Public Service Commission, to the care of the Chief Secretary to Government, Revenue Department, Bombay, as the replies have to be printed at Bombay before they are forwarded to the Commission. Other communications should be addressed to T. H. Stewart, Esq, C S, Byculla Club, Bombay.

The same to—

Mr. Ramchandra Vittal Dhamnuskar, Acting Subha, Amreli, Káthiawar (with set E).
„ W. B. Mulock, C.S., Acting Collector, Surat (with set B).
„ S Hammick, C.S., District and Sessions Judge, Surat (with set B).
„ M. P. Khareghát, C.S , Assistant Collector, Ahmedabad (with set B).
„ A. H. Plunkett, City Magistrate, Puna (with set D).
„ J. F. Fernandez, Pallonji's Hotel, Byculla (with set E).
The Editor of the *Gujarati*, Bombay (with set E).
The Rev. Narayan Sheshadri, Mahim (with set E)
Mr. W. Lee-Warner, C.S., Acting Secretary to Government, Political, Educational and Judicial Departments, Secretariat, Bombay (with set B).
„ Gangárám Bháu Maske, Pleader, Puna (with set E).
„ Dinsha Ardesir Talyárkhán, Municipal Commissioner, Baroda (with set E).
Maulvi Mehedi Ali, Head of the Revenue Department, Hyderabad, Deccan (with set E).
„ Chirag Ali, Secretary, Revenue Department, Hyderabad, Deccan (with set E).
Mr. Siddeshvar Mittra, Bhavnagar (with set E).
„ Mehdi Hasan Khán, Chief Justice, H. H. the Nizam's High Court, Hyderabad, Deccan (with set E).
„ P. Ryan, Presidency Magistrate, Bombay (with set D)
Surgeon K. R. Kirtekar, L R.C P., M R C S (Lon.), Bombay (with set E)
Mr. D. P. Kanga, M.A., LL B., Solicitor, High Court, Bombay (with set E).
„ Rustam K. R. Cama, Honorary Secretary, Graduates' Association (set E).

VII.

Vol. IV. Sec. I Sub-Sec A. Bombay.

List of persons to whom Sets of Questions or Issues were supplied, or who were summoned or invited or who volunteered to give oral evidence before the Public Service Commission or the Sub-Committee thereof at Bombay, as it stood on the 29th January 1887, after the Commission had closed its sittings at Bombay.

Name	Appointment (if in Government Service) or professional and other designations.	Whether summoned or invited or voluntary.	Which set of detailed questions, if any, was supplied to him.	Remarks.
A.				
Khán Sáheb Ábbás Alı Beg Mirza, B A	Kárbhárı of the Janjira State . .	I	E. and Issues .	Has submitted written replies Gave oral evidence
Mulla Abdul Hye Mulla Muhammad Alı	Munshı, Surat	V	Issues . .	Gave oral evidence.
A. D. Husen Alı, Esq.	Pleader, Karáchi, President, Sind Branch, Central National Mahomedan Association	I.	E. and Issues .	Unable to appear before the Commission to give oral evidence. Has submitted written replies.
The Hon'ble F. Forbes Adam .	J P , Member of the Legislative Council, Bombay, Trustee of the Port of Bombay, Merchant (of the Firm of Messrs W and A Graham and Co), Chairman of the Bombay Chamber of Commerce	I.	E. .	Has not given evidence written or oral.
B				
Badrudın Tyabjı, Esq . .	J P ; Fellow of the University; Barrister at Law, some time Member of the Legislative Council, Secretary, Anjuman-ı-Islám, Bombay.	I.	E .	Unable to appear before the Commission to give oral evidence.
Ráo Bahádur Bálájı Gangádhar Sáthe	Native Assistant to the Commissioner, C. D.	S	D. .	Unable through illness to appear before the Sub Committee of the Commission to give oral evidence.
Bál Gangádhar Tılak, Esq , B A , LL B	Editor, "Mahrátta"; Member of the Deccan Education Society, Professor of Mathematics, Fergusson College, Poona	I	E. .	Gave oral evidence
Khán Bahádur Barjorjı E. Modı, M A , LL B	Subordinate Judge, Ahmedabad . .	S	D	Has submitted written replies Gave oral evidence.
The Hon'ble Lyttleton H. Bayley.	Judge of Her Majesty's High Court of Judicature, Bombay.	. .	Issues . .	Merely asked to answer the issues. Has submitted written replies. Did not give oral evidence
Ráo Bahádur Bechardás Vehárıdás Desáı	Honorary Magistrate, Nadıád, President of the Nadıád Municipality, Member of the Nadıád Agricultural Committee	I	E. and Issues .	Unable to appear before the Sub Committee of the Commission to give oral evidence. Has submitted written replies.
Behrámjı Merwánjı Malbarı, Esq	Editor, "Indian Spectator," Bombay, Fellow of the University	I	Ditto .	Ditto ditto
Bháishankar Náuábhái, Esq .	Solicitor, High Court, Bombay, J P , Member of the Municipal Corporation	I	. .	Unable to appear before the Commission to give oral evidence Has submitted a written memo.
Ráo Bahádur Bhımbhái Kırpárám	Personal Assistant to the Director of Agriculture (head quarters at Puna)	S	D and Issues .	Has submitted written replies. Gave oral evidence
The Hon'ble H M Birdwood, Bo C S , M A , LL.M	Judge of Her Majesty's High Court of Judicature, Bombay		Issues	Merely asked to answer the issues. Has submitted written replies. Did not give oral evidence.
F C Brewin, Esq . .	Superintendent, Accountant General's Office, Bombay, represents the Anglo-Indian and Eurasian Association of Western I ıa	I	E and Issues .	The Association has submitted written replies. Mr. Brewin gave oral evidence.

Name.	Appointment (if in Government Service) or professional and other designations.	Whether summoned or invited or voluntary	Which set of detailed questions, if any, was supplied to him.	Remarks.
C.				
James MacNabb Campbell, Esq, Bo. C S, M A, LL D., C I E.	Acting Collector, Panch Mahâls, Editor of the "Bombay Gazetteer"	S.	B and Issues	Has submitted written replies. Gave oral evidence.
E. T Candy, Esq, Bo. C S	Acting Judicial Commissioner, Sind .	..	B .	Has not given evidence, written or oral.
K. M Chatfield, Esq, M A .	Director of Public Instruction, Bombay Presidency Permanent address, Poona.	I	Issues .	Excused at his own request from giving oral evidence
Ráo Bahádur Chintáman Náráyan Bhat, B A, LL B.	Subordinate Judge, Dhulia . .	I	D.	Not present to give oral evidence before the Sub-Committee of the Commission. Has submitted written replies
Maulvi Chirág Ali . .	Secretary, Revenue Department, Hyderabad, Deccan	I	E and Issues	Has submitted written replies Gave oral evidence
Ráo Bahádur Chunilál Venilál .	District Deputy Collector, Broach	S.	D. and Issues .	Gave oral evidence.
Dr. T Cooke, M A, M I, LL D.	Principal, College of Science, Poona .	S	D. .	Ditto.
A. T. Crawford, Esq, Bo. C S. .	Commissioner, C D . .	S	B	Gave oral evidence Has submitted written replies
C E. G. Crawford, Esq, Bo C S	Registrar, High Court, Appellate Side, Bombay	S	B.	Ditto ditto.
W H. Crowe, Esq, Bo. C S. .	District Judge, Puna .	I.		Gave oral evidence.
H. Curwen, Esq . . .	Editor of the "Times of India", Bombay, J. P., Fellow of the University	I.	E .	Unwilling to appear before the Commission to give oral evidence.
D				
The Hon'ble Dádábhái Navroji .	J P; Member of the Legislative Council, Bombay, Fellow of the University, one of the Founders of the East India Association and Vice-Chairman of the Managing Committee of the Bombay Branch of the Association	I	E .	Has submitted written replies Gave oral evidence.
Dáji Ábáji Khare, Esq, B A., LL B.	Vakil, High Court, Bombay, Joint Honorary Secretary, Bombay Branch of the East India Association	I	E and Issues .	Ditto ditto.
Daulatrám Jethmal, Esq . .	Secretary, Sind Sabha, Karáchi . .	I	E	Unable to appear before the Commission to give oral evidence.
Dáyáram Gidumal, Esq, Bo C.S (Statutory), B A, LL B	Assistant Collector, Karáchi . . .	S.	C	Has submitted written replies. Gave oral evidence
The Hon'ble Dáyárám Jethmal .	Pleader, Karachi, Member of the Legislative Council of Bombay	I.	E.	Has submitted written replies. Unable to appear before the Commission to give oral evidence.
Surgeon-Major Dhanjishâh Navroji Párakh, L R C.P., M R. C.S	Surgeon, Gokaldás Tejpál Native General Hospital, Bombay.	I.	Issues . .	Unwilling to appear before the Commission to give oral evidence.
Dinsha Ardeshir Táleyárkhán, Esq	Municipal Commissioner, Baroda, His Highness the Gáekwar's Service.	I.	E. and Issues .	Unable to appear before the Commission to give oral evidence Has submitted written replies.
Dinsha Edalji Váchha, Esq. .	Merchant, Joint Honorary Secretary, Bombay Presidency Association, Bombay	I.	Ditto .	Has submitted written replies. Gave oral evidence
Dinsha Pestanji Kánga, Esq, M.A., LL.B	J. P; Fellow of the University, Solicitor, High Court, Bombay.	I.	Ditto	Unable to appear before the Commission to give oral evidence owing to illness.
Dosábhái Frámji, Esq, C S I .	Presidency Magistrate, Bombay .	S.	Issues . .	Unable to appear before the Commission to give oral evidence
E				
F A. H Elliot, Esq, Bo C S. .	On special duty as Survey and Settlement Commissioner, Baroda.	I	B.	Has submitted written replies Gave oral evidence.

Name.	Appointment (if in Government Service) or professional and other designations.	Whether summoned or invited or voluntary.	Which set of detailed questions, if any, was supplied to him.	Remarks.
H N. B. Erskine, Esq, Bo. C.S.	Commissioner in Sind		B	Has not given evidence, written or oral.
Editors of Newspapers, names unknown	The Editor, Advocate of India, Bombay.	...	E	Ditto ditto.
	„ Bakul, Ratnágiri	...	E	Ditto ditto
	„ Baroda Watsal, Baroda	...	E and Issues	Ditto ditto.
	„ Bombay Catholic Examiner, Bombay.	...	E	Ditto ditto.
	„ Civil and Military Gazette, Sind Issue, Karáchi.	I.	E	Not present to give oral evidence
	„ Dhárwár Vritt, Dharwár	...	E	Has not given evidence, written or oral
	„ Jáme-Jamshed, Bombay	...	E.	Ditto ditto.
	„ Káside Mumbai, Bombay	I	E	Not present to give oral evidence.
	„ Sind Times, Karáchi	I.	E	Ditto ditto.
	„ Surat Akhbár, Surat	...	E.	Has not given evidence, written or oral.
F.				
A U Fanshawe, Esq, B.C.S.	Post Master General, Bombay	I.	Issues	Has submitted written replies Gave oral evidence
Faríduddín Ahmed, Esq, B A.	Persian Professor, Baroda	..	E and Issues	Has not given evidence, written or oral
The Hon'ble C F Farran, B A, Barrister-at-law	Judge of H M's High Court of Judicature, Bombay.	..	Issues	Merely asked to answer the issues. Has not given evidence, written or oral.
J F. Fernandez, Esq	Some time Deputy Collector and City Magistrate, Ahmedabad Now Manager, Morárji Gokaldás Spinning and Weaving Company, Bombay	S.	E. and Issues	Gave oral evidence.
G W Forrest, Esq, B.A	Professor of Mathematics, Deccan College, Puna, at present on special duty, Bombay.	I.	D. and Issues	Has submitted written replies. Gave oral evidence.
E. M H. Fulton, Esq, Bo. C.S.	District Judge and Sessions Judge, Belgaum.	...	B	Has submitted written replies Did not give oral evidence.
G				
Gangárám Bháu Maske, Esq.	Pleader, Puna	I.	E and Issues	Has submitted written replies. Gave oral evidence.
T Glover, Esq	Contractor, Bombay	I.		Unable to appear before the Commission to give oral evidence.
F. L Goldsmid, Esq.	District Superintendent of Police, Kolába, formerly Assistant Commissioner, N. D	S.	D and Issues	Has submitted written replies. Gave oral evidence.
Ráo Bahádur Gopálráo Hari Deshmukh	J. P, Fellow of the University; was for many years Judge of the Small Cause Court at Ahmedabad, and held for a short time before his retirement the post of Joint Judge and Sessions Judge, Násik, to which he was appointed under Statute 33 Vic, Cap 3 Was also a Member of the Legislative Council, Bombay.	I	E and Issues	Ditto ditto
Grattan Geary, Esq.	Editor and Proprietor, "Bombay Gazette," Bombay, J. P, Fellow of the University	I	E	Ditto ditto
Khán Bahádur Háji Ghulám Muhammad Munshi	Munshi by profession, Fellow of the University, one of the founders (if not the founder) of the Anjuman-i-Islám, Editor of the "Persian Teacher," and Author of several Hindustáni works Address Bhásári Mohla, Bombay	I	E and Issues	Has submitted written replies. Also a pamphlet Gave oral evidence

Name	Appointment (if in Government Service) or professional and other designations	Whether summoned or invited or voluntary	Which set of detailed questions, if any, was supplied to him.	Remarks.
Ráo Bahádur Gurshidapa Virbasapa Gilganchi	District Deputy Collector, Belgaum	S	D	Has submitted written replies. Gave oral evidence.
H.				
W R. Hamilton, Esq	Huzúr Deputy Collector, Ahmednagar	I.	D	Ditto ditto
S Hammick, Esq, Bo C S	District Judge and Sessions Judge, Surat.	S	B. and Issues	Gave oral evidence.
Hurilál Harsadrái Dhruva, Esq, B A, LL B	Pleader, Surat, one of the Honorary Secretaries of the Praja Hit Vardhak Sabha, Surat.	V	E. and Issues	Has submitted written replies. Gave oral evidence.
Hari Mádhav Paránjpe, Esq.	Editor, "Native Opinion," Bombay	I	E	Unwilling to appear before the Sub Committee of the Commission to give oral evidence
The Hon'ble W. E Hart, B A, Barrister at-law.	Judge of H M 's High Court of Judicature, Bombay.		Issues	Merely asked to answer the Issues. Has submitted written replies Did not give oral evidence.
I.				
Khán Sáheb Ibráhim M Sáyáni, B A	Head Master, High School, Nadiád	I.	D. and Issues	Gave oral evidence.
Ichhárám S Desái, Esq	Editor, "Gujarátí," Bombay	..	E. and Issues	Has submitted written replies Did not give oral evidence.
J				
Ráo Bahádur Jagjivandás, Khusháldás.	Honorary Magistrate, Surat	I	Ditto	Unable to appear before the Sub Committee of the Commission to give oral evidence
Sir Jamshedji Jijibhái, Bart, C S I.	J. P, Member of the Municipal Corporation, Fellow of the University, Some time Member of the Legislative Council, Bombay.	I.	Ditto	Unwilling to appear before the Commission to give oral evidence.
The Hon'ble J. Jardine, Bo C S.	Judge of H. M 's High Court of Judicature, Bombay.		Issues	Merely asked to answer the Issues Has submitted written replies. Did not give oral evidence
Jehángirsháh Erachsháh Kohiyái, Esq	Assistant Secretary to Government, Revenue, Financial and General Departments, Bombay.	S	D and Issues	Has submitted written replies Gave oral evidence
Jhaverilál Umáshankar Yájnik, Esq	Agent in Bombay to H H the Ráo of Cutch, J. P., Member of the Municipal Corporation and Town Council, Fellow of the University, Bombay.	I	E	Ditto ditto
K.				
Kaikheshru Navroji Kábráji, Esq.	Editor, "Rást Goftar," Bombay, J P, Fellow of the University, Member of the Municipal Corporation, Bombay	I	E and Issues	Ditto ditto.
Kálábhái Lallubhái, Esq.	Pleader, Surat, Deputy Chairman, Gulám Bába Spinning and Weaving Company, Limited, Surat.	V	Issues	Ditto ditto.
Surgeon Kánoba Ranchordás Kirtikar, L R C.P., M R.C S.	Acting Professor of Anatomy, Grant Medical College, and Second Surgeon, J. J. Hospital, Bombay	I	E and Issues	Ditto ditto.
Khán Sáheb Karmali Rahim Nánjiáni, B A	Deputy Educational Inspector, Hindustáni Schools, N. D. Head-quarters at Ahmedabad	..	D and Issues	Has submitted written replies Did not give oral evidence.
Ráo Sáheb Káshináth Parashrám Gádgil.	Pleader, Puna	I	E and Issues	Not present to give oral evidence before the Sub-Committee of the Commission
The Hon'ble Káshináth Trimbak Telang, M A, LL B, C I E	Member of the Legislative Council, Bombay, J. P, Advocate, Bombay High Court; Member of the Municipal Corporation, Fellow of the University, Joint Honorary Secretary, Bombay Presidency Association, Bombay	I	E	Has submitted written replies. Gave oral evidence.

Name.	Appointment (if in Government Service) or professional and other designations.	Whether summoned or invited or voluntary	Which set of detailed questions, if any, was supplied to him.	Remarks.
Kávasji Dádábhái Náegámvála, Esq., M.A., F.I.C., F.R.A.S., F.C.S.	Lecturer in Experimental Physics, Elphinstone College, Bombay, J.P., Fellow of the University, Representative of the Graduates' Association, Bombay.	I.	E. and Issues.	Has submitted written replies. Gave oral evidence.
Khán Bahádur Kázi Kamruddin.	Assistant Settlement Officer, Ratnagiri.	I.	Issues.	Ditto ditto.
Ráo Bahádur Khanderáo Chimanráo Bedarkar, B.A., LL.B.	Deputy Registrar, Bombay High Court, Appellate Side, Acting Judge, Small Cause Court, Puna.	I.	D.	Ditto ditto.
Kharshedji Ratanji Bamanji, Esq., Bo. C.S. (Statutory)	Assistant Collector, Kaira.	S.	C.	Gave oral evidence.
Khán Bahádur Kharshedji Rustamji Thánávála.	Chief Justice of Baroda.	...	E and Issues.	Has submitted written replies. Did not give oral evidence.
Ráo Bahádur Lakshman Jagannáth.	Diván of Baroda.	I.	...	Unable to appear before the Commission to give oral evidence.
Lallubhái Gordhandás, Esq.	Personal Assistant to the Commissioner of Customs, Salt, Opium and Ábkári (Head quarters at Bombay).	I.	Issues.	Not present to give oral evidence before the Commission.
W. Lee-Warner, Esq., M.A., Bo. C.S.	Acting Secretary to Government, Political, Judicial, and Educational Departments, Bombay.	S.	A, B. and Issues.	Has submitted written replies. Gave oral evidence.
T. D. Mackenzie, Esq., Bo. C.S.	Acting Chief Secretary to Government, Revenue, Financial and General Departments, Bombay.	...	Issues.	Has submitted written replies. Did not give oral evidence.
The Reverend D. Mackichan, M.A., D.D.	Principal, Free General Assembly's Institution, Bombay, Fellow of the University.	I.	E.	Has submitted written replies. Gave oral evidence.
C. Macnaghten, Esq., M.A.	Principal, Rájkumár College, Rájkot.	...	D.	Has submitted written replies. Did not give oral evidence.
C. G. W. Macpherson, Esq., Bo. C.S., C.I.E.	Acting District and Sessions Judge, Sátára.	...	B.	Has not given evidence, written or oral.
The Hon'ble J. Macpherson, B.A.	Barrister-at-Law, Member of the Legislative Council, Acting Advocate General, Bombay, Fellow of the University.	I.	E.	Not present to give oral evidence before the Commission.
Mahádev Ballál Námjoshi, Esq.	Member of the Deccan Education Society, Puna, and of the Managing Board which conducts the Society's Fergusson College and New English School at Puna.	I.	E.	Gave oral evidence.
Ráo Sáheb Madhvachrám Balvachrám Hora.	Subordinate Judge, Bulsár.	S.	D.	Has submitted written replies. Not present to give oral evidence before the Sub-Committee of the Commission.
The Hon'ble Ráo Bahádur Mahádev Govind Ránáde, M.A., LL.B.	Member of the Legislative Council, Bombay, Special Judge under the Deccan Agriculturists' Relief Act, Puna.	S.	D. and Issues.	Has submitted written replies. Gave oral evidence.
The Hon'ble Ráo Bahádur Mahádev Vásudev Barwé, C.I.E.	J.P., Member of the Legislative Council, Bombay, Fellow of the University; some time Deputy Collector in the Government service and Diván of Kolhápur.	I.	E.	Gave oral evidence.
Ráo Sáheb Mahipatrám Ruprám Nilkanth, C.I.E.	Principal, Training College, Ahmedabad.	I.	Issues.	Ditto.
Mancherji Merwánji Bhávangri, Esq., C.I.E.	Agent in Bombay to H.H. the Thakor of Bhávnagar. For some years Honorary Joint Secretary of the Bombay Branch of the East India Association, Member of the Councils of the East India Association in London, Indian Reform Association and other Political bodies, some time Lecturer in Gujráti to the Probationary Civil Servants connected with the University College, London.	V.	Ditto.	Has not submitted written replies. Gave oral evidence.

Name.	Appointment (if in Government service) or professional and other designations	Whether summoned or invited or voluntary	Which set of detailed questions, if any, was supplied to him.	Remarks.
Mancherji Pestanji Khareghát, Esq., Bo C S	Assistant Collector, Ahmedabad . .	S.	B and Issues	Has not submitted written replies. Gave oral evidence.
Manchhárám G helábhái, Esq. .	Editor and Manager, "Gujrát Mitra," Surat.	I	E. .	Unable to appear before the Sub-Committee of the Commission to give oral evidence
Mánekji Barjorji Minocherhomji, Esq	Editor, "Bombay Samáchár," Bombay, J. P.	I	E. .	Unable to appear before the Commission to give oral evidence. Has submitted written replies.
Manibhái Jasbhái, Esq . .	Náib Diván, Baroda	I.	D .	Not present to give oral evidence before the Commission.
The Rev. J. Mayr, S. J . .	Rector, St Xavier's College, Bombay, Fellow of the University.	I.	E .	Has submitted written replies. Gave oral evidence
Maulvi Mehedi Ali . . .	Head of the Revenue Department, Hyderabad, Deccan.	I	E. and Issues .	Will appear at Madras to give oral evidence before the Commission
Maulvi Mehedi Hasan Khán .	Chief Justice, His Highness the Nizám's High Court, Hyderabad, Deccan.	I.	Do .	Has submitted written replies. Gave oral evidence.
The Hon'ble M. Melvill, Bo. C S, C S I.	Member of Council, Bombay .		A. and Issues .	Has submitted written replies. Did not give oral evidence.
J Monteath, Esq., M A., Bo. C S	Private Secretary to H. E. the Governor of Bombay.	S	B .	Excused from appearing personally Has submitted written replies.
Mahomed Husen Hakim, Esq. .	J. P., Barrister-at-Law, Fellow of the University, Member of the Municipal Corporation, Bombay.	I.	E and Issues .	Gave oral evidence.
W. B. Mulock, Esq., Bo. C.S .	Acting Collector of Surat . . .	S.	B. and Issues .	Has submitted written replies. Gave oral evidence.
N.				
The Hon'ble Nánábhái Haridás, LL.B.	Judge of Her Majesty's High Court of Judicature, Bombay.		Issues	Merely asked to answer the Issues. Has submitted written replies Did not give oral evidence
Khán Bahádur Navroji Dorábji Khandálávála, B A., LL B.	Acting Judge of the Small Cause Court at Ahmedabad.	I	D	Unable through illness to appear before the Sub-Committee of the Commission to give oral evidence Has submitted written replies
Náráyan Ganesh Chandávarkar, Esq., B.A., LL B.	Fellow of the University, Editor, "Indu Prákash," Bombay, Pleader, High Court, Bombay	I	E and Issues .	Has submitted written replies. Gave oral evidence
Náráyan Meghji Lokhanday, Esq	Editor, "Dinbandhu," Bombay . .	I.	E	Unable to appear before the Sub-Committee of the Commission to give oral evidence Has submitted written replies.
The Rev Náráyan Sheshadri, D D.	Missionary, Free Church of Scotland's Mission in Western and Central India, Fellow of the University.	I	E and Issues	Not present to give oral evidence.
Ráo Bahádur Náráyan Vásudev Kharkar	President of the Municipality, Thána	..	Ditto	Has not given evidence, written or oral.
Khán Bahádur Nasarvánji Kharshedji	General Merchant and Municipal Commissioner, Ahmednagar.	I	Ditto	Unable to appear before the Commission to give oral evidence Has submitted written replies.
Munshi Nur Mahomed Khán	Secretary, Anjuman-i-Takwiyatul Islám, Puna	I	Ditto	Gave oral evidence.
Syad Nuruddin Khán, Bo. C S (Statutory).	Some time Assistant Commissioner, Berár, and Under Secretary to His Highness the Nizám's Government, now Assistant Collector, Thána.	S	C	Prevented by illness from being present to give oral evidence before the Commission Has submitted written replies

Name	Appointment (if in Government Service) or professional and other designations	Whether summoned or invited or voluntary	Which set off detailed questions, if any, was supplied to him	Remarks
O				
E C K. Ollivant, Esq., Bo C S	Municipal Commissioner for the City of Bombay.	S	B	Not present to give oral evidence before the Commission
J W-Orr, Esq., M A., Barrister-at Law	Prothonotary, High Court, Bombay	V.	Issues	Gave oral evidence.
R. G Oxenham, Esq., M A	Principal and Professor of English Literature, Deccan College, Puna	I	D	Has submitted written replies Gave oral evidence.
P				
Pándurang Rámchandra Desái, Esq.	Pleader, Thána	V.	Issues	Ditto ditto.
Khán Bahádur Pestanji Jehángir, C I.E	Acting Tálukdári Settlement Officer, Gujarát. Head-quarters at Ahmedabad	S	D. and Issues	Ditto ditto.
Lieut-Colonel W Peyton, M S C.	Some time Conservator of Forests, S C	...	D.	Has not given evidence, written or oral.
Phirozsháh Merwánji Mehta, Esq., M A.	Barrister-at-Law, J P, Member of the Municipal Corporation, Fellow of the University, Joint Honorary Secretary, Bombay Presidency Association, Bombay	I	E and Issues	Has submitted written replies Gave oral evidence.
A H. Plunkett, Esq.	City Magistrate, Puna	S	D and Issues	Ditto ditto.
W E Propert, Esq., Bo C S.	Commissioner, S. D.	S.	Issues	Excused from giving oral evidence. Has submitted written replies.
R.				
Raghupáth Náráyan Khote, Esq., C I E	Merchant, J P, Member of the Municipal Corporation and Town Council, Fellow of the University, Vice-President, Bombay Presidency Association, Bombay.	I.	E	Unable to appear before the Commission to give oral evidence
Ráo Bahádur Raghunáth Shivrám Tipnis, B A, LL.B	Acting 1st Class Subordinate Judge under Act XVII of 1879 Head quarters, Puna	I	Issues	Has submitted written replies. Gave oral evidence
Rahimtulla Mahomed Sáyáni, Esq., M A, LL B	Solicitor, High Court, Bombay, J P, Member of the Municipal Corporation and Town Council, Bombay, Fellow of the University	I.	E and Issues	Ditto ditto.
Rámchandra Vithal Dhámnaskar, Esq.	Acting Subha in His Highness the Gáekwar's service, Amreli, Káthiáwár	I	Ditto	Not present to give oral evidence.
Professor Rámkrishna Gopál Bhandárkar, M A, Ph D, Honorary M R A S	Professor of Oriental languages, Deccan College, Puna	I	D and Issues	Gave oral evidence
The Hon'ble J. B. Richey, Bo C S, C S I	Temporary Member of Council, Bombay	..	A and Issues	Has submitted written replies Did not give oral evidence.
P Ryan, Esq., Barrister-at Law F R L S, F R G S	Presidency Magistrate, Bombay	...	Issues	Has not given evidence, written or oral
S				
The Hon'ble Sir Charles Sargent, M A, Knight, Barrister-at-Law	Chief Justice, Her Majesty's High Court of Judicature, Bombay	I	...	Oral evidence printed Proof examined by himself
Satyendranáth Tágore, Esq., Bo C S.	District Judge and Sessions Judge, Sholápur.	S	B	Has submitted written replies. Gave oral evidence.
Shankar Pandurang Pandit, Esq., M A	Oriental Translator to Government (on leave) Address, Girgaum, Bombay.	I	E and Issues	Ditto ditto
A. T Shuttleworth, Esq., I N	Conservator of Forests, N C	I	B	Ditto ditto
Siddeshvar Mitter, Esq	Delegate of a Society for the translation of the Mahábhárat Permanent address—care of B Dé, Esq., C S, Joint Magistrate, Hooghly, Bengal	V	E. and Issues	Ditto ditto

Name.	Appointment (if in Government Service) or professional and other designations	Whether summoned or invited or voluntary	Which set of detailed questions, if any, was supplied to him.	Remarks.
Khán Sáheb Sirájuddín Abdul Fatteh Maulvi, B A.	Deputy Educational Inspector, Hindustáni Schools, North-East Division. Head-quarters at Násik	I	Issues	Not present to give oral evidence before the Commission.
Sitárám Hari Chiplunkar, Esq	Secretary, Sarvajanik Sabha, Puna, Editor, *Dnyán Prakásh*, Puna.	I	E and Issues	Unable to appear before the Commission to give oral evidence Has submitted written replies.
The Revd. J. Smith	Principal, American Mission High School, Ahmednagar		E	Has not given evidence, written or oral
Sorábji Shápurji Bengáli, Esq, C.I E.	Merchant, J P.; Fellow of the University, Bombay. Address, Breach Candy, Bombay.	I	E. and Issues	Has submitted written replies Gave oral evidence.
Sydenham Smith, Esq	Pleader, Puna; Representative of the Puna Branch of the Eurasian and Anglo-Indian Association.	V	Issues	Ditto ditto.
T.				
T S Tait, Esq, M A.	Principal, Baroda College, Baroda	...	E and Issues	Has submitted written replies
V				
Vámsu Ábáji Modak, Esq, B.A	Principal, Elphinstone High School, Bombay.	I	D and Issues	Has submitted written replies Gave oral evidence.
Ráo Sáheb Vásudev Jagannáth	Pleader, High Court, Bombay		E and Issues	Has not given evidence written or oral.
G. W Vidal, Esq, Bo. C S	Collector of Thána	I.	...	Excused from giving oral evidence
Vináyak Vásudev, Esq	J P, Fellow of the University, First Class Sirdár, was Oriental Translator to Government and is at present Secretary to the Civil and Military Examination Committee. Address, Breach Candy, Bombay.	I	D.	Unwilling to appear before the Commission to give oral evidence. Has submitted certain observations
Ráo Sáheb Virpraséd Tápipraséd	Special Assistant to the Municipal Commissioner for the City of Bombay.	I	Issues	Gave oral evidence
The Hon'ble Ráo Sáheb Vishvanáth Náráyán Mandlik, C.S I., M.R A S.	J P; Fellow of the University, Member of the Municipal Corporation and Town Council; Member of the Supreme Legislative Council, Government Pleader, High Court, Bombay.	I.	D	Not present to give oral evidence
W				
The Hon'ble R West, Bo C S, M A., F R G S, LL.D, (Barrister-at Law)	Judge of the High Court of Judicature, Bombay.	I	A. and Issues	Has submitted written replies Gave oral evidence.
G. C. Whitworth, Esq, Bo. C.S.	Acting Judicial Assistant to the Political Agent, Káthiáwár		B	Has submitted written replies Did not give oral evidence.
Professor W. Wordsworth, M A	Principal, Elphinstone College, Bombay	I	A. and D	Has submitted written replies Gave oral evidence
Y.				
Ráo Bahádur Yeshwant Moreshwar Kelkar	Assistant Commissioner, S D; was for some time on special duty as Secretary to the Forest Commission, and is at present employed as Oriental Translator to Government, Bombay	S.	D	Ditto ditto.

Note.—The names of Europeans have been arranged in this list according to surnames. Those of Natives according to their own names—that is to say the first of the names making up their full names

ANALYSIS.

Total number of persons named in this list . 155
Of this number—
58 gave both oral and written evidence
18 gave oral evidence only
32 gave written evidence only
47 did not give any evidence

155 Total.

Vol. IV
Sec. I
Sub-Sec. A

Bombay.

Statement showing the dates finally fixed for the appearance of Witnesses who were summoned or invited or who volunteered to give oral evidence before the Public Service Commission at Bombay, as it stood on the 29th January 1887, after the Commission had closed its sittings at Bombay.

[*N B.*—All those witnesses, against whose names the remark "unwilling to attend," or "unable to attend," or other observation indicating that they were not present does not appear, gave oral evidence before the Commission on the dates under which their names appear, in the order shown in the column headed "Daily No"

Serial No	Daily No	Name of Witness.	Appointment (if in Government Service) or professional and other designations of Witness	Whether summoned or invited, or voluntary	Which set of detailed questions, if any, was supplied to him.	Remarks
			Monday, 17th January			
1	1	W Lee Warner, Esq, M A, Bo C S	Acting Secretary to Government, Judicial, Political and Educational Departments, Bombay.	S.	A, B, and Issues.	Has submitted written answers.
2	2	Maulvi Mehedi Hasan Khán	Chief Justice, His Highness the Nizám's High Court, Hyderabad, Deccan	I	E and Issues	Ditto
3	3	Khán Bahádur Háji Gulám Mahomed Munshi	Munshi by profession, Fellow of the University, one of the founders (if not the founder) of the Anjuman-i-Islám; Editor of the "Persian Teacher", and Author of several Hindustáni works Address, Bhusári Mohla, Bombay.	I	Ditto .	Has submitted written replies. Also a pamphlet
4	4	Pándurang Rámchandra Desai, Esq	Pleader, Thána	V	Issues . .	Has submitted written replies
5	5	Behrámji Merwánji Malabári, Esq	Editor, "Indian Spectator," Bombay, Fellow of the University.	I.	E. and Issues	Unable to attend Has submitted written replies
6	6	Surg Major Dhanjishéh Navroji Párakh, L R C P, M.R C S.	Surgeon, Gokaldás Tejpál Native General Hospital, Bombay.	I.	Issues . .	Unwilling to attend.
			Tuesday, 18th January			
7	1	Khán Bahádur Pestanji Jehángir, C I E	Tálukdári Settlement Officer, Gujarát Head-quarters at Ahmedabad	S	D and Issues .	Has submitted written replies.
8	2	A U. Fanshawe, Esq, B C S	Post Master General, Bombay .	I	Issues . .	Ditto
9	3	Khán Sáheb Ábbás Ali Beg Mirza, B A	Kárbhári of the Janjira State .	I	E and Issues	Ditto
10	4	Mancherji M Bhávnagri, Esq, C I E	Agent in Bombay to His Highness the Thákor of Bhávnagar, for some years Honorary Joint Secretary of the Bombay Branch of the East India Association, Member of the Councils of the East India Association in London, Indian Reform Association and other Political bodies, some time Lecturer in Gujarati to the Probationary Civil Servants connected with the University College, London.	V.	Issues . .	Ditto
11	5	F C. Brewin, Esq .	Superintendent, Accountant General's Office, Bombay, represents the Eurasian and Anglo-Indian Association of Western India, Bombay.	I.	E and Issues .	The Association has submitted written replies.
			Wednesday, 19th January			
12	1	The Hon'ble Ráo Bahádur Mahádev Vásudev Barve, C.I E.	J. P, Member of the Legislative Council, Bombay, Fellow of the University, some time Deputy Collector in the Government service, and Diván of Kolhápur	I	E	
13	2	Dr Theodore Cooke, M. A, M I, LL D	Principal, College of Science, Puna .	S	D	

Serial No	Daily No.	Name of Witness	Appointment (if in Government Service) or professional and other designations of Witness.	Whether summoned or invited, or voluntary	Which set of detailed questions, if any, was supplied to him.	Remarks
14	3	Satyendranáth Tágore, Esq, Bo C S	District Judge and Sessions Judge, Sholápur	S.	B .	Has submitted written replies
15	4	Kálábhái Lallubhái, Esq .	Pleader, Surat, Deputy Chairman, Gulam Bábá Spinning and Weaving Company, Limited, Surat.	V.	Issues	Ditto
16	5	Professor Rámkrishna Gopál Bhandárkar, M A, Ph D, Hon. M R A S	Professor of Oriental Languages, Deccan College, Poona	I	D and Issues	
17	6	Ráo Sáheb Virprasád Tápiprasád.	Special Assistant to the Municipal Commissioner for the City of Bombay.	I.	Issues	
18	7	C E G Crawford, Esq, Bo C S.	Registrar, High Court, Appellate Side, Bombay	S	B	Has submitted written replies
19	8	Khán Sáheb Ibráhim M Sáyáni, B A.	Head Master, High School, Nadiád .	I	D and Issues	
20	9	Vináyek Vásudev, Esq .	J P.; Fellow of the University, First Class Sirdár, was Oriental Translator to Government and is at present Secretary to the Civil and Military Examination Committee Address, Breach Candy, Bombay	I	D	Unwilling to attend Has submitted certain observations
21	10	Ráo Bahádur Bechardás Veháridás Desai.	Honorary Magistrate, Nadiád, President of the Nadiád Municipality, Member of the Nadiád Agricultural Committee.	I.	E and Issues	Unable to attend. Has submitted written replies
		Thursday, 20th January				
22	1	Ráo Bahádur Gopálráo Hari Deshmukh.	J P, Fellow of the University, was for many years Judge of the Small Cause Court at Ahmedabad, and held for a short time before his retirement the post of Joint Judge and Sessions Judge, Násik, to which he was appointed under Statute 33 Vic, Cap 3 Was also a Member of the Legislative Council, Bombay	I	E and Issues	Has submitted written replies.
23	2	Rahimtulla Mahomed Sáyáni, Esq, M.A, LL B	Solicitor, High Court, Bombay, J. P., Member of the Municipal Corporation and Town Council, Bombay, Fellow of the University	I	Ditto	Ditto
24	3	Professor W. Wordsworth, M A	Principal, Elphinstone College, Bombay	I.	A. and D.	Ditto
25	4	Mahomed Husen Hakim, Esq.	Barrister-at-Law, J. P, Fellow of the University, Member of the Municipal Corporation, Bombay	I	E. and Issues.	
26	5	Kaikhoshru Navroji Kábráji, Esq.	Editor, "Rást Goftár," Bombay, J P, Fellow of the University, Member of the Bombay Municipal Corporation.	I.	Ditto	Ditto
27	6	The Hon'ble Sir Charles Sargent, Knight, Barrister-at-Law.	Chief Justice, Bombay High Court .	I.	..	Oral evidence printed Proof examined by him self
28	7	Maulvi Mehedi Ali .	Head of the Revenue Department, Hyderabad (Deccan).	I.	E. and Issues	Will appear at Madras.
29	8	H Curwen, Esq .	Editor of the "Times of India," Bombay, J. P, Fellow of the University	I.	E .	Unwilling to attend
30	9	.....	Editor, "Kásidá Mumbai," Bombay.	I.	E .	Not present
31	10	Ragunáth Náráyan Khote, Esq, C I E	Merchant; J P, Member of the Municipal Corporation and Town Council, Fellow of the University, Vice-President, Bombay Presidency Association, Bombay.	I	E. .	Unable to attend.
32	11	Sir Jamshedji Jijibhái, Bart, C S I	J. P, Member of the Municipal Corporation, Fellow of the University, some time Member of the Legislative Council, Bombay	I.	E and Issues	Unwilling to attend.

Serial No	Daily No	Name of Witness.	Appointment (if in Government Service) or Professional and other designations of Witness.	Whether summoned or invited, or voluntary	Which set of detailed questions, if any, was supplied to him	Remarks.
			Friday, 21st January.			
33	1	The Hon'ble Dádábhái Navroji.	J P, Member of the Legislative Council, Bombay, Fellow of the University, one of the Founders of the East India Association, and Vice-Chairman of the Managing Committee of the Bombay Branch of the Association.	I.	E.	Has submitted written replies.
34	2	G W Forrest, Esq, B A.	Professor of Mathematics, Deccan College, Puna, at present on special duty, Bombay.	I.	D. and Issues	Has submitted written replies.
35	3	The Hon'ble Ráo Bahádur Mahádev Govind Ránadé, M A, LL B	Member of the Legislative Council of Bombay, Special Judge under the Dekkhan Agriculturists' Relief Act, Puna.	S.	Ditto	Ditto.
36	4	Maulvi Chirág Ali	Secretary, Revenue Department, Hyderabad (Deccan).	I.	E and Issues	Ditto.
37	5	R G Oxenham, Esq, M.A.	Principal and Professor of English Literature, Deccan College, Puna	I.	D.	Ditto.
38	6	Ráo Bahádur Khanderáo C Bedarkar, B A., LL B.	Deputy Registrar, Bombay High Court, Appellate Side, Acting Judge, Small Cause Court, Puna.	I.	D.	Ditto
			Saturday, 22nd January.			
39	1	Kharshedji Ratanji Bamanji, Esq, Bo. C. S (Statutory)	Assistant Collector, Kaira	S.	C.	
40	2	Sydenham Smith, Esq	Pleader, Puna, Representative of the Poona Branch of the Eurasian and Anglo-Indian Association	V.	Issues	Has submitted written replies.
41	3	J F. Fernandez, Esq.	Some time Deputy Collector and City Magistrate, Ahmedabad, now Manager, Morárji Gokuldás Spinning and Weaving Co, Bombay.	S.	E and Issues.	
42	4	Khán Bahádur Kázi Kamruddin	Assistant Settlement Officer, Ratnágiri	I.	Issues	Has submitted written replies.
43	5	W R Hamilton, Esq	Huzúr Deputy Collector, Ahmednagar	I.	D.	Ditto
44	6	Phiruzsháh Merwánji Mehta, Esq, M.A	Barrister-at Law, J P., Member of the Municipal Corporation, Fellow of the University, Joint Honorary Secretary, Bombay Presidency Association, Bombay	I	E. and Issues.	Ditto
45	7	Badrudin Tyabji, Esq	J. P, Fellow of the University, Barrister-at-Law, some time Member of the Legislative Council, Bombay, Secretary Anjuman-i-Islám, Bombay	I.	E.	Unable to attend
46	8	K M. Chatfield, Esq, M A.	Director of Public Instruction, Bombay Presidency Permanent address, Puna.	I	Issues	Excused at his own request
			Monday, 24th January			
47	1	James MacNabb Campbell, Esq, Bo C S, M.A, LL D, C I E	Acting Collector, Panch Mahals; Editor of the *Bombay Gazetteer.*	S	B and Issues	Has submitted written replies.
48	2	S. Hammick, Esq, Bo. C.S	District Judge and Sessions Judge, Surat	S.	Ditto	
49	3	Mancherji Pestanji Khareghát, Esq, Bo C S	Assistant Collector, Ahmedabad	S.	Ditto	Has submitted written replies
50	4	Ráo Bahádur Bhimbhái Kirpárám.	Personal Assistant to the Director of Agriculture (Head-quarters at Puna)	S	D and Issues.	Ditto.
51	5	Mulla Abdul Hye Mulla Muhammad Ali	Munshi, Surat	V	Issues	

Serial No.	Daily No.	Name of Witness.	Appointment (if in Government Service) or professional and other designations of Witness	Whether summoned or invited, or voluntary.	Which set of detailed questions, if any, was supplied to him.	Remarks.
52	6	Harilál Harsadrái Dhruva, Esq, B A., LL.B.	Pleader, Surat, one of the Honorary Secretaries of the Praja Hit Vardhak Sabha, Surat	V.	E and Issues.	Has submitted written replies.
53	7	.....	Editor, "Sind Times," Karáchi.	I.	E	Not present.
54	8	Rámchandra Vithal Dhámnaskar, Esq.	Acting Subha in His Highness the Gaekwár's Service, Amreli, Káthiáwár.	I.	E. and Issues.	Ditto.
55	9	Sitárám Hari Chiplunkar, Esq	Secretary, Puna Sárvajanik Sabha, Poona, Editor, "Dnyán Prakásh," Poona	I.	Ditto .	Unable to attend. Has submitted written replies.
		Tuesday, 25th January				
56	1	Dayárám Gidumal, Esq, Bo. C S (Statutory), B.A., LL B	Assistant Collector, Karáchi . .	S.	C. .	Has submitted written replies.
57	2	F A. H. Elliot, Esq, Bo. C S	On special duty as Survey and Settlement Commissioner, Baroda.	I.	B	Ditto
58	3	A. H. Plunkett, Esq .	City Magistrate, Puna .	S	D. and Issues	Ditto.
59	4	Ráo Bahádur Gurshidapa Virbasapa Gilganchi.	District Deputy Collector, Belgaum .	S.	D. .	Ditto.
60	5	F. L. Goldsmid, Esq .	District Superintendent of Police, Kolába, formerly Assistant Commissioner, N. D	S	D and Issues.	Ditto.
61	6	Náráyan Ganesh Chándavarkar, Esq, B A, LL B.	Fellow of the University; Editor, "Indu Prakásh," Bombay, Pleader, High Court, Bombay	I	E and Issues .	Ditto.
62	7	The Hon'ble Káshináth Trimbak Telang, M A, LL B, C I E.	Member of the Legislative Council, Bombay, J.P, Advocate, Bombay High Court, Member of the Municipal Corporation, Fellow of the University, Joint Honorary Secretary, Bombay Presidency Association, Bombay.	I.	E.	Ditto.
63	8	Ráo Sáheb Mahipatrám Ruprám Nilkanth, C I E	Principal, Training College, Ahmedabad.	I	Issues	
64	9	Ráo Bahádur Yeshwant Moreshvar Kelkar	Assistant Commissioner, S. D, was for some time on special duty as Secretary to the Forest Commission, and is at present employed as Oriental Translator to Government, Bombay	S.	D .	Has submitted written replies
65	10	Syad Nuruddin Khán, Bo. C S. (Statutory).	Some time Assistant Commissioner, Berár, and Under Secretary to H H the Nizám's Government, now Assistant Collector, Thána.	S.	C .	Prevented by illness from being present. Has submitted written replies.
		Wednesday, 26th January.				
66	1	W. B. Mulock, Esq, Bo. C S.	Acting Collector of Surat . .	S	B and Issues	Has submitted written replies.
67	2	J. W. Orr, Esq, M A, Barrister-at-Law	Prothonotary, High Court, Bombay .	V.	Issues.	
68	3	Váman Ábáji Modak, Esq, B A.	Principal, Elphinstone High School, Bombay	I	D and Issues.	Has submitted written replies.
69	4	Grattan Geary, Esq .	Editor and Proprietor, "Bombay Gazette," Bombay; J P, Fellow of the University.	I.	E.	Ditto.
70	5	Gangárám Bháu Maske, Esq	Pleader, Puna . .	I.	E and Issues .	Ditto
71	6	The Revd D Mackichan, M A., D D	Principal, Free General Assembly's Institution, Bombay, Fellow of the University.	I	E. .	Ditto
72	7	Kávasji Dádábhái Náegámwála, Esq, M A, F I.C., F R. A. S., F C S.	Lecturer on Experimental Physics, Elphinstone College, Bombay; J P, Fellow of the University; Representative of the Graduates' Association, Bombay	I	E. and Issues.	Ditto.

Serial No	Daily No	Name of Witness	Appointment (if in Government Service) or professional and other designations of Witness	Whether summoned or invited, or voluntary	Which set of detailed questions, if any, was supplied to him	Remarks
73	8	Munshi Nur Mahomed Khán	Secretary, Anjuman i Takwiyatul Islám, Puna	I	E and Issues	
74	9	Ráo Bahádur Raghunáth Shivrám Tipnis, B A, LL B	Acting 1st Class Subordinate Judge under Act XVII of 1879 Head quarters, Puna	I	Issues .	Has submitted written replies.
75	10	Khán Báhádur Nasarvánji Kharshedji	General Merchant and Municipal Commissioner, Ahmednagar	I	E and Issues .	Unable to attend. Has submitted written replies
76	11	Daulatrám Jethmal, Esq .	Secretary, Sindh Sabha, Karáchi	I	E .	Unable to attend
77	12	Mánekji Barjorji Minocherhomji, Esq	Editor, "Bombay Samáchar," Bombay, J. P.	I	E. .	Unable to attend Has submitted written replies.
78	13	Lallubhái Gordhandás, Esq	Personal Assistant to the Commissioner of Customs, Salt, Opium and Ábkári (Head-quarters at Bombay)	I	Issues	Not present
79	14	G W Vidal, Esq, Bo C S	Collector of Thána . .	I	.	Excused from appearing personally
		Thursday, 27th January				
80	1	The Rev. J Mayr, S.J	Rector of St Xavier's College, Bombay, Fellow of the University	I.	E	Has submitted written replies
81	2	Shankar Pándurang Pandit, Esq, M A	Oriental Translator to Government (on leave) Address, Girgaum, Bombay	I	E and Issues .	Ditto
82	3	Sorábji Shápurji Bengáli, Esq, C I E	Merchant, J P, Fellow of the University Address, Breach Candy, Bombay	I	Ditto .	Ditto
83	4	A T Shuttleworth, Esq	Conservator of Forests, N C	I	D.	Ditto.
84	5	Jhaverilál Umáshankar Yájnik, Esq	Agent in Bombay to His Highness the Ráo of Cutch, J P, Member of the Municipal Corporation and Town Council, Fellow of the University	I	E .	Ditto
85	6	Dáji Abáji Khare, Esq., B.A, LL B	Vakil, High Court, Bombay, Joint Honorary Secretary, Bombay Branch of the East India Association	I	E and Issues .	Ditto.
86	7	Mahádev Ballál Námjoshi, Esq	Member of the Deccan Education Society, Puna, and of the Managing Board which conducts the Society's Fergusson College and New English School at Puna.	I	E	
87	8	Bál Gangádhar Tilak, Esq, B A., LL B	Editor, "Mahrátta," Puna, Member of the Deccan Education Society, Professor of Mathematics, Fergusson College, Puna.	I	E	
88	9	W H Propert, Esq, Bo C S	Commissioner, S D .	S.	Issues .	Excused from appearing personally. Has submitted written replies
89	10	The Hon'ble J. Macpherson, B A.	Barrister at-law, Member of the Legislative Council, Bombay, Acting Advocate General, Bombay, Fellow of the University.	I	E .	Not present.
90	11	J Monteath, Esq, M A, Bo C S	Private Secretary to His Excellency the Governor of Bombay	S	B .	Has submitted written replies Excused from appearing personally
91	12	...	Editor, "Civil and Military Gazette, Sind Issue," Karáchi	I	E .	Not present
		Friday, 28th January				
92	1	A. T Crawford, Esq, Bo C S	Commissioner, C. D	S	B .	Has submitted written replies
93	2	W H Crowe, Esq, Bo C S.	District Judge, Puna	I	.	

Serial No	Daily No	Name of Witness	Appointment (if in Government Service) or professional and other designations of Witness	Whether summoned or invited, or voluntary	Which set of detailed questions, if any, was supplied to him.	Remarks
94	3	Siddeshvar Mitter, Esq	Delegate of a Society for the Translation of the Mahábhárat Permanent address— c/o B Dé, Esq, C S, Joint Magistrate, Hooghly, Bengal.	V	E and Issues .	Has submitted written replies
95	4	Jehángirsháh Erachsháh Kohiyár, Esq.	Assistant Secretary to Government, Revenue, Financial and General Departments, Bombay	S.	D and Issues	Ditto
96	5	The Hon'ble Raymond West, Bo C S, M. A, F R G S, LL D, Barrister-at-Law	Judge of Her Majesty's High Court of Judicature, Bombay	I.	A. and Issues	Ditto
97	6	The Hon'ble Dayárám Jethmal.	Pleader, Karáchi, Member of the Legislative Council of Bombay	I	E	Has submitted written replies Unable to attend
98	7	A. D Husen Ali, Esq	Pleader, Karáchi, President, Sind Branch, Central National Mahomedan Association.	I	E. and Issues .	Ditto
99	8	The Revd Náráyan Sheshádri, D D.	Missionary, Free Church of Scotland's Mission in Western and Central India, Fellow of the University	I	Ditto	Not present
100	9	Dinsha Ardeshir Táleyárkhán, Esq.	Municipal Commissioner, Baroda, His Highness the Gáekwár's Service	I	Ditto	Unable to attend Has submitted written replies.
101	10	Dinsha Pestanji Kánga, Esq, M.A, LL.B	J P.; Fellow of the University, Solicitor, High Court, Bombay.	I.	Ditto .	Unable to attend owing to illness
102	11	Dosábhái Frámji, Esq, C S I.	Presidency Magistrate, Bombay	S.	Issues	Unable to attend.
			Saturday, 29th January.			
103	1	Dinsha E. Váchha, Esq	Merchant, Joint Honorary Secretary, Bombay Presidency Association, Bombay.	I.	E and Issues .	Has submitted written replies
104	2	Surgeon Kánoba Ranchordás Kirtikar, L R C P., M.R C S.	Acting Professor of Anatomy, Grant Medical College, and Second Surgeon, J. J Hospital, Bombay	I	Ditto .	Ditto
105	3	The Hon'ble F Forbes Adam.	J. P, Member of the Legislative Council, Bombay, Trustee of the Port of Bombay, Merchant (of the Firm of Messrs W and A Graham & Co), Chairman of the Bombay Chamber of Commerce.	I.	E.	Not present.
106	4	The Hon'ble Ráo Sáheb Vishvanáth N. Mandlik, C S I, M R.A.S	J P., Fellow of the University, Member of the Municipal Corporation and Town Council, Member of the Supreme Legislative Council, Government Pleader, High Court, Bombay.	I.	D .	Ditto.
107	5	Manibhái Jasbhái, Esq.	Náib Diván, Baroda	I	D.	Ditto.
108	6	E C K. Ollivant, Esq, Bo. C S.	Municipal Commissioner for the City of Bombay.	S	B .	Ditto.
109	7	Khán Sáheb Sirájudin Abdul Futteh Maulvi, B A.	Deputy Educational Inspector, Hindustáni Schools, North-East Division Head-quarters at Násik.	I.	Issues .	Ditto
110	8	T. Glover, Esq .	Contractor, Bombay . .	I	.	Unable to attend
111	9	Ráo Bahádur Lakshman Jagannáth	Diván of Baroda .	I	.	Ditto.
112	10	Bhaishankar Nánábhái, Esq.	Solicitor, High Court, Bombay, J P, Member of the Municipal Corporation.	I	..	Unable to attend. Has submitted written replies

ANALYSIS.

			Present.	Absent	Written replies from
Witnesses for	17th	January 1887	4	2	5
Do	18th	do	5		5
Do	19th	do	8	2	5
Do.	20th	do.	6	5	4
Do.	21st	do	6		6
Do	22nd	do	6	2	4
Do	24th	do	6	3	5
Do	25th	do	9	1	9
Do	26th	do.	9	5	9
Do	27th	do.	8	4	8
Do	28th	do	5	6	7
Do	29th	do	2	8	3
		TOTAL	74	38	70

PROCEEDINGS

OF

THE PUBLIC SERVICE COMMISSION.

BOMBAY, PRESIDENCY.

VOLUME IV.—SECTION I.

CONTENTS.

SECTION I, SUB-SECTION B.—INFORMATION SUPPLIED BY THE BOMBAY GOVERNMENT

		Page
PAPER	I.—Replies of the Bombay Government	33
„	II.—Letter No. 104, dated the 26th January 1887, and reply No 3954, dated 29th June 1887, forwarding a *memorandum showing the special features of the Bombay Presidency (including Sind) which bear upon its administration*	57
„	III.—Letter No 3, dated the 16th November 1886, calling for detailed information, showing the number of "charges" or offices in which the Covenanted and Uncovenanted officers, engaged in the administration, were employed, &c., and the reply No. 49, dated the 4th January 1887	65
„	IV.—Letter No. 89, dated the 5th January 1887, calling for statistics showing how many persons employed in the Subordinate Judicial and Executive Services had passed University Examinations, and the reply No. 145, dated the 8th March 1887 . .	68
„	V.—Letter No 102, dated the 22nd January 1887, calling for a return showing the nationalities and castes of persons employed in the Subordinate Judicial and Executive Services in the Bombay Presidency; and the reply No. 2231, dated the 13th April 1887	69
„	VI.—Letter No. 106, dated the 28th January 1887, calling for (1) a return showing with regard to Mamlátdárs who hold the degree of Bachelor of Arts, (*a*) the date of appointment in each case as Mamlátdár, and (*b*) the period spent in each case on probation, &c , (2) a list of probationers for the appointment of Mamlátdár who have taken the B A degree, and the reply No. 2744, dated the 4th May 1887 .	72
„	VII—Letter No. 112, dated the 5th February 1887, calling for a return showing (1) the number of persons who have passed University Examinations during each of the past ten years, and (2) the nationalities and castes to which such persons belong, and the reply No 2193, dated the 7th April 1887	75
„	VIII—Letter No. 131, dated the 7th March 1887, calling for information showing the extent to which encouragement is offered to Natives of the Bombay Presidency, by means of Government scholarships or otherwise, to proceed to England for the purpose of completing their education, and the reply No 814, dated the 17th May 1887 .	77
„	IX—Telegram No 198, dated the 2nd May 1887, enquiring whether all the members of the Subordinate Executive and Judicial Services in the Bombay Presidency are Natives of that Presidency, and the reply No 33, dated the 28th May 1887 . . .	78
„	X—Letter No. 133, dated the 10th of March 1887, calling for a full and detailed answer to question No. 232, and the reply No. 4773, dated the 22nd July 1887 .	80

PROCEEDINGS

OF

THE PUBLIC SERVICE COMMISSION.

VOLUME IV.—PROCEEDINGS RELATING TO THE BOMBAY PRESIDENCY.

SECTION I.—SUB-SECTION B.—INFORMATION SUPPLIED BY THE BOMBAY GOVERNMENT.

I.

THE BOMBAY GOVERNMENT'S REPLIES TO SOME OF THE PUBLIC SERVICE COMMISSION'S QUESTIONS—SET. A.

I.—Working of the existing Statutory System.

1. What systems of selection or nomination for the purposes of the Statutory Rules have been adopted in your Province?—Young men of good family and social position are selected. Out of the nine men who have hitherto been appointed to the Civil Service of this Presidency under the Statutory Rules, one was an official and the rest non-officials—young men just beginning life, who had received in some cases a fair and in some a high education.

2. What subsidiary rules, if any, have been framed in your Province for the purpose of giving effect to the general Statutory Rules?—No subsidiary rules have been framed by this Government for the purpose of giving effect to the general Statutory Rules

3. How many Statutory Civilians have been appointed in your Province under the Statutory Rules on the ground of merit and ability proved in the service of Government?—Under the Statutory Rules now in force only one Statutory Civilian, *viz*, Syad Nuruddin Khán, has been appointed in this Presidency on grounds of merit and ability proved in the service of Government.

4. What positions were persons thus appointed holding in Government service when selected for appointment under the Statutory Rules?—Before his appointment in this Presidency under the Statutory Rules, Syad Nuruddin Khán had been appointed a Third Class Supernumerary Assistant Commissioner on the Berár Commission, but he had never actually joined that appointment.

5. How long had they been in the service of Government when appointed under the Statutory Rules?—Before his appointment to the Statutory Service in this Presidency, Syad Nuruddin Khán had been for about 5 years and 8 months in the service of Government, as shown below.—

	Y	m.	d
As Attaché at the Hydrabad Residency	3	3	0
As Officiating Assistant* Commissioner, 3rd Class, Berár . .	0	0	23
On extraordinary leave . .	2	4	0

During the period of extraordinary leave Syad Nuruddin Khán was employed as Under-Secretary to His Highness the Nizam's Government.

6. What were their ages respectively when they first entered Government service and when they were appointed under the Statutory Rules?—Syad Nuruddin Khán was born on 2nd January 1858 He was 21 years old when appointed an Attaché at the Hyderabad Residency, and 28 years old when appointed to the Statutory Civil Service

7. How were their merit and ability held to have been proved?—In the memorandum forwarded to the Government of India with this Government letter No. 84 P. Confl., dated 8th December 1885, the following particulars as to the claims and qualifications of Syad Nuruddin Khán for nomination to the Statutory Civil Service were furnished —

"He knows English, Persian, Hindustáni and Maráthi well, and Gujaráti and Arabic fairly, and has passed the Lower and Higher Standard Examinations in Civil and Criminal Law, and the 'Revenue test' prescribed for District Officers in the Berárs. He was attached to his uncle's mission in connection with the Hyderabad Railway and accom-

* Sirdár Diler-ud-Dowla Bahádur, C I E (Sayad Abdul Hak).

panied him to England on two occasions for about 8 months at a time. He was an Attaché in the Hyderabad Residency from 1879, and acted for some time as Assistant Commissioner in the Berárs until a reduction in the establishment of officers of that class necessitated his reversion to the Residency."

Having regard to this account of the antecedents and qualifications of Syad Nuruddin Khán, the Government of India accepted his nomination on the grounds of merit and ability proved in the service of Government.

8 What appointments did they receive under the Statutory Rules?—On his admission to the Statutory Service in this Presidency, Syad Nuruddin Khán was appointed to be Assistant Collector and 2nd Class Magistrate, Thána.

9. What rate of pay did they receive, (1) immediately before appointment under the Statutory Rules, and (2) on appointment under those Rules?—As Officiating Assistant Commissioner, 3rd Class, in Berar, Syad Nuruddin Khán drew salary at the rate of ₹200 per mensem, together with an acting allowance of ₹200 a month. He was subsequently appointed substantively to a 3rd Class Supernumerary Assistant Commissionership on the Berár Commission on ₹500 per mensem, but he never joined the appointment. Immediately before his appointment in this Presidency under the Statutory Rules he was drawing ₹900 per mensem as Under-Secretary to the Government of His Highness the Nizám in the Home Department, and on appointment under those rules he has been allowed, with the sanction of the Government of India, to draw salary at the rate of ₹450 per mensem

10. How many Statutory Civilians have been appointed in your Province on the ground of merit and ability proved in the practice of a profession?

11. To what porfession or professions did persons thus appointed belong?

12. What were their ages when appointed under the Statutory Rules?

13. How were their merit and ability held to have been proved?

14 What appoinments did they receive under the Statutory Rules?

15 What rate of pay did they receive on appointment under the Statutory Rules?—10—15. No Statutory Civilian has been appointed in this Presidency on the ground of merit and ability proved in the practice of a profession but one has this year been recommended to the Government of India.

16 How many persons have been appointed Statutory Civilians in your Province on the ground of intellectual qualifications alone?

17. If such appointments have been made, how were the intellectual qualifications of the persons concerned tested?

18. If they were tested by means of an examination, was the examination only a qualifying examination of candidates previously nominated, or was it a competitive examination amongst candidates previously nominated?

19. In either case, on what grounds were the nominations made?

20 How many candidates were nominated to compete for each vacancy?

21. To what classes of Native society did the candidates belong?

22 Was the examination an open competitive examination, pure and simple?

23. If so, how many candidates presented themselves for each examination, and how many vacancies were competed for at each examination?

24. To what classes of Native society did the candidates belong?

25. Were the selections for appointment under the Statutory Rules made in accordance with the results of the examination?

26 What was the social position of the selected candidates?

27 Whatever may have been the nature of the examination, what conditions, if any, were prescribed in regard to the age limit of candidates? *and*

28. In regard to their minimum educational attainments? *and*

29 In regard to their moral, social and physical fitness?

30 What were the subjects of examination?

31. If marks were awarded, on what principle were they alloted to each subject?

32. If marks were not awarded, what relative weight was assigned to each subject?

33. Under each system of examination what appointments did the selected or successful candidates receive under the Statutory Rules?

34. What rate of pay did they receive on appointment under the Statutory Rules?—16—34. None of the Statutory Civilians in this Presidency have been appointed on the ground of intellectual qualifications alone.

35. How many Statutory Civilians have been appointed in your Province on the ground of high birth, of social position, or general influence?—The following eight Statutory Civilians were appointed in this Presidency on the ground of high birth, social position, or general influence of family:—

Mr. S. P. Pestanji.
„ L. G. Deshmukh, B.A.
„ G. D. Pánse.
Shekh Jehángir Mián.
Mr. K. R. Bamanji.
„ N B Divátia, B.A.
Kumár Harbhamji Rawaji, B A.
Mr. Dayárám Gidumal, B A., LL.B.

Of these eight gentlemen one, Shekh Jehángir Mián, has since resigned, and another, Kumar Harbhamji Rawaji, has not yet joined his appointment.

36. If Statutory Civilians have been appointed in your Province on the ground of high birth, social position, or general influence, were any preliminary qualifications required?

37. If so, what were they?—36—37. No preliminary qualifications were required in the cases of the eight Statutory Civilians named above.

38. What appointments did persons selected on any of these grounds receive under the Statutory Rules?—Messrs S. P. Pestanji, L. G. Deshmukh, G. D Pánse, K. R. Bamanji, N. B. Divátia, and Dayárám Gidumal, on their appointment to the Statutory Service, respectively received the appointments of Assistants to the Collectors of Puna, Khándesh, Ahmednagar, Broach, Kaira, and Karáchi.

39. What rate of pay did they receive on appointment under the Statutory Rules?—Messrs. S. P. Pestanji, G D. Pánse, K. R. Bamanji, N. B. Divátia, and Dayárám Gidumal, received salary at the rate of R200 per mensem on appointment under the Statutory Rules. Mr. L. G. Deshmukh on his appointment under those rules was allowed to draw a salary of R250 per mensem, as he had passed the special Lower Standard Departmental Examination prior to his nomination.

40. Have persons been appointed in your Province to Covenanted posts on any other grounds than those above mentioned?

41. If so, on what ground? *and*

42. What appointments did the persons concerned receive?—40—42 Ráo Bahádur Gopálráo Hari Deshmukh was appointed, in the year 1877, to be Joint Judge and Sessions Judge of Násik, under the provisions of Statute 33 Vic, Chapter 3, on grounds of merit proved in the service of Government

Mr. Dosábhái Frámji, Presidency Magistrate, Bombay, was appointed in the year 1882, with the sanction of the Secretary of State, to act as Collector of Bombay* for one month, in consequence of there being no Covenanted Civilians available for the discharge of the duties of that office. Acting on the opinion of the Law Officers of the Crown, the Secretary of State, however, subsequently ruled that the appointment of Collector of Bombay was not a reserved or scheduled appointment.

In 1885 the Honourable Ráo Bahádur Mahádev Govind Ránade, Judge of the Poona Small Cause Court, was appointed to act as Special Judge under the Dekhan Agriculturists' Relief Act during the absence of Dr. Pollen, C S., there being no other officer so well qualified available to carry out the working of the Act, the death of one and the retirement of two other Civilians employed as District Judges having considerably reduced the number of experienced Judges. The post of Special Judge under the Dekhan Agriculturists' Relief Act is one of recent creation, but the Government of India were requested to sanction the appointment of Mr. Ránade to that post if they considered it to be one usually reserved for members of the Civil Service. The Government of India in reply stated that they had no objection to the appointment made by this Government. Mr. Ránade still continues to hold the appointment.

The appointment of Tálukdári Settlement Officer is not a scheduled one, but it has till lately been generally held by members of the Covenanted Civil Service. Mr Pestanji Jehángir, a 2nd Grade Deputy Collector, was appointed in the year 1883 to act as Tálukdári Settlement Officer during the absence of Mr Crawley-Boevey. He still continues to officiate. His appointment to act as Tálukdári Settlement Officer was made on the grounds that he had done good service for eight years in Baroda and was a most able and upright officer, and a man of good family and universally respected.

43. What rate of pay did they receive on appointment?—The pay on which Mr. Gopálráo Hari was appointed to be Joint Judge and Sessions Judge of Násik was R1,350, or less by 25 per cent than the salary attached to that post. Mr. Dosábhái Frámji drew his own pay *plus* acting allowance on the pay of the appointment of Collector of Bombay. Similarly, Mr Mahádev Govind Ránade and Mr Pestanji Jehángir have each drawn the pay of their substantive appointments as Judge of the Court of Small Causes, Puna, and 2nd Grade Deputy Collector respectively, and a deputation allowance on the salaries of the appointments officiated in by them

44. How many Mahomedans and how many Hindus have been appointed to the Statutory Service in your Province?—Five Hindus, two Pársis, and two Mahomedans have been appointed to the Statutory Service in this Presidency, of whom one Hindu (Kumár Harbhamji Rawáji) has not yet joined his appointment, and one Mahomedan (Shekh Jehángir Mián) has resigned the service

45 Have any Eurasians been appointed to the Statutory Service in your Province?—No Eurasians have been appointed to the Statutory Service in this Presidency.

46. If not, are there any particular reasons why they have not been appointed?—No Eurasians have hitherto been nominated to the Statutory Service in this Presidency, as no persons of that class of conspicuous merit and ability offered themselves for employment therein.

47 Whatever system of selection or nomination may have been adopted, has it been usual to require a probationary period before the appointment was finally confirmed?—Yes. The one exception is in the case of Sayad Nuruddin Khán, who had proved his merit and capacity in the service of Government before he was appointed to the Statutory Civil Service.

48. If so, what have been the incidents of such period as to duration and pay?—Under Rule 2 of the Rules prescribed in the Notification of the Government of India, No. 1534, dated 22nd August 1879, persons nominated under the Statutory Rules are, as a general rule, not confirmed in their appointments until they have acquitted themselves satisfactorily for a period of not less than two years from the date of their admission on probation and have passed the Departmental Examination, Lower Standard. Under the orders contained in paragraph 3 of the letter from the Government of India, No 1751, dated 28th October 1881, pro-

* The Office of Collector of Bombay is ordinarily held by members of the Covenanted Civil Service

bationers for the Native Civil Service are allowed pay at the rate of R200 per mensem on first appointment, and the pay is raised to R250 per mensem after their passing the Lower Standard Departmental Examination Probationers who may pass the Higher Standard Departmental Examination within the period of probation are not allowed any increase of pay beyond R250 per mensem, until after their final confirmation in the service.

49 Has the requirement of a probationary period been waived in the case of any appointments hitherto made under the Statutory Rules?

50 If so, in the case of what appointments and on what grounds?—49—50. The requirement of a probationary period was waived in the case of Syad Nuruddin Khán, in accordance with Rule 2 of the Rules laid down in Government Notification No. 1534, dated 22nd August 1879, his appointment having been made on grounds of merit and ability proved in the service of Government

51 To what positions have the persons selected on the various grounds above noted respectively attained in the public service?—Messrs S. P. Pestanji, L. G. Deshmukh, G. D. Pánse, and K. R. Bamanji are at present acting as Second Assistant Collectors. Messrs. N. B Divátia, Dayárám Gidumal and Syad Nuruddin Khán are still serving as Assistant Collectors, but the first two have passed both the Departmental Examinations (Lower and Higher Standards) and are eligible for substantive promotion as Second Assistant Collectors

52. Have any practical difficulties been experienced in regard to the promotion of Statutory Civilians after their appointment?—No. They take rank in each year after the Civilians who have entered the service by competitive examination and are promoted under the same rules. Some difficulty may arise when any have claims by seniority to the higher independent posts of Collectors, &c, but none have yet attained a higher rank than that of Assistant Collector.

53. How far have Statutory Civilians succeeded in passing the Departmental Examinations in cases where such examinations were required?—Messrs. S. P. Pestanji, L. G. Deshmukh, G. D Pánse, K. R. Bamanji, N. B. Divátia and Dayárám Gidumal have passed both the Lower and Higher Standard Departmental Examinations. The former examination has been waived in the case of Syad Nuruddin Khán, as he had passed the Departmental Examination prescribed for officers in the Berárs, which is very similar to that which officers employed in this Presidency are required to undergo. Sayad Nuruddin Khán has not yet passed the Higher Standard Departmental Examination in the Revenue and Account subjects, and is not required to pass it in the other subjects thereof, as he had passed in those subjects while employed in the Berárs.

54. After what periods from the dates of original appointment were the examinations by the Lower and Higher Standard, respectively, passed in each case?—The following statement shows the dates on which the Statutory Civilians employed in this Presidency were appointed to the Statutory Service, the dates on which they passed (1) the Lower and (2) the Higher Standard Departmental Examinations, and the dates on which they were confirmed in the service:—

Name.	Date of Appointment to the Statutory Service.	Dates of passing the Departmental Examinations		Date of Confirmation in the Service.	Remarks
		Lower Standard	Higher Standard.		
Mr S P Pestanji .	9th January 1880	31st July 1880	2nd November 1880 .	10th March 1882.	
„ L. G Deshmukh	29th March 1881.	24th April 1880	17th October 1881 .	19th June 1885.	Mr L. G. Deshmukh was a probationer for a mámlat before he was appointed to the Statutory Civil Service, and passed the Lower Standard Departmental Examination as such.
„ G. D Pánse .	2nd December 1881	14th October 1882	7th April 1884 . .	4th June 1884	
„ K R. Bamanji	21st November 1882	6th April 1883	11th October 1884 .	8th January 1885	
„ Narsingráo Bholánáth Divátia	18th January 1884	9th October 1884	10th April 1886 . .	24th February 1886	
„ Dayárám Gidumal	20th December 1884	7th April 1885 .	13th April 1886 .		Not yet confirmed
Syad Nuruddin Khán	16th February 1886	1st October 1881	Has been exempted from passing the Higher Standard Departmental Examination in the vernacular and judicial subjects in consequence of his having passed in those subjects while employed in the Berárs, but is required to pass in the Revenue and Accounts subjects, in which he has not yet passed the examination	. .	Appointed to the Statutory Service without being required to undergo any period of probation.

It will be seen from this statement that the periods from the dates of original appointment after which the Statutory Civilians passed the Examinations by the Lower and Higher Standards respectively were as follow:—

	Lower Standard.	Higher Standard.
	Y. m d.	Y. m d.
Mr S. P. Pestanji . .	0 6 22	0 9 24
„ L. G Deshmukh .	*	0 6 18
„ G. D Pánse .	0 10 12	2 4 5
„ K R Bamanji . .	0 4 16	1 10 20
„ N. B Divátia . .	0 8 21	2 2 23
„ Dayárám Gidumal .	0 3 18	1 3 24

* Mr Deshmukh had passed the Lower Standard Departmental Examination before his appointment to the Statutory Service

55. In how many cases has there been failure to pass by either test within the two years' probationary period?—None of the Statutory Civilians appointed in this Presidency has failed to pass the Lower Standard Departmental Examination within the two years' probationary period. Messrs S. P Pestanji, L G. Deshmukh, K. R Bamanji and Dayárám Gidumal passed the Higher Standard Departmental Examination within two years from the date of their appointment to the Statutory Service, and Messrs. G. D. Pánse and N. B Divátia passed that examination 2 years, 4 months and 5 days and 2 years, 2 months and 23 days, respectively, after that date. No obligatory period has, however, been fixed within which Statutory Civilians should pass the Higher Standard Departmental Examination.

56. After what periods from the dates of original appointment have Statutory Civilians in your Province been confirmed in their appointments?—The following statement shows the periods from the dates of original appointment after which Statutory Civilians in this Presidency have been confirmed in their appointments:—

	Y m d.
Mr S. P. Pestanji . . .	2 2 1
„ L. G Deshmukh . .	4 2 21
„ G. D. Pánse . .	2 6 2
„ K R Bamanji . . .	2 1 18
„ N B Divátia . . .	2 1 6
„ Dayárám Gidumal . .	(The probationary period has just expired)
Syad Nuruddin Khan .	(Appointed to the Statutory Service without being required to serve any period of probation).

57. Has the period before confirmation in any case extended beyond the probationary period of two years?

58. If so, under what circumstances?—57—58. Yes. In the case of one Statutory Civilian, Mr L. G. Deshmukh, who was not confirmed in his appointment for two years after the expiration of his probationary service owing to the somewhat unsatisfactory reports submitted by the officers under whom he was employed concerning the discharge by him of his duties as a Statutory Civilian. This Government, in order to afford him full opportunity of proving his fitness for the service, granted him two extensions of the probationary period.

59—87, Blank

88. How many Natives in your Province have been appointed under the Statute 24 and 25 Vic., Chapter 54, Sections 3 and 4, to offices reserved for Covenanted Civilians?—*Subordinate Executive Service*—No Native has been appointed under the Statute referred to, to an office reserved for Covenanted Civilians in the Revenue Department. Please see also reply to questions 40 to 42.

2. *Subordinate Judicial Service*—Only one Native, Ráo Bahádur Gopálráo Hari Deshmukh, was appointed to an office in the Judicial Department reserved for Covenanted Civilians

89 When and on what grounds were they appointed?—Ráo Bahádur Gopálráo Hari Deshmukh, who was then 2nd Assistant to the Registrar of the Sadar Adálat (High Court), was appointed, on 6th September 1862, Acting Assistant Judge and Sessions Judge of Ahmedabad, as there was no Covenanted Civil Servant available for the post who was fully qualified under the rules laid down by Government that "no Civilian shall be taken for employment in the Judicial Department until he has been in this country for five years." At this time only six Civil Servants held appointments of lower value than an Assistant Judgeship, and if the travelling allowance were taken into consideration, the appointment of any one of them to act as Assistant Judge would have caused him pecuniary loss Besides this, none of them could be spared from the office he already held.

90 Why was appointment under 24 and 25 Vic, Chapter 54, preferred to appointment under the Statutory Rules.—When Ráo Bahádur Gopálráo Hari's appointment was made the Statutory Rules (of 19th August 1875) were not in force.

91. To what offices and on what pay were those persons appointed, and to what offices and pay have they now attained?—Ráo Bahádur Gopálráo Hari was appointed to act as Assistant Judge and Sessions Judge, the pay of which appointment was ₹700 per mensem From that appointment he was transferred to the office of Judge of the Court of Small Causes, the pay of which was ₹1,000 per mensem, and in, February 1877 he was appointed, under the Statutory Rules of 19th August 1875, provisionally Joint Judge in the Thána District on a salary of ₹1,350 per mensem, the pay of which appointment was ₹1,800.

After the expiration of two years from the date of Ráo Bahádur Gopálráo Hari's appointment as Joint Judge, Government invited the opinion of the Honourable the Chief Justice and Judges of the High Court as to whether he should be confirmed in the appointment, and their Lordships having in reply intimated that they did not consider it desirable that he should be confirmed, his work having been found to be far from satis-

factory, this Government recommended to the Government of India the cancellation of his appointment On receipt of the orders of the Government of India Ráo Bahádur Gopálráo Hari was, however, directed to retire from the service from 1st September 1879, as he was over 56 years of age and was entitled to the full pension of ₹5,000 per annum

92. Is there any marked difference in ability, social position, efficiency, or other respects between Natives who have been appointed under 24 and 25 Vic., Chapter 54, and Natives appointed under the Statutory Rules?—Ráo Bahádur Gopálráo Hari Deshmukh was first appointed in 1862 under 24 and 25 Vic, Chapter 54, and in 1877 he was appointed under the Statutory Rule of 19th August 1875. No other Native gentleman has been appointed to an office in the Judicial Department under either the Act or the Rules.

93 Has the appointment of Natives under the Statutory Rules or under 24 and 25 Vic, Chapter 54, produced uncertainty or uneasiness in the minds of Covenanted Civil Servants as to their promotion and prospects?—The appointment of Ráo Bahádur Gopálráo Hari under 24 and 25 Vic, Chapter 54, in 1862, and under the Statutory Rules of 1875 in 1877, did produce uneasiness in the minds of Covenanted Civil Servants, who memorialised the Secretary of State, complaining of the appointments.

94 Seeing that the proportion of Natives has been fixed, and that the scale of recruitment for the Civil Service has been adjusted accordingly, is this feeling of uncertainty or uneasiness, if it exists, well founded?—The adjustment of the number of appointments to be made annually will obviate possibility of hardship to men appointed subsequently to such adjustment But the decrease in the number of appointments, open to existing members of the service, must give them good ground for dissatisfaction.

95 Has it had an appreciably injurious effect either on recruitment or on the efficiency of Civil Servants?—The system has been put in force to so small an extent in this Presidency that any such injurious effect must have been transient and hardly appreciable. But if such appointments were largely resorted to, the injury to prospects, which would be caused thereby, would, no doubt, produce a state of discontent which could hardly be regarded as compatible with thorough efficiency on the part of the officers concerned.

96—124 —Blank.

125 and 126 *III.—Competition in England for the Indian Civil Service* —What has been the experience in your Province, in regard to their work as public servants, of Natives who have entered in the Covenanted Civil Service through the competitive channel in England? To what classes of society do such Natives belong?—Three Civilians have entered the Covenanted Civil Service in this Presidency through the channel of the competitive examination in England, *viz*, Messrs S. Tagore, S. B. Thákur, and M. P. Kharegat The first belongs to a Tagore family of Bengal. The second belongs to a respectable but not distinguished Hindu family. His brother was a Mámlatdár The third is a Pársi of respectable family

127—262. Blank

263. What system, if any, is at present adopted in your Province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship?—There is no rule prescribing qualifications for the appointment of Deputy Collector. Persons serving as Mámlatdárs, who, under existing rules, must have passed the Higher Standard Departmental Examination, are ordinarily selected for the office of Deputy Collector, but it is open to Government to appoint any body considered fit, and if a person who has not passed the examination is appointed, he is required to pass after being appointed.

264 Does the system work well, and what improvements can you suggest?—The question is not, however, limited to Deputy Collectors or to persons of high position. It is asked what system is adopted for bringing into the service persons who, *from their position or otherwise*, cannot be expected to enter in the lowest grades and for giving them the necessary apprenticeship. The question would be answered by describing the rules regarding the privileges of Graduates. It is true that they are appointed first in a low, if not the lowest, grade, but the intention was to secure Graduates as Mámlatdárs, and the limited service in the lower grades prescribed for Graduates is a mere apprenticeship.

265. Of what different classes of appointments is the Subordinate Executive Service in your Province composed, including in the term "Subordinate Executive Service" all Subordinate Executive offices down to, and including the office of, Tahsíldár or other office corresponding to that of Tahsíldár, which are not reserved by law for, or not ordinarily held by, members of the Covenanted Civil Service?—The Subordinate Executive service in this Presidency, including in the term "Subordinate Executive Service" all Subordinate Executive Offices down to, and including the office of, Tahsíldár or other office corresponding to that of Tahsíldár, which are not reserved by law for, or not ordinarily held by, members of the Covenanted Civil Service, is composed of the following classes of appointments:—

Deputy Collectors
Mámlatdárs (in the Presidency proper), and
Mukhtyárkars (in Sind).

266. Into what grades is each class of the above executive appointments divided in your Province, and of how many appointments does each grade consist?

267. What rate of pay is attached to each grade?—266—267. The following statement shows the number of grades into which each class of appointments is divided, the pay attached to each grade, and the number of appointments which each grade consists of—

BOMBAY PRESIDENCY PROPER.

Deputy Collectors

Grade.	Appointments	Pay per mensem.
		R a p.
1st . . .	1	800 0 0
2nd . . .	2	700 0 0
3rd . . .	3	600 0 0
4th . . .	21	500 0 0
5th . . .	13	400 0 0
6th . . .	15	300 0 0
	45*	

* This number includes the appointments of six Assistants to Commissioners of Divisions, two City Magistrates (Puna and Ahmedabad), and one Personal Assistant to the Director of Agriculture.

Mámlatdárs.

Grade.	Appointments.	Pay per mensem.
		R a p.
1st . . .	23	250 0 0
2nd . . .	34	200 0 0
3rd . . .	47	175 0 0
4th . . .	51	150 0 0
	155	

PROVINCE OF SINDH.

Deputy Collectors.

2nd . . .	1	700 0 0
3rd . . .	1	600 0 0
4th . . .	4	500 0 0
5th . . .	4	400 0 0
6th . . .	4	300 0 0
	1 Supernumerary Deputy Collector on R300 per mensem.	
	15	

Mukhtyárkars.

1st . .	3	250 0 0
2nd . .	7	200 0 0
3rd . . .	15	175 0 0
4th . . .	18	150 0 0
5th . . .	8	100 0 0
	51	

Besides these appointments a special Mámlatdár has been appointed for settling compensation for lands taken up for the Southern Marátha Railway.

268. Of what different classes of appointments is the Subordinate Judicial Service in your Province composed, including in the term "Subordinate Judicial Service" all Subordinate Judicial offices down to and including the office of Munsif or other office corresponding to that of Munsif, which are not reserved by law for, or not ordinarily held by, members of the Covenanted Civil Service?—The different classes of which the Subordinate Judicial Service in the Bombay Presidency is composed are as follows:—

(1) Judges of Small Cause Courts (*a*) at the Presidency, and (*b*) in the Mufasal

(2) Subordinate Judges: those in the Presidency proper, divided into 2 classes, and those in Sind, into 4 classes.

269. Into what grades is each class of the above judicial appointments divided in your Province, and of how many appointments does each grade consist?—The appointments of Judges of Small Cause Courts are not divided into grades, although the salaries vary from R2,000 to R800, as stated below:—

	R
Chief Judge, Bombay Small Cause Court, R2,000, rising to	2,500
2nd Judge	1,500
3rd Ditto R1,000, rising to	1,250
4th Judge	1,000
Judge of the Court of Small Causes, Puna	1,200
Ditto, Ahmedabad	1,000
Ditto, Karáchi	1,000
Ditto, Surat and Broach	800

It is under contemplation to reduce the pay of some of these appointments at the suggestion of the Finance Committee.

The Subordinate Judgeships of the 1st class in the Presidency proper are divided into three grades, and those of the 2nd class into four. The appointments in each grade are as follows:—

First Class

	Number of appointments.
1st Grade	4
2nd do.	4
3rd do.	7
	15

Second Class.

1st Grade	19
2nd do.	22
3rd do	36
4th do.	12
	89

The Subordinate Judgeships in Sind are divided only into classes They are not subdivided into grades. The appointments in each class are as follows —

1st Class	2
2nd do.	3
3rd do.	5
4th do.	3
	13

It may be added that the Presidency proper and Sind are under different laws for regulation of Civil Courts, *viz*, Act XIV of 1869 and Bombay Act XII of 1866 respectively. The former requires, for purposes of jurisdiction, the division of Subordinate Judges in the Presidency proper into 2 classes. The so-called classes in Sind are simply grades.

270. What rate of pay is attached to each grade?—The rate of pay attached to each grade of Subordinate Judges in the Presidency proper is as under :—

First Class.

	R
1st Grade	800
2nd do.	650
3rd do.	500

Second Class.

1st Grade	400
2nd do.	300
3rd do	200
4th do.	150

The rate of pay attached to each class of Sub-Judges in Sind is as follows :—

	R
1st Class	400
2nd do.	300
3rd do.	200
4th do.	150

271. In the existing Subordinate Executive Staff how many persons are (1) Europeans; (2) Natives of India of pure descent; (3) Eurasians and others who, though not Natives of India of pure descent, fall within the meaning attached to the words "Natives of India" by the Statute of 1870 (33 Vic., Cap 3, Section 6); and (4) persons who are neither Europeans, nor Natives of India, whether of pure descent, or within the Statutory meaning?—The existing Subordinate Executive Staff in this Presidency consists of (1) four Europeans, (2) two hundred and fifty-six Natives of India of pure descent; and (3) seven Eurasians and others who, though not Natives of India of pure descent, fall within the meaning attached to the words "Natives of India" by the Statute of 1870 (33 Vic, Cap. 3, Section 6) total 256.

272. What particular appointments in the Subordinate Executive Service are at present held in your Province by persons falling under each of the above classes?—The particular appointments in the Subordinate Executive Service at present held in the Bombay Presidency by persons falling under each of the above classes are—

(1).—*Europeans*

4 Deputy Collectorships.

(2).—*Natives of India of pure descent.*

50 Deputy Collectorships, 155 Mámlats, and 51 Mukhtyárkarships.

(3).—*Eurasians and others.*

6 Deputy Collectorships.
1 Mamlat.

7

(4).—*Persons who are neither Europeans, nor Natives of India.*

None.

273. What rates of pay are attached to the appointment thus held in each case?—The rates of pay attached to the appointments thus held in each case are—

Europeans (4)	1 on	R 800	Deputy Collectorships
	1 on	„ 700	
	1 on	„ 600	
	1 on	„ 500	
	4		
Natives (256)	2 on	R 700 each.	Deputy Collectorships.
	2 on	„ 600 „	
	12 on	„ 500 „	
	16 on	„ 400 „	
	18 on	„ 300 „	
	50		
	23 on	R 250 each.	Mámlats.
	34 on	„ 200 „	
	47 on	„ 175 „	
	51 on	„ 150 „	
	155		
	3 on	R 250 each.	Mukhtyárkarships.
	7 on	„ 200 „	
	15 on	„ 175 „	
	18 on	„ 150 „	
	8 on	„ 100 „	
	51		
Eurasians (7)	1 on	R 600	Deputy Collectorships.
	2 on	„ 500 each.	
	1 on	„ 400	
	2 on	„ 300 each.	
	1 on	„ 150 ...	Mámlat.
	7		

274. What particular appointments in the Subordinate Judicial Service are at present held in your Province by persons falling under each of the above classes, *i e*, (1) Europeans; (2) Natives of India of pure descent, (3) Eurasians and others who, though not Natives of India of pure descent, fall within the meaning attached to the words "Natives of India" by the Statute of 1870 (33 Vic, Cap 3, Section 6), and (4) persons who are neither Europeans, nor Natives of India, whether of pure descent, or within the Statutory meaning?—The following appoint-

ments are held by persons falling under the different classes :—

(1)—*Europeans.*

Three of the Presidency Small Cause Court Judgeships and one Mufasal Small Court Judgeship.

(2)—*Natives of India.*

One of the Presidency and three of the Mufasal Small Cause Court Judgeships
All the Subordinate Judgeships but three.

(3)—*Eurasians and others.*

Three Subordinate Judgeships.

(4)—*Persons who are neither Europeans nor Natives of India.*

None.

275. What rates of pay are attached to the appointments thus held in each case?

Small Cause Courts, Presidency.

Europeans (3), Rs 1,000 to Rs. 2,500.
Native (1), Rs. 1,000.

Mufasal.

European (1), Rs. 1,000.
Natives (3), „ 800 to Rs. 1,200.

Sub-Judges (including Sind).

Eurasian (1.), Rs. 800
Do. (1) „ 650.
Do. (1) „ 200.
Natives (114), „ 150 to Rs. 800.

276. Under what system of selection or nomination are appointments at present made in your Province to the Subordinate Executive Service, as above defined?

278 Have any rules been framed for the purpose of regulating such appointments, and if so, what are they (*a*) in the case of the Subordinate Executive Service, and (*b*) in that of the Subordinate Judicial Service?

276 and 278—(*1*)—*Bombay Presidency—Subordinate Executive Service.*—The rules laid down by Government from time to time for regulating appointments to posts of Mámlatdárs and Deputy Collectors in the Bombay Presidency are as follows :—

By their Notification No 6505, dated 17th December 1878 (*vide* Appendix A), Government prescribed certain rules for the appointment of graduates to the offices of Mámlatdars and Deputy Collectors in the Presidency proper. According to those rules a graduate was entitled, after a probationary service of one year as Second Kárkún, and six months as Head Kárkún, in a Mámlatdár's Kacheri, and on passing the lower and higher standard departmental examinations, to be promoted to the rank of Mámlatdár, provided that his moral conduct was good and that he otherwise showed himself competent for promotion to a Mámlat.

In order to prevent hardship to non-graduate officers employed in the Revenue Department prior to the issue of those rules, Government, however, ruled that such officers should be held eligible along with graduates for promotion to Mámlats and Deputy Collectorships on passing the lower and higher standard departmental examinations within two years from the date of the promulgation of the rules.

The limit of two years within which non-graduate officers in the Land Revenue Department were allowed to qualify themselves for the higher appointments in that Department was subsequently extended by Government Notifications No 826, dated 9th February 1881, and No 6451, dated 18th September 1882, to 31st December 1883, after which date the appointments in question were to be exclusively filled by University graduates. The Commissioners of Division however, subsequently expressed their opinion that it was inexpedient to reserve the appointments of Mámlatdár and Deputy Collector exclusively for graduates, and the high Educational authorities who were consulted on the subject did not consider that this measure was necessary or desirable in the interests of higher education. A new set of rules was accordingly laid down on 2nd September 1885 for admission to and promotion in the Revenue Department of graduates and non-graduates. These rules were promulgated in Government Notification No 7105, dated 2nd September 1885 (*vide* Appendix B).

The system at present followed in the Presidency proper in making appointments to the posts of Mámlatdárs is to confer these posts (1) on graduates employed in the Land Revenue Department who have served for a period of two years in a Mámlatdár's Kacheri and have passed the lower and higher standard departmental examinations, and (2) on non-graduates employed in that Department prior to 1st January 1879 who were allowed by the rules laid down in Government Notifications No. 6505, dated 17th December 1878, and No 826, dated 9th February 1881, to qualify themselves for appointment to Mámlats by passing the lower and higher standard departmental examinations within a specified time.

2. These two classes of officers are held entitled to promotion to a Mámlat in order of seniority according to the date on which they passed the higher standard departmental examination, provided that they have proved themselves deserving of promotion to the office of Mámlatdár by efficiency and good conduct in their previous service. For this purpose the names of those graduates and non-graduates employed in the Department who have succeeded in passing the higher standard departmental examination are entered in a list of persons qualified to hold the appointments of Mámlatdárs and Deputy Collectors according to the date and order in which they have passed that examination.

IV
I
ec B
ies of
overn-
of
bay

3 Promotion from one grade to another of a Mámlatdár's appointment is regulated by seniority or exceptional merit, and after serving in various grades of that office a Mámlatdár is eligible to the lowest grade of Deputy Collector's appointment.

4. Under Rule 5 of the Rules laid down in Government Notification No. 7105, dated 2nd September 1885, the following classes of officers not being graduates who did not pass the lower and higher standard departmental examinations before the promulgation of those rules are also eligible on passing those examinations to have their names registered, in order of passing, on a supplementary list of non-graduates qualified for the appointment of Mámlatdár and are eligible to fill vacancies either acting for short periods, or when no qualified graduate is available, permanently :—

(*a*) Persons holding the offices of Chitnis or Head Clerk to a Commissioner or Collector (substantive)

(*b*) Any other officer of the Revenue Service of not less than 10 years' standing who may be recommended by a Commissioner on grounds of special merit and may thereon have been permitted by Government to appear for the departmental examination, higher standard.

5. After the 31st December 1889 non-graduates who pass the departmental examinations under the Rules of 2nd September 1885 will be eligible to fill every third vacancy in the office of Mámlatdár in each division in addition to the occasional appointments secured by Rule 5, the other two vacancies being, presumably, conferred on graduates who may have qualified themselves for promotion to the appointment of Mámlatdár or on non-graduate officers who were employed in the Department previous to 1st January 1879 and passed the higher standard departmental examination before the Rules of 2nd September 1885 came into force Mámlatdárs appointed from the supplementary list are eligible for promotion to Deputy Collectorships according to merit

6 Government have reserved the right in very exceptional cases to sanction the promotion to Mámlats, without passing the departmental Examinations, of old officers of the Revenue or Survey Department who were already of long standing in the service when the passing of these examinations was first made a condition of advancement to that office, and who have proved their fitness while acting in the office of Mámlatdár or in other responsible posts.

7 Appointments of Deputy Collectors in the presidency proper are ordinarily filled by the promotion of Mámlatdárs and Head Accountants. In special cases persons of good family and high social position who have not served as Mámlatdárs or Head Accountants, are also appointed to be Deputy Collectors, one such man of good family and superior education being usually kept acting as Deputy Collector (if he gives satisfaction) until he has so served longer than any other Acting Deputy Collector, when he is confirmed on a vacancy occurring.

(2) SIND.

8. All vacancies in the grade of Mukhtyárkar in Sind are filled up from the following classes :—

(*a*) Graduates of any University employed in the Land Revenue Department in Sind who have served in a Mukhtyárkar's office for 1½ years and have passed the lower and higher standard departmental examinations.

(*b*) Experienced servants of Government of proved merit and ability whose age and ignorance of English may prevent their passing the prescribed examinations.

Non-graduate officers already employed in the Revenue Department in Sind who may pass the lower and higher standard departmental examinations before 31st December 1887 will also be eligible for promotion to the posts of Mukhtyárkars.

9. Appointments of Mukhtyárkars are also filled by the promotion thereto of Head Accountants who have passed the departmental examinations.

10. Appointments of Deputy Collectors in Sind are ordinarily filled up by the promotion thereto of Mukhtyárkars.

11. The rules laid down by Government for regulating the appointments of Mukhtyárkars and Deputy Collectors in Sind were promulgated in Government Notification No. 6840 dated 2nd October 1882 (*vide* Appendix C).

277. Under what system are appointments similarly made to the Subordinate Judicial Service as defined above?

278 Have any rules been framed for the purpose of regulating such appointments, and if so, what are they (*a*) in the case of the Subordinate Executive Service, and (*b*) in that of the Subordinate Judicial Service?—277 and 278 —*Subordinate Judicial Service.*—The Chief Judgeship of the Presidency Small Cause Court is always held by a Barrister (*vide* Section 7 of Act XV of 1882). The other Judgeships in that Court, as also the Small Cause Court Judgeships in the Mufasal, are generally held by persons who are Barristers or who have qualified as Attorneys of the High Court or who have passed the High Court Pleaders' or Subordinate Judges' Examination, or who have taken the degrees of Bachelor of Laws in the University of Bombay. But there is no particular system adopted in filling these appointments.

No rules have been framed for regulating appointments to Presidency or Mufasal Small Cause Court Judgeships. A copy of the Rules framed for regulating appointments to Subordinate Judgeships in the Presidency

proper is appended—Appendix D. The following Rules for the selection and appointment of Subordinate Judges in the Presidency proper are to take effect from 1st January 1890—:

"1. A Graduate-in-Law of the University of Bombay, or person who has passed the High Court's examination for the offices of Subordinate Judge and Pleader of the High Court seeking, after the 1st January 1890, to be appointed to a Subordinate Judgeship, must have either—

(*a*) been in full and continuous practice for three years in a Civil Court, or have

(*b*) served for three years as Honorary Assistant under a Government Pleader or the Registrar or Clerk of a Civil Court, or have

(*c*) served for three years as Clerk of the Court, Sherishtadár, Deputy Sherishtadár or Názir in a Civil Court, or have

(*d*) performed continuously for three years one or other of the duties specified in (*a*), (*b*), and (*c*).

"2. In Rule 1 (*b*) and (*c*) the term "Government Pleader" means the Government Pleaders in the High Court and District Courts only, and the term "Civil Court" means the High Court, the Presidency Small Cause Courts, District Courts, and Subordinate Judges and Mufasal Small Cause Courts at Sadar Stations only.

"3. Candidates for appointment to Subordinate Judgeships must produce a certificate of having one of the above qualifications from the Government Pleader or the Registrar of the High Court, Appellate Side, or of the Presidency Small Cause Court, or the District Judge, as the case may be, provided that when the certificate is of service under the Government Pleader in a District Court, it must be countersigned by the District Judge.

"4 Nothing in Rule 1 (*b*) is to prevent any Honorary Assistant to a Government Pleader from practising as a pleader on his own account in any case which does not trench on his functions as such Assistant.

"5. The Legal Remembrancer will upon application assign qualified persons as Honorary Assistants to Government Pleaders; qualified persons desiring to be employed in a Civil Court should apply to the Registrar or District Judge, as the case may be

"6. Nothing in these Rules is to be construed as an engagement on the part of Government, and they may be varied from time to time, with or without notice, as the public interests may require."

The appointments of Subordinate Judges in the Presidency proper are at present held by persons who have practised five years as Advocates of a High Court in India or as Vakils in the High Court at Bombay, or who have qualified for the duties of Subordinate Judges according to the tests (copy appended, E) prescribed by the High Court, or who have taken the degrees of Bachelor of Laws in the University of Bombay (*vide* Section 22 of Act XIV of 1869).

The Subordinate Judgeships in Sind are held by persons who have qualified for the duties according to the tests prescribed by the Commissioner in Sind (*vide* Appendix F).

279. What preliminary qualifications, if any, are required in the case of the Subordinate Executive Service and in that of the Subordinate Judicial Service respectively in regard to the age of candidates?

280. In regard to their educational attainments?

281. In regard to their moral, social and physical fitness?

282 In other respects (if any)?

283. Are the same qualifications, if any, required on the part of the holders of all appointments in the Subordinate Executive and Subordinate Judicial Services, respectively, as above defined, or are different qualifications required on the part of candidates for different classes of appointments?

284. If the latter, what are the qualifications required, and to what class or classes of appointments do they respectively apply?—279—284.—*Subordinate Executive Service.*—As a rule candidates are not admitted to the Revenue Department after the age of 25 years without the sanction of Government.

The preliminary qualifications in regard to educational attainments necessary to entitle candidates for admission to the lower grades of the Subordinate Executive Service (below the post of Mámlatdár) in the Presidency proper are that they must either be (1) graduates or (2) have passed the First Examination for the degree of B A. or B.Sc., or L C E, or the final examination of the Agricultural Class in the College of Science, or (3) the previous Examination in Arts, or (4) must have matriculated or must hold the 2nd year certificate of the Agricultural Class in a High School, or (5) a certificate of admission under the educational test. Candidates of the five different classes are given preference in the order in which they are mentioned The qualifications are not different for different classes of appointments. The conditions under which persons employed in the Land Revenue Department are appointed to be Mámlatdárs and Deputy Collectors are mentioned in the reply to question No. 276. No further qualifications in regard to educational attainments are required to entitle them to promotion to Mámlats and Deputy Collectorships, nor are any special qualifications necessary in regard to their moral, social and physical fitness, or in other respects.

(279)—*Subordinate Judicial Service*—The rules for the examination of candidates for the office of Subordinate Judge require that at the date of the examination the candidate must be more than 22 years of age.

(280) In case of the LL B. Examination a candidate, if not a graduate of the University of Bombay, is required to produce a certificate of graduation satisfactory to the Syndicate.

(281) Candidates for examination (LL B. or Subordinate Judge) are required to produce certificates of good moral character.

(282.) None.

(283) and (284)—The same qualification, *viz*, that of having passed the High Court Examination or having taken the degree of LL B, is sufficient for all appointments except that of 1st Judge of the Presidency Small Cause Court, who must by law be an Advocate

285. Are appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, as above defined, made on probation?

286. If so, what is the length of the probationary period required?

287 What are its incidents as to pay and in other respects?

288. If a probationary period is required, is it insisted upon in all cases, or is it dispensed with in any, and if so, in what cases?—285—288—*Subordinate Executive Service.*—Appointments of Mámlatdárs are as a rule made on probation for a period of one year subject to confirmation at the end of that period on a report from the Assistant Collector in charge of the Táluka as to the efficiency of the probationary Mámlatdár in the discharge of his duties Mámlatdárs receive while on probation the full salary of the appointments held by them. Appointments of Deputy Collectors are not made on probation except in special cases in which persons who have not passed the departmental examinations are appointed to be or to act as Deputy Collectors In such cases the officers appointed are required to pass an examination according to the special or raised higher standard test within one year from the date of taking charge, or at the first examination held after the expiration of one year from such date. On failure so to pass a deduction of 10 per cent. is made from their salary until they pass the examination. Until this examination has been passed, the persons appointed are shown in the Civil Lists as probationers, and on failure so to pass within two years from the date of nomination they are liable to forfeit their appointments.

Subordinate Judicial Service—Appointments are not made on probation.

289. What departmental examinations (if any) are persons appointed to the Subordinate Executive and Subordinate Judicial Services, respectively, as above defined, required to pass?—(*i*)—*Presidency Proper Subordinate Executive Service*—A non-graduate officer of five years' standing in the Revenue Department, holding an appointment of which the salary is not less than ₹30 per mensem, is allowed to appear at the special lower standard departmental examination on producing a certificate from the Commissioner or Collector under whom he is employed that he is qualified by merit, industry, character and knowledge for admission to the examination. The following classes of non-graduate officers are allowed after passing the special lower standard departmental examination to appear at the ordinary higher standard departmental examination:—

(i) Chitnis or Head Clerk to a Commissioner or Collector.

(ii) Any other officer of not less than 10 years' standing in the department who may be recommended by the Commissioner of the Division in which he is employed on grounds of special merit

In rare cases under certain circumstances non-graduates are permitted to appear at once at the special higher standard departmental examinations without first appearing at any lower standard departmental examination.

A graduate admitted to the Revenue Department is allowed to appear at the special lower standard departmental examination after a period of 18 months' service, of which six months are spent on account work, six as revenue kárkún and six as a general duty kárkún in a Mámlatdár's kacheri. After passing that examination he has to serve for six months as Head Kárkún to a Mámlatdár, and is then permitted to appear at the ordinary higher standard departmental examination.

(*ii.*)—*Sind.*

(2) A graduate after serving for one year as a 2nd Munshi in a Mukhtyárkar's kacheri is allowed to appear at the ordinary lower standard departmental examination and can present himself at the ordinary higher standard departmental examination after passing the ordinary lower standard departmental examination and serving for six months as Head Munshi in a Mukhtyárkar's kacheri Non-graduates already employed in the Land Revenue Department in Sind can at any time appear at the ordinary lower standard departmental examination and on passing it can present themselves at the ordinary higher standard departmental examination. But no graduate or non-graduate is permitted to appear at any departmental examination without the approval of the Collector and a certificate from the Divisional Officer declaratory of his thorough fitness.

(*iii*)—*Presidency Proper and Sind.*

(3) The standards of these examinations are as follows —

Ordinary Lower Standard.

	Number of marks.
(i)—(*a*) Judicial questions to be answered with books (*b*) Judicial questions, including questions on the Indian Evidence Act, to be answered without books	150
(ii)—Magisterial case	50
(iii)—Revenue questions	150
(iv)—(*a*) Paper of questions on Treasury and Local Fund Accounts .	75
(*b*) *Viva voce* in Revenue Accounts	75
Aggregate Marks .	500

	Number of marks.
Additional exercises for candidates other than Natives—	
(v)—Translation from English . 165	
(vi.)—Translation into English . 85	
	250
(vii)—Reading and explaining Vernacular papers and conversation	150

Higher Standard.

1 Judicial questions to be answered with books	75
2 Judicial questions, including questions on the Indian Evidence Act and the Indian Contract Act, to be answered without books .	75
3 Field's Law of Evidence . . .	100
4 Magisterial case	50
5 Revenue questions with books . .	150
6 Revenue questions without books . .	150
7. Paper on Treasury and Local Fund Accounts	100
8. *Viva voce* in Revenue Accounts . .	75
	775
Additional exercises for candidates other than Natives—	
9. Translation from English . . .	125
10. Translation into English . . .	75
11. Reading and explaining Native papers and conversation	150
	350
	1,125

Note—A candidate who obtains at least 50 per cent in every subject and at least 60 per cent of the total number of aggregate marks in the case of the lower standard and 30 per cent in every subject and 50 per cent of the total number of aggregate marks in the case of higher standard departmental examination is considered to have passed unless the Central Committee for special reasons reported see fit to rule otherwise.

Special Lower Standard.

	Number of marks.
1. (*a*) Judicial questions to be answered with books (*b*) Judicial questions, including questions on the Indian Evidence Act, to be answered without books	150
2. Magisterial case	50
3 Revenue questions to be answered with books	150
4 Special Revenue Paper to be answered without books	150
5 Questions on Treasury and Local Fund Accounts, excluding questions on the Pay and Acting Allowance Code	75
6 Questions of Revenue Accounts . .	75
7. *Viva voce* questions on Revenue Accounts	75
	725
Additional exercises for candidates other than Natives—	
8 Translation from English . . .	165
9 Translation into English . . .	85
10. Reading and explaining Vernacular papers and conversation	150
	400
	1,125

Special or Raised Higher Standard.

	Number of marks
1. Judicial questions with books . .	75
2. Judicial questions, including questions on the Indian Evidence Act and the Indian Contract Act, without books	75
3 Field's Law of Evidence . .	100
4 Magisterial case	50
5 Revenue questions with books .	150
6 Ditto without books .	150
7 Special Revenue Paper . .	120
8. Paper on Treasury and Local Fund Accounts	100
9. *Viva voce* in Revenue Accounts .	75
	895
Additional exercises for candidates other than Natives—	
10 Translation from English . .	125
11 Translation into English . .	75
12. Reading and explaining Native papers and conversation . . .	150
	350
	1,245

Note—The standard of marks required to pass the special lower and special higher standard departmental examinations is 50 per cent. in each subject and 60 per cent of the total number of aggregate marks

SUBORDINATE JUDICIAL SERVICE.

There are no departmental examinations.

290. Within what period (if any) from the date of original appointment must such examinations be passed?

291. What is the penalty for failure to pass the examinations within the period prescribed?—290 and 291.—*Subordinate Executive Service.*—Candidates for the offices of Mámlatdárs and Deputy Collectors are generally required to pass the departmental examinations before they are appointed to those posts In particular cases in which persons are appointed to be or to act as Deputy Collectors without passing the departmental examinations they are liable to a deduction of 10 per cent from their salary if they fail to pass the higher standard departmental examination within one year from the date of their taking charge of their appointment or at the first examination held after the expiration of one year from such date.

(*Vide* answer to questions 285 to 288.)

SUBORDINATE JUDICIAL SERVICE.

There are no departmental examinations

292 How is promotion regulated in the Subordinate Executive and Subordinate Judicial Services respectively, as above defined?

293. Does such promotion depend on fitness only or merely on seniority? *or*

294. Is it regulated by considerations of fitness combined with considerations based on seniority?

295. If so, what relative weight is attached to fitness and seniority respectively?—292—295—*Subordinate Executive Service.*—Promotion from one grade to another

of a Mámladár's or Deputy Collector's appointment in the Bombay Presidency is regulated by considerations of seniority combined with considerations of fitness, and in special cases by exceptional merit. Government have directed that the Divisional Commissioners should require the Collectors to keep the Commissioners informed annually of the character and qualifications of Mámlatdárs serving in their respective districts, and should record the information so furnished in a confidential register in which the Commissioners shall also note their own opinion of the character and efficiency of the Mámlatdárs after personal communication with them and observation of the general condition of their Mámlats. It has also been directed that all circumstances officially brought to notice which are calculated to affect a Mámlatdár's efficiency should be entered in the record, and promotions from grade to grade should, as a rule, be determined by seniority provided there are no unfavourable remarks on record which should, in the Commissioner's opinion, debar a Mámlatdár's claim to promotion. Government have similarly directed the Collectors of Districts and Commissioners of Divisions to submit to them confidentially reports regarding the official character and general fitness for their duty of the Deputy Collectors employed under them. Promotions of Deputy Collectors from grade to grade are practically determined by seniority provided there is no reason to question their fitness

Subordinate Judicial Service.

Promotion among the Subordinate Judges is regulated by considerations of fitness and seniority combined Recommendations are made to Government by the High Court, and these are almost invariably acted upon.

APPENDIX A.

Government Notification, Revenue Department, No. 6505, dated 17th December 1878.

WITH the view of encouraging high education, of securing to those who take University degrees such reward as may be within the power of Government, of obtaining for the executive branch the services of well educated men, the Governor in Council is pleased to sanction the following rules for the admission of University men to higher appointments in the revenue branch of the public service, and to direct their publication in the *Bombay Government Gazette* for general information —

1. Any graduate of the University of Bombay, who wishes to enter the higher and reserved branch of the Revenue Department of the public service, must serve a probation of not less than one year as 2nd karkún under a Mámlatdár, such appointments being reserved in future, except as hereafter provided, for graduates At the end of this period, the probationer, if he is reported as having mastered the details of account work, &c, will be required to pass a special examination to be held in Bombay by selected examiners, who shall be, as far as possible, permanent. The examination shall be of a thoroughly practical nature so as to test the candidate's knowledge of Village, District and Huzúr Accounts, of the laws he will have to administer, of the principles of survey assessment, of Departmental rules, and generally of every subject a knowledege of which is required by a Mámlatdár. On his passing this examination, he will be deemed qualified to hold the appointment of Sub-Magistrate and Head Kárkún under a Mámlatdár, and will moreover be held entitled, provided his conduct has been satisfactory, to the first vacancy that occurs as Head Kárkún. A list of persons so qualified shall be kept by each Collector, and appointments to the grade of Head Kárkún will be regulated by order in the list.

2 When any University graduate has served in the capacity of Sub-Magistrate and Head Káikún for six months, he will be allowed to appear for the departmental examination according to the higher standard, and on his passing this examination, he will be held qualified, if his moral conduct has been good and he has otherwise shown himself competent, for the rank of Mámlatdár, and will be entitled to a mámlat when a vacancy occurs The order for conferring such places shall be regulated by the order of merit when passing the departmental examination according to the higher standard, the names of the successful candidates being entered after such examination by the Collectors of the districts from which the candidates went up for examination Promotion from one grade to another of a Mámlatdár's appointment will be regulated by seniority. After serving in all the different grades of that office, a graduate will be entitled to the lowest grade of Deputy Collector's appointment when any such falls vacant.

For the examinations prescribed above, a higher standard will be fixed and maintained, and great care will be taken to prevent irregular proceedings during the examination.

3. In order to prevent hardship to those persons who may have entered the service of Government before the issue and enforcement of these rules, any officer who was in the Revenue Department prior to 1st January 1879, shall be held equally eligible with a graduate for the position of Head Káikún, Mámlatdár and Deputy Collector on his passing the above-mentioned departmental examinations in English within two years from the date of these rules coming into force, and shall be entitled to have his name recorded according to order of merit in the lists of graduates qualified to hold appointments in the grades of Head Kárkún, Mámlatdár and Deputy Collector respectively, provided that no such candidate is allowed to appear before the Examination Committee unless he has obtained the permission of the Collector to do so, and that no such permission is granted unless the Collector is satisfied as to the thorough fitness of the candidate.

4. If any probationer admitted under Rule I fails to acquire within a reasonable time a knowledge of his duties, or fails during 18 months of probation to pass the lower standard departmental examination, he shall be removed from his probationary appointment

5. These rules shall come into force from the 1st January 1879.

APPENDIX B.

REVENUE DEPARTMENT.

Bombay Castle, 2nd September 1885.

No 7105 —His Excellency the Governor in Council is pleased to lay down the following rules for the admission to, and promotion in, the Revenue Department of this Presidency of graduates and non-graduates These rules supersede all previous rules published on the subject since December 1878 —

Rules for the admission to, and promotion of graduates and non-graduates in the Revenue Department

[NOTE —These rules supersede all previous rules published since December 1878 on the subject.]

PART I.

Ordinary Rules of the Revenue Department.

1. Before admission the educational test must be passed.

A first-class certificate qualifies for admission into either English or Vernacular offices a second-class certificate, for admission to vernacular offices only.

2. After admission and after one year of probation the Subordinate Departmental Examination must be passed Until it is passed all appointments are probationary.

3. The departmental examination, lower standard, is open to non-graduate officers of the Revenue Service on the following conditions:—

(*a*) That the candidate holds an appointment in the Revenue Department of which the salary is not less than R30 per mensem;

(*b*) That the candidate produces a certificate of the Commissioner or Collector under whom he is serving that he is qualified by merit, industry, character and knowledge for admission to the examination;

(*c*) That he has completed five years' service in the Revenue Department.

4. Non-graduate officers of the Revenue Department, on passing the departmental examination, lower standard, are entitled to promotion to the following appointments under the provisions of Part II, Rule 9:—

(*a*) Head Kárkún to Mámlatdár;
(*b*) Chitnis to Commissioner or Collector;
(*c*) Mahálkari,
(*d*) Head Clerk to Commissioner or Collector;
(*e*) Second Clerk to Commissioner or Collector;
(*f*) Native Huzúr Accountant,
(*g*) Deputy Chitnis or First Kárkún to Collector;
(*h*) Sherishtadár to Assistant or Deputy Collector;
(*i*) Sherishtadár to the District Superintendent of Police;
(*j*) Clerk to the Collector and District Registrar.

Proviso.—This rule will not be construed absolutely in Gujarát for ten years from the date of the publication of these rules, that is, the places (*a*) to (*j*) will in Gujarát be ordinarily, but not exclusively, reserved for officers who have passed the departmental examination, lower standard, as against those who have not

5. The following persons, not being graduates, but having passed the departmental examination, lower standard, will be admitted to the higher standard departmental examination, and on passing it shall have their names registered in order of passing on a supplementary list of non-graduates qualified for the appointment of Mámlatdár, and be eligible to fill vacancies in the office of Mámlatdár either acting for short periods or, when no qualified graduate is available, permanently:—

(*a*) Persons holding the offices of Chitnis or Head Clerk to a Commissioner or Collector (substantive);

(*b*) Any other officer of the Revenue Service of not less than ten years' standing who may be recommended by a Commissioner on grounds of special merit and may thereon have been permitted by Government to appear for the departmental examination, higher standard

Note 1.—No other officer of the Revenue Department below the rank of Mámlatdár is entitled to appear for the departmental examination, higher standard

Note 2.—Mámlátdars appointed from the supplementary list will be eligible for promotion to Deputy Collectorships according to merit.

Note 3.—"Commissioner" in this part includes the Commissioner of Survey and Settlement.

PART II.

Privileges accorded to University Standing and Degrees.

6 Claims of candidates for admission to the Revenue Service shall be accorded preference in the following order in filling appointments of which the salary is R30 or less per mensem —

(*a*) Graduates;
(*b*) Candidates who have passed the First Examination for the Degree of B A, or B Sc, or in Civil Engineering, or the final examination of the Agricultural Class in the College of Science,
(*c*) Candidates who have passed the previous Examination in Arts;
(*d*) Candidates who have matriculated or who hold the second year certificate of the Agricultural Class in a High School,
(*e*) Candidates who hold a certificate of admission under the educational test.

Note.—When there are two or more candidates under the same head, the officer making the appointment shall decide which is the most eligible.

7. Promotion to appointments below that of Mámlatdár, except the appointments named in Part I, Rule 4, shall be regulated as follows:—

(*a*) In promoting to appointments of which the salary is ₹30 or less per mensem, the order of preference laid down in the last preceding rule shall be observed;

(*b*) In promoting to appointments of which the salary is over ₹30 per mensem, the following order of preference shall be observed;

I.—Graduates and non-graduates who have passed the departmental* examination, lower standard, according to date of passing.

NOTE.—Except that graduates shall have a special claim to appointment to the places named in Rule 11 (*a*), (*b*), (*c*), during their probationary service under that rule.

II.—Graduates who have not passed the departmental examination, lower standard;

III.—Others.

8. Preferential promotion of unpassed graduates under Rule 7 means promotion in preference to unpassed non-graduates of similar standing in the service, and not exceptionally rapid promotion of a junior unpassed graduate as of right over the heads of non-graduate seniors of long and approved service.

9. Promotion to the appointments named in Part I, Rule 4, shall be regulated as follows:—

I.—Passed graduates and passed non-graduates shall be promoted to these appointments according to date of passing the departmental* examination, lower standard.

NOTE.—Except that passed graduates shall have special claim to appointment to the office of Head Kárkún to a Mámlatdár during their probationary service under Rule 12.

II.—Unpassed men shall be promoted to these appointments only if, and for so long as, no passed officer is available.

10. All preferential claims to promotion are subject to the condition that the claimant has proved himself deserving thereof by efficiency and good conduct in his previous service.

11. Graduates who have been appointed to the service under Rule 6 will be admitted to the lower standard departmental examination after a period of 18 months' service, and during that period they must be employed—

(*a*) for six months on account duties in a Mámlatdár's kacheri;

(*b*) for six months doing duty as a Revenue Kárkún in a Mámlatdár's kacheri;

(*c*) for six months serving as a general duty Kárkún or Circle Inspector.

NOTE.—Graduates serving under this rule shall, as far as possible, be placed in the appointments named in (*a*), (*b*), (*c*).

If the Collector so directs, a portion of the service in (*a*) not exceeding three months may be in the Collector's Account Office.

12. Graduates after passing the lower standard departmental examination must serve for a further period of six months, after which they may appear for the higher standard examination.

During this further period graduates shall, as far as possible, hold the appointments of Head Kárkúns to Mámlatdárs, and be invested with powers as Magistrates of the 2nd or 3rd Class.

13. Graduates who have passed the departmental examination, higher standard, are eligible for appointment as Mámlatdárs, and have the first claim to vacancies in that office in order of seniority according to date of passing the examination, but subject to the conditions of Rule 10.

PART III.

GENERAL.

14. The Revenue Department for the purpose of these rules includes—

(1) The Department of Land Revenue and General Administration;

(2) The Revenue Survey Department.

15. If a graduate or non-graduate fails to pass the lower standard departmental examination after having been afforded three opportunities, or the higher standard departmental examination after having been afforded two opportunities of doing so, he will not be allowed to present himself for examination again but may remain in the service in any appointment not reserved for officers who pass these examinations for which he may be deemed fit.

* If several graduates and non-graduates pass at the same examination, they shall take rank according to merit as shown by the number of marks obtained in the examination.

16. The standard of marks to be obtained in order to pass the lower or higher departmental examination shall be that from time to time in force for junior members of the Civil Service.

Replies of the Government of Bombay

17 In fulfilment of the engagement made to graduates in 1878, these rules are guaranteed for four years from December 31st, 1885. After that period non-graduates who pass the departmental examinations under the rules in Part I will be eligible to fill every third vacancy in the office of Mámlatdár in each division, in addition to the occasional appointments secured by the provisions of Part I, Rule 5.

18. Government reserve the right in very exceptional cases to sanction the promotion to Mámlats, without passing the departmental examinations, of old officers of the Revenue or Survey Departments who were already of long standing in the service when the passing of these examinations was first made a condition of advancement to that office, and who have proved their fitness while acting in the office of Mámlatdár or in other responsible posts.

APPENDIX C.

REVENUE DEPARTMENT.

Bombay Castle, 2nd October 1882.

No 6840 —The following Rules for admission to the higher appointments in the Revenue Branch of the Public Service in Sind are published for general information :—

Classes eligible for appointments to their grades of Revenue Service.

1. In future all vacant appointments in the grade of Head Munshi, Mukhtyárkar, and Deputy Collector will be filled up from the following classes only :—

(1) Graduates of any University who become qualified under these rules.

(2) Government servants in the Revenue or kindred departments who pass the departmental examinations required by these Rules before the 31st December 1887.

(3) Experienced servants of Government of proved merit and ability, whose age and ignorance of English may prevent their passing the prescribed examinations

Graduates qualified or eligible for Head Munshiship

2. Any graduate can become qualified for a Head Munshiship by serving for not less than one year under a Mukhtyárkar as 2nd Munshi, and by passing the ordinary lower departmental examination.

Graduates qualified or eligible for Mukhtyárkarates

3 Such graduate can further become qualified for a Mukhtyárkarship, (1st) by serving for six months as a Head Munshi, (2nd) by then passing the higher departmental examination, provided that he produces proof of competency and good moral character.

All appointments as 2nd Munshi to be reserved for graduates.

Lists should be kept of all graduates who apply for appointments in the Revenue Branch under these rules

Name of graduate twice refusing an appointment to be removed from list

4. All vacancies in the grade of 2nd Munshi in Mukhtyárkars' offices shall first be offered to graduates who have formally intimated to the Commissioner their willingness to serve under these rules. Lists will be kept of such graduates, and only in the event of there being no graduate willing to take up the appointment of 2nd Munshi should it be granted to others. The name of any graduate who twice refuses or declines to accept an appointment will be struck off the list of applicants, &c.

General list of qualified candidates how to be kept

5. Lists shall be kept, as provided in Rule 6, of all Revenue subordinates and of all duly qualified graduates who pass the departmental examinations, the names being arranged in order of merit, *e g*, where a Revenue subordinate before 1887, and a graduate who has served for a year as 2nd Munshi pass the lower departmental examination at the same time, their names shall be entered on the lists in the order of merit, and they shall be entitled to promotion to Head Munshiships as they fall vacant in that order. Similarly, if a qualified graduate and Revenue subordinate both pass the higher standard at the same time they shall be promoted to the office of Mukhtyárkar in the order in which they pass the examination.

Detailed lists of officers qualified to be Head Munshis and Mukhtyárkars

6. The lists of persons qualified to hold the office of Head Munshi shall be kept by the Collectors, and the lists of all persons qualified for promotion to Mukhtyárkarship will be similarly kept by the Commissioner in Sind.

Both Lower and Higher Examination must be passed except in certain cases

Only two chances of passing allowed for each examination

7. No graduate or Revenue officer can go up for the higher standard examination except as provided in Rule 13 or 14 without first passing the lower standard, and no candidate will be permitted to present himself more than twice for the same examination

Promotion to grades of Mukhtyárkar how regulated.

8. Promotion from one grade to another in the appointment of Mukhtyárkar will be regulated by seniority or exceptional merit.

Promotion to Deputyship

9. An officer who has served satisfactorily as Mukhtyárkar, or who has qualified himself under Rule 14, will be considered eligible for appointment as Deputy Collector

Restrictions on appearance at Departmental Examination

10. No subordinate officer will be permitted to present himself for the departmental examination without the approval of the Collector and a certificate from the Divisional Officer declaratory of the thorough fitness of the candidate.

Graduates failing to pass Lower Standard Departmental Examination in two years to be removed from appointment.

11. Any graduate holding the office of 2nd Munshi who fails to pass the lower standard departmental examination within two years from the date of his appointment as a probationer will be removed from his probationary appointment.

Special appointments qualifying in the same way as Head Munshiship for promotion to Mukhtyárkarate.

12. Service as Head Accountant, as Head Munshi to Commissioner, to Collector or Assistant Collectors, as Head Clerk to Commissioner or Collector, as deputy Accountant, as Huzúr Accountant, as Kotvál will be held to qualify for promotion to a Mukhtyárkarate in the same way as service as a Head Munshi to a Mukhtyárkar; *i e*, a qualified officer upon passing the lower standard examination becomes eligible for any of those appointments, and after six months' service in them can go up for the higher standard, and thus qualify himself for promotion to a Mukhtyárkarate in the same way as if he had held a Head Munshiship Existing incumbents of such offices are required to pass both departmental examinations if they wish to be promoted to grade of Mukhtyárkar

Head Accountants to qualify for Mukhtyárkarship need only pass Higher Departmental Standard.

13. Head Accountants at present in the service wishing to qualify themselves for Mukhtyárkarates must pass the departmental examination, higher standard, but need not serve for six months as Head Munshis

Present incumbents of office of Mukhtyárkars in order to qualify themselves for promotion to grade of Deputies must pass Higher Standard.

14 Mukhtyárkars at present in the service wishing to qualify themselves for promotion to the rank of Deputy Collector, must pass the departmental higher standard, and appointments to Deputy Collectorships will ordinarily be made from Mukhtyárkars qualified under this Rule or under (3) of Rule 1.

In the absence of qualified candidates vacancies to be filled up as at present.

15. Until properly qualified candidates become available vacancies will be filled up, as usual, by seniority and selection

16 Any candidate who passes the lower standard departmental examination becomes qualified to be appointed a Magistrate of the 3rd Class, and any candidate who passes the higher standard becomes eligible, if otherwise duly qualified, to be appointed a Magistrate of the 2nd or 1st Class as may be recommended by the District Magistrate Provided that no 3rd Class Magistrate can be appointed a Magistrate, 2nd Class, until he has exercised the powers of a 2nd Class Magistrate for six months, and no 2nd Class Magistrate can be appointed a Magistrate of the 1st Class until he has exercised 2nd Class powers for not less than six months.

By order of His Excellency the Right Hon'ble the Governor in Council,

J NUGENT,

Acting Secretary to Government.

APPENDIX D.

JUDICIAL DEPARTMENT.

Bombay Castle, 12th May 1881.

No. 2991.—Government Notification,* Judicial Department, No. 5676, dated the 18th August 1880, is hereby cancelled.

* Published at page 709 of Part I of the *Bombay Government Gazette* of 19th August 1880

In future, Government, when appointing Subordinate Judges, will, as a rule, select the candidates in order, according to the dates on which they have severally become qualified for the office by taking the degree of LL.B. in the University of Bombay or by passing the examination prescribed by the High Court, except in cases where, for any special reason, it may seem desirable to follow some other course.

By order of His Excellency the Right Hon'ble the Governor in Council,

(Sd) C GONNE,

Chief Secretary to Government.

APPENDIX E.

Vol IV Sec 1 Sub-Sec. B.

Replies of the Government of Bombay

To be substituted for Section 24 at pages 140 to 143 of the High Court Circulars.

EXAMINATION OF CANDIDATES FOR THE OFFICES OF SUBORDINATE JUDGE, OF PLEADER OF THE HIGH COURT, AND OF DISTRICT PLEADER.

The Hon'ble the Chief Justice and Judges of Her Majesty's High Court of Judicature are pleased, in supersession of all former orders on the subject, to lay down the following rules for the examination of Candidates for the offices of Subordinate Judge, or Pleader of the High Court, and of District Pleader.—

Rules

1. An examination of candidates for the offices of Subordinate Judge and Pleader of the High Court and of candidates for the office of District Pleader will be held annually in the month of February or March, or at such other convenient time as may be determined by the High Court, on a date of which due notice will be given in the *Government Gazette*. There will be two standards of proficiency, the examinations for which will be held simultaneously, but with different papers for each standard Candidates for the offices of Subordinate Judge and Pleader of the High Court must pass the examination according to the Higher Standard; candidates for the office of District Pleader must pass the examination according to the lower standard.

2. The examination will be conducted by a Committee appointed by the Hon'ble the Chief Justice and Judges of Her Majesty's High Court. Each candidate desiring admission must submit, in writing, a separate application addressed to the Registrar of the High Court, Appellate Side.

3. Any subject of the Empress, desirous of qualifying himself for any of the above offices, is entitled to be examined at any such examination, provided he has not been prohibited from appearing by any former Committee, and provided he shall, on or before the first day of February preceding the examination, have transmitted to the Registrar with his application satisfactory certificates to the following effect —

(*a*) that he is a subject of the Empress, together with the place of his birth, and his exact age, which at the date of the examination must be more than twenty-two years.

(*b*) that he can speak, read and write, with ease and correctness, one of the vernacular languages which are used in the District Courts of the Bombay Presidency, *viz*, Maráthi, Gujaráti and Kánarese, and also that he has passed the Matriculation Examination of the University of Bombay.

(*c*) that he is of good moral character dated not earlier than the first October immediately preceding the examination, and

(*d*) a fee of Rs. 10, for which a receipt will be furnished by the Registrar (The fee will be returned if the candidate's certificates are not considered satisfactory If the candidate before the beginning of the examination satisfy the Registrar that he is unavoidably prevented by sufficient reasons from presenting himself for examination, the fee will be reserved, and will be available for the next examination.)

4. The certificates mentioned in paragraph 3 may be signed by a District Judge, by the First Judge of the Court of Small Causes at Bombay, by the Principal of a College, or other Institution recognized by the University of Bombay, by a Professor of the Government Law School, by the chief Judicial, Executive, or Political Officer of the British Government in a District outside the limits of the Bombay Presidency or Native State, or by the Registrar of the High Court.

5. A candidate who has once been admitted to the examination under these or previous rules will, subject to the provisions of Rule 13, be allowed to appear again on production only of the certificate of good moral character required under Rule 3 (*c*) and on payment of the fee required by Rule 3 (*d*).

6 In cases in which the eligibility of a candidate in respect of age or character appears doubtful, such inquiries as they may be necessary, will be made by the Registrar for consideration and decision by the Hon'ble the Chief Justice and Judges.

7. The Registrar will publish in the *Government Gazette* under the orders of the Hon'ble the Chief Justice and Judges, at a reasonable time before the date fixed for the examination, a list of the candidates whose applications have been admitted.

8. The examination will be conducted in writing (and if necessary *viva voce* also) in the English language, want of proficiency in which, as shown in the candidate's answers, will be held to disqualify him.

9. In each standard six papers will be set to the candidates, as follows the maximum number of marks obtainable is shown opposite each subject :—

I.	Hindu and Mahomedan Law	100
II.	The Laws of Civil Procedure and Limitation	100
III.	The Law of Contracts and Torts	100
IV	The Law of Specific Relief, Transfer of Real Property, Mortgage & Trusts	100
V	The Law of Evidence, Registration, and Stamps	100
VI.	Criminal and Police Laws	100

10. In addition to the Acts, and Regulations, and the Reports of the High Courts, the following Text books are recommended: the examiners, however, not being in any way confined to these Text Books in setting their questions :—

Mayne on Hindu Law and Usage.
West and Buhler's Digest of Hindu Law.
Macnaghten's Principles and Precedents of Mahomedan Law.
Field on the Law of Evidence in British India
Cunningham's Commentaries on the Indian Evidence Act.
Cunningham's Commentaries on the Indian Contract Act.
Collett on Torts.
Smith's Equity Jurisprudence or Snell's Principles of Equity.
Broome's Legal Maxims.

11. In order to pass the examination according to either standard, the candidate must obtain at least 30 per cent of the marks obtainable in each paper and 60 per cent. of the aggregate number of marks obtainable in all the papers.

12. A list of sucessful candidates, arranged in the order of merit, in the higher and lower standards, respectively, will be published (in the *Government Gazette*) under the orders of the Hon'ble the Chief Justice and Judges.

13. If the Committee are of opinion that any candidate has come up for examination without due preparation, they may prohibit his appearing at the next examination.

14. Each candidate who has passed the examination according to the higher standard will, on application and on payment of the stamp duty prescribed by law, be admitted as a Pleader of the High Court Each candidate, who has passed the examination according to either standard, will, on application and payment of a fee of Rs 5, receive a sanad authorizing him to practise in the Courts of such one District of the Bombay Presidency as the Hon'ble the Chief Justice and Judges may think fit.

15. Nothing in these rules shall interfere with any rule which has been or may be made for the admission of graduates of the University to the office of Pleader, or shall prevent the appointment, as Subordinate Judge, of any person who has already held the office of Munsiff or has passed the examination for the office of Subordinate Judge or High Court Pleader under the rules of 13th August 1869, 19th December 1876, and 2nd October 1878.

16. The Hon'ble the Chief Justice and Judges may, in consideration of the particular merits of an applicant in the public service or other special reasons, dispense with any of the rules hereinbefore prescribed as to the qualifications for admission to the examination.

17. These Rules will come into force on and after the 1st January 1887.

(Published at pages 718 and 719 of the *Government Gazette* for 1886, Part I)

17th August 1886.

APPENDIX F.

Judicial Department.

The following Rules made by the Sadar Court in Sind under section 16 of (Bombay) Act XII of 1866, and sanctioned by Government, are published for general information, in supersession of those published under Government Notification dated 9th August 1872 :—

"Rules for the Qualification and Admission of Candidates desiring to practise as Pleaders in the Courts in the Province of Sind.

1. There shall be two classes of Pleaders in the Province of Sind—

(1) Sadar Courts Pleaders.
(2) District Pleaders.

2. Any person of the under-mentioned classes, on application to the Sadar Court, will, unless good cause appear to the contrary, be admitted to be a Sadar Court Pleader, and on payment of a fee of R15 will receive a license to practise in all the Courts in Sind —

(*a*) Barristers of England or Ireland, and members of The Faculty of Advocates in Scotland.

(*b*) Advocates of a High Court in India.

(*c*) Attorneys of Law of the Superior Courts in England and Ireland, or of a High Court in India.

(*d*) Bachelors of Laws of the University of Bombay.

(*e*) Pleaders of the High Court of Bombay who have passed the examination now prescribed, or to be hereafter prescribed, for candidates for that office.

3. Any other person desirous of being admitted to practise as a Pleader must pass an examination under the following Rules :—

4. There will be a higher and lower standard of examination.

5. The examination will be held at Karáchi each year in the month of March, or at such other convenient time as may be determined by the Sadar Court, on a date of which due notice will be given in the *Sind Official Gazette*.

Candidates residing in Upper Sind will be allowed to appear before a Committee at Sikhárpur, presided over by the District Judge; but the decision in each case will rest with the Committee at Karáchi, to whom the answers of the candidates will be transmitted.

6. Every candidate must be at least 21 years of age, and must at the time of his application have passed the Matriculation Examination of the University of Bombay, or a public examination of a character equally high in the opinion of the Sadar Court: Provided always that, in special cases, the Sadar Court may, for sufficient reason, dispense with the examination prescribed by this Rule, and that this rule shall not apply to those candidates, desirous of being examined according to the higher standard, who have already passed the Pleaders' examination according to the lower standard.

7. He must have appeared before a Judge of a District Court, and satisfied him as to his character and probable fitness for the profession. From the District Judge he is to obtain a certificate according to the following form :—

I hereby certify that I am well acquainted with (*or* have made careful inquiries as to) the bearer A. B, inhabitant of and I state (from personal knowledge or satisfactory evidence produced before me) that he is years of age (not less than 21) and is of respectable character. He has hitherto been employed as and I consider him a fit person, should he pass the prescribed examination, to receive a license as a Pleader in the Court of the Province of Sindh.

This certificate must be dated within two years previous to the examination at which the candidate proposes to present himself, and may be withdrawn at any time for good reason by the District Judge, who will communicate such withdrawal to the Sadar Court.

8 Testimonials of character for production to the District Judge must, in the case of a servant of Government, be signed by the head of the department in which the candidate has served; in any other case, by some person or persons of recognized good character and social position. The candidate must present to the District Judge, for inspection, a certificate of his educational proficiency according to the standard prescribed in Rule 6 unless the examination has been dispensed with by the Sadar Court.

9 Applications for admission to the examination are to be addressed to the Chief Clerk of the Sadar Court so as to reach him at least twenty-one days before the one fixed for the commencement of the examination Each application is to be accompanied by certificates according to Rules 6 and 7, and a fee of ₹10 if the candidate is desirous of being examined according to the higher standard, and a fee of ₹5 if he is desirous of being examined according to the lower standard

10. The examinations will be held by a Committee appointed by the Sadar Court

11. The examination in the lower standard will be conducted, according to the option of the candidate, in English or Sindhi. It will comprise the following subjects —

		Marks
1	The Hindu Law of Inheritance, Succession and Adoption, and Mahomedan Law	100
2	The Law of Civil Procedure, Limitation, Registration, Stamps, and Court Fees	100
3	The Law of Contracts and Evidence	100
4	The Indian Penal Code and the Code of Criminal Procedure	100

One paper of questions, to be answered without the aid of books, will be set in each of the four subjects above specified.

12 The candidates who obtain not less than 25 per cent of the marks in each subject, and not less than 50 per cent of the total number of marks, will be held to have passed in the lower standard examination

13. The examination of the higher standard will be conducted in the English language. Candidates will be required to answer to the questions in the four papers prescribed for the lower standard, and also those contained in two additional papers of a more difficult character (maximum marks 150 for each paper), which will comprise the subjects above specified, together with the Law of Torts, Mercantile law, and the general principles of Jurisprudence One of these additional papers will be answered without the aid of books. In answering the other, reference will be allowed to the Acts and Regulations.

14 The candidates who obtain not less than 30 per cent of the marks in each subject and not less than 60 per cent. of the total number of marks will be held to have passed the higher standard examination But if a candidate for the higher standard fail to pass the required examination for that standard, and the marks obtained by him in the first four papers are not less than those laid down in Rule 12, he will be held to have passed the lower standard examination

15. The following, subject to any alterations that may from time to time be authorized by the Sadar Court, will be the next books for the examination :—

The Civil Regulations and Acts in force in the Bombay Presidency, so far as they relate to the subjects specified above.
Hindu Law by Sir Thomas Strange
A Digest of Hindu Law from the replies of the Shástris in the several Courts of the Bombay Presidency, by Raymond West, B A , and Johannee George Buhler, Ph D , Parts I and II.
Principles and Precedents of Mahomedan Law, by W H. MacNaughten, Esq.
Grady's Principles of Hindu and Mahomedan Law.
Norton's Law of Evidence
Norton's Topics of Jurisprudence.
Collett's Law of Torts.
Reports of the High Court of Bombay and of the Sadar Court in Sind.
Cunningham on the Contract Act.
Smith's Mercantile Law.

16. The Committee may subject any candidate to a *vivâ voce* examination if they think fit.

17. If the Committee are of opinion that any candidate has come up for examination without due preparation, they may prohibit his appearance at the next examination.

18 At the conclusion of the examination, the Committee will report the result to the Sadar Court of the Province of Sind, which will cause the names of the successful candidates, arranged in the order of merit, to be published in the *Sind Official Gazette.*

19. On the application of a person qualified, according to the foregoing rules, in the higher standard, the Sadar Court will, unless good cause appear to the contrary, admit him to be a Sadar Court Pleader, and, on payment of a fee of R15, will grant him a license to practise in all the Courts of Sind.

20. On the application of a person qualified, according to the foregoing rules, in the lower standard, the Sadar Court will, unless good cause appear to the contrary, admit him to be a District Pleader, and on payment of a fee of R7-8-0 will grant him a license to practise in any Court or Courts other than the Sadar Court, the District Court of Karáchi and the Court of Small Causes at Karáchi, as the Sadar Court may think fit Provided that any District Pleader may, under special circumstances with the consent of the Sadar Court, be allowed to plead in that Court.

21. These Rules shall not affect the right to plead of persons who, at the date of the publication of these Rules, hold certificates as Pleaders issued by a competent authority Except as to such persons, all previous Rules as to the qualification and admission of Pleaders are rescinded.

(Signed) F. D. MELVILL,
Judge of the Sadar Court of Sind.

By order of the Hon'ble the Governor in Council,
(Signed) C GONNE,
Secretary to Government.

Bombay Castle, 13th March 1876.

No. 2915 OF 1880.

JUDICIAL DEPARTMENT.

Bombay Castle, 26th April 1880.

NOTIFICATION

The following Rules made by the Sadar Court of Sind under Section 16 of (Bombay) Act XII of 1866 and sanctioned by Government is published for general information —

"With reference to Rule 11 of the Rules for the qualification and admission of candidates desiring to practise as Pleaders in the Courts in the Province of Sind, dated the 13th March 1876, published at page 226 of the *Bombay Government Gazette* of the 16th March 1876, the examination in the lower standard will, in future, be conducted in the English language only.

By order, &c ,
(Signed) C GONNE,
Chief Secretary to Government

II.

No. 104, dated the 26th January 1887

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of Bombay.

Memorandum on the special features of the

I AM directed to request that, with the permission of His Excellency the Governor, the Public Service Commission may be favoured with a memorandum on the special features of the Bombay Presidency (including Sind) which bear upon its administration. Copy of a memorandum prepared with regard to the Punjab is enclosed, and I am to request that this may be taken generally as a guide in the preparation of that now asked for regarding the Bombay Presidency.

No. 3954, dated Bombay Castle, 29th June 1887

From—The Acting Secretary to the Government of Bombay, Revenue Department,
To—The Secretary to the Public Service Commission

In compliance with the request contained in your letter No 104, dated 26th January 1887, I am directed to forward, for the information of the Public Service Commission, the accompanying memorandum showing the special features of the Bombay Presidency (including Sind) which bear upon its administration.

MEMORANDUM ON THE SPECIAL FEATURES OF THE BOMBAY PRESIDENCY BEARING UPON ITS ADMINISTRATION.

The Bombay Presidency including the principal Native States and estates of lesser importance, extends from 13° 53′ to 28° 45′ North Latitude, and from 66° 40′ to 76° 30′ East Longitude, and is bounded on the north-west, north and north-east by Baluchistán and Khelát, the British Province of the Punjab and the Native States of Rajputáná; on the east by the Native States of the Central India Agency, the Central Provinces, West Berár and the Dominions of the Nizám of Hyderábad, on the south by the Presidency of Madras and the State of Mysore, and on the west by the Arabian Sea.

The geographical area of the territory under the civil and political control of the Government of Bombay is 197,886 square miles, with a population of 23,430,523 souls according to the Census of 1881 Of this area 124,133 square miles are British territory (inclusive of Aden) with a population of 16,489,274 souls, while 73,753 square miles with 6,941,249 inhabitants are comprised within the Native States The State of Baroda with an estimated area of 8,570 square miles and a population of 2,185,005 souls, although in direct subordination to the Government of India, is intricately interlaced with the Bombay British districts, and may, from a geographical point of view, be regarded as forming part of the Bombay Presidency The Portuguese possessions of Goa, Damaun and Diu with an agregate area of about 3,806 square kilometres and a population of 475,172 souls are also included within its geographical limits The capital of the Presidency and the head-quarters of all the administrative departments in the city of Bombay are situated in 18° 55′ 5″ North Latitude and 72° 53′ 55″ East Longitude.

The area of unalienated culturable land in the British territory of the Bombay Presidency proper during 1885-86 was 27,111,272 acres of which 24,035,256 acres were actually under cultivation. There were 2,710,654 acres of cultivated land in the Province of Sind during that year Of the balance remaining after deducting the total culturable area from the total area of the Presidency, the greater portion is alienated and cultivated or culturable The remainder is unculturable waste land, alienated or unalienated. Of the unalienated waste land 13,259 square miles are Government forests and the remainder is mostly given free or sold for grazing

The mass of the population consists of Hindus and Mahomedans In the Presidency proper the Hindu religion preponderates in the ratio of 84 per cent. of the total population, and the Mahomedan faith is professed by 8 per cent only. In Sind, on the contrary, the Mahomedans number 78 per cent against 13 per cent. of Hindus. The number of Hindus and Mahomedans in the whole Presidency is shown below —

	Hindus.	Mahomedans
British Territory	12,308,582	3,021,131
Native States	5,526,403	753,229
TOTAL	17,834,985	3,774,360

Of the total number of Mahomedans about 92·5 per cent. are Sunnis, while the rest are mostly Shiáhs

So far as British territory is concerned, only three towns in the Bombay Presidency contain more than 100,000 inhabitants, viz.—

	Population.
Bombay City and Island	773,196
Ahmedabad	124,767
Surat	107,154

and only in the following three instances does the population exceed 50,000 :—

	Population.
Puna	99,622
Karáchi	68,332
Sholapur	59,890

There are 58 towns containing less than fifty, but more than ten thousand inhabitants, while 85 towns contain less than ten but more than five thousand inhabitants Sixteen places are considered for special reasons as towns though they do not contain 5,000 inhabitants. The population of these 165 towns amounts to 2,846,613. Adding to this 78,507 inhabitants within cantonment limits the total urban population in the British districts amounts to 2,925,190.

In the Native States 29 towns contain a population of less than fifty and more than ten thousand souls, and 45 a population of less than ten but more than five thousand souls. Eight places are considered for special reasons as towns, though containing less than 5,000 inhabitants. The total population of these 82 towns is 882,455. Adding to this 7,241 inhabitants of the Cantonments of Rajkot, Deesa and Bhuj the total civil population in the Native States comes to 889,696.

For administrative purposes the Bombay Presidency is divided into four divisions or Commissionerships, which are sub-divided into the following 23 districts, of which 21 are under the control of Collectors and two (Upper Sind Frontier and Thar and Parkar) are in the charge of Deputy Commissioners :—

	Districts.
Northern Division	Ahmedabad.
	Kaira.
	Panch Mahâls.
	Broach.
	Surat.
	Thâná.
Central Division	Khandesh.
	Nasik
	Ahmednagar.
	Puna
	Sholapur.
	Satara
Southern Division	Kolaba.
	Bijapur.
	Belgaum.
	Dhárwár
	Ratnagirí.
	Kánara.
Sind	Hyderabad.
	Karachi.
	Shikarpur.
	Thar and Parkar.
	Upper Sind Frontier.

The districts vary considerably in size, Karachi being the largest with an area of 14,115 square miles. Thar and Parkar and Shikarpur are over, and Khandesh and Hyderabad approach ten thousand square miles, whilst Broach and Kolaba are under 1,500 square miles in area. The average area of the districts is about 5,395 square miles. The City of Bombay with an area of 22 square miles is regarded for many purposes as forming a district by itself.

The 23 districts above mentioned are divided into 192 talukas or sub-divisions, each of which again contains about 100 Government villages or villages of which the revenue has not been alienated by the State. Each village is, for fiscal and police, as well as social purposes, complete by itself. It has its regular complement of officials, who are usually hereditary, and are remunerated by grants of land held revenue free. The more important of these officials are the patel or the headman, the talâti or kulkarni, who is the clerk and accountant, the mhár or dhed, who is an inferior village servant, and the watchman. Over each taluka or sub-division is appointed a Government officer termed a Mámlatdár, and on an average about 3 talukas are placed in charge of an Assistant or Deputy Collector. The Commissioners are entrusted with the supervision of the Revenue administration and may be said to have generally no executive work except when any enquiry of importance is specially delegated to them by Government. References on all subjects of revenue administration are made to the Commissioners not only by the Collectors but by Government. They exercise supervision over the Magistrates in respect to the administration of Police, but they do not ordinarily interfere with the details of the interior organization of the Police. The Commissioners of divisions also supervise the smaller Political Agencies in their divisions, and the Commissioner in Sind supervises the state of Khairpur in that Province.

The Collectors are also the District Magistrates; Assistant and Deputy Collectors are Magistrates generally of the first class; and Mámlatdárs are Magistrates of the first, second or third classes. The Mámlatdár is at the head of an office generally larger than that of an Assistant Collector, and besides the members of his own office he has also under his

orders all kulkarnis and talátis and to some extent also the patels of the villages within his jurisdiction. He is in charge of the taluka treasury, into which all money due to Government in his taluka is paid, and from which nearly the whole of the money expended for Government in the taluka is issued. All orders from the Collectors to any persons, official or non-official, pass as a rule through the Mámlatdár, and petitions received from any inhabitants of the taluka are almost invariably sent to him for enquiry. Besides the purely revenue work, the local Heads of Departments in the Collectorate *e g*, the Superintendent of Police, the Executive Engineer, the Divisional Forest Officer, &c., correspond direct with the Mámlatdárs; and it is to the Mámlatdár that every officer passing through the taluka applies for aid Speaking generally, it may be said that the Mámlatdár disposes of all matters of routine connected with the receipt of revenue and the tenure of land, referring to the Assistant Collector only such matters as from their importance or novelty require the orders of higher authority. As a rule, all the orders of a Mámlatdár on revenue and miscellaneous matters are subject to appeal to the Assistant Collector in charge of the taluka, except decisions under Bombay Act III of 1876 against which there is no appeal.

There is in each district a District Superintendent of Police, who is the executive head of the Police Force employed in the district in his charge. He is responsible to the District Magistrate for the efficient performance of the duties devolving upon the Force, and it is his duty to see that all orders of the Magistrates or other competent authority are promptly and correctly carried out. There is also a separate officer over the District Superintendents called the Inspector-General of Police, who is required to devote his attention principally to the internal economy, inspection, discipline, clothing and arming of the Police Force in the Bombay Presidency including Sind, but excluding the Town and Island of Bombay, for which there is an independent Police Commissioner

The political relations between this Government and the Native States under its control are maintained by the presence of an Agent or representative at the principal Native Courts. The position and duty of the Agent vary considerably in the different States being governed by the terms of the original treaties or by recent sanads or patents. In some instances, as in Cutch, his power is confined to the giving of advice and to the exercise of a general surveillance. In other cases the agent is invested with an actual share in the administration; while States whose rulers are minor,—and the number of these is always large—are directly managed by Government officers. The characteristic feature of the Bombay Native States is the excessive number of petty principalities which are grouped together and administered in all but revenue matters by the Political Officer. The Peninsula of Kathiawar alone contains no less than 187 separate States. The Collectors of Panch Mahâls, Kaira, Surat, Thana, Khandesh, Sholapur, Satara, Dharwar, Kolaba, and Shikarpur are, in addition to their ordinary duties, Political Agents of the Native States within their charges.

The supreme administration of justice in the Regulation Districts is entrusted to the High Court, consisting of a Chief Justice and six Puisne Judges. This Court exercises both original and appellate jurisdiction in Civil and Criminal cases In Sind the functions are discharged by the Judicial Commissioner. The superior administration of both Civil and Criminal justice is vested in officials styled District and Assistant Judges. Original civil suits (if not against Government) are decided, as a rule, by two classes of Subordinate Judges and by the Small Cause Courts, and the greater part of the original criminal work is disposed of by the Executive District Officers.

Details regarding the number of charges or offices in which Covenanted and Uncovenanted (including Military) officers engaged in the Executive and Judicial administration of the Bombay Presidency are employed, were furnished to the Public Service Commission with the letter from this Government No 49, dated 4th January 1887.

The Bombay Presidency in military parlance, that is to say, the portion of territory guarded by Bombay troops, may be said to comprise—

1. The trans-Indus portion defined by lines running from Kusmore on the Indus to Vitakri in Baluchistán as the eastern boundary, from Vitakri to Thal Chotiali, Loralai, and Toba in Afghanistan, as the northern boundary, Killa Abdulla, Kelat, Bella and Sonmeanee on the west side. Behind this comes the Province of Sind.
2. The portion of Rajputana south of Ajmere, the major portion of Central India.
3. The independent Provinces of Cutch and Kathiawar, Gujarat and Maharsahtra or Bombay Province proper, extending to the confines of Mysore and the Nizam's dominions.

Bombay troops also keep a watch over the Telegraph and Residency posts at Bushire, Baghdad, Jask and Muscat in the Persian Gulf, and over the British Settlements at Aden, Kamaran, Berbera and Zaila on the coasts of Arabia and Africa.

They also furnish a contingent of 1 cavalry and 5 Native Infantry regiments for service in Burma.

To carry out these duties there are 10* regiments of British Infantry, two Batteries of Horse Artillery, 11 of Field Artillery, one Heavy Battery, four Garrison Batteries, two Native Mountain Batteries, one Regiment of British and seven of Native Cavalry, one Aden Troop, four Companies of Sappers with a depôt, and 26 regiments of Native Infantry.

* Two of these in the Quetta District are temporarily attached to the Bengal Command.

Besides these Bengal contributes two Mountain Batteries, one Garrison Battery, one Regiment of Native Cavalry, and one Company of Sappers for service at Quetta, and the local corps at Augar, Erinpura, Deoli, Sehore, Kherwara, Ajmere and Sirdarpore complete the forces required in Rajputana and Central India.

A glance at the accompanying distribution return shows that the troops are widely distributed Except at Quetta and at Puna there are few troops concentrated, many of the regiments being in isolated stations or cut up in detachments. This is due to the large amount of Native territory which has to be guarded and also to the topographical features of the Presidency. On the North-West Frontier, Sind is separated from the Quetta District by the many offshoots of the Suleyman Range, while the Hala or Harboee Range divides Sind from Western Baluchistán, the Aravalli Range separates Rajputaná from the southern portion of Sind; the desert further north forming a sea of sand very difficult to cross. The Western Ghauts divide Gujarat and the Konkan from Central India and the Deccan, while the Vindya and Satpura Ranges intervene between the two last mentioned Provinces The difficulties which these natural features of the Presidency presented to intercommunication between its different parts have been, in a great measure, removed by the introduction of a complete railway system, which on an emergency arising would allow of a rapid concentration of military forces at important centres, such as Sukkur in Sind, Ajmere in Rajputáná, Mhow in Central India, Bhusawal and Khundwa in the Berars, Bombay in the Konkan, Ahmedabad in Gujrat, and Poona and Wadi in the Deccan. Notwithstanding the advantage which this Presidency possesses in respect of railway communication, it cannot be denied that the military force stationed therein is very inadequate compared with the duties it has to perform In the North Bombay troops take up all the duties south of the line guarded by the Punjab Frontier Force; on them devolve the duties of watching over the independent States in Rájputáná and Central India, Baroda, the west frontier of the Nizam's Dominions, Cutch, Kathiawar, and the Southern Maratha country; and they also guard three most important harbours, *viz*, Bombay, Karachi, and Aden.

The station of Bombay is generally selected, both on account of its geographical position and the importance of its harbour with its numerous shipping, as the base for expeditions beyond the sea. It formed a starting point for the forces sent in past years to Persia, Arabia, China, Abyssinia, Malta, Egypt, and Burma; and from it were forwarded *viâ* Karachi by sea and *viâ* Ahmedabad and Khundwa by rail, men, animals and stores for the two phases of the Afghán War.

The homogeneousness existing between Civil and Military administrations in the Punjab does not exist in the Bombay Military Presidency. In matters connected with the movements of troops and with public works the following officers, besides the Bombay Government, have to be consulted, *viz.*, the Agents to the Governor General at Baluchistán, Rajputáná, Central India, and Baroda, and the Commissioner, Central Provinces. Though this may be considered an anomaly, it is found to work well in practice as it allows of local knowledge being fully availed of.

Distribution of Corps of the Bombay Army.

Stations	Corps.		Stations
Mhow Kirkee	B Brigade . . "G" Battery R H A. . . "I" „		Mhow Kirkee.
	Royal Artillery.		
Neemuch Ahmednagar Hyderabad	1st Brigade . "E" Battery (Field) "F" „ („) "T" „ („)		Neemuch. Ahmednagar. Hyderabad.
Ahmedabad Nusseerabad Karachi Deesa Kirkee Kirkee	2nd Brigade . "A" „ („) "B" „ („) "C" „ („) "D" „ („) "E" „ („) "F" „ („)		Ahmedabad Nusseerabad. Karachi. Deesa Kirkee Kirkee.
Neemuch	3rd Brigade . "G" „ („)		Neemuch.
Mhow	1st Brigade Cinque Ports Division	No 8 (Heavy)	Mhow.
Bombay	1st Brigade London Division	No 8 (Garrison)	Bombay
Aden	1st Brigade Scottish Division	No 1 (Garrison)	Aden.
Aden	1st Brigade Western Division	No. 1 (Garrison)	Aden.

Stations.	Corps.	Stations.
Bombay	1st Brigade North Irish Division. — No 5 (Garrison)	Bombay.
Quetta	1st Brigade Scottish Division. — No 1 (Field)	Quetta — Bengal Troops.
Quetta	1st Brigade Western Division — No. 5 (Garrison)	Quetta — Bengal Troops.
	Native Artillery	
Puna	No 1 Mountain Battery	Puna.
Puna	„ 2 „ „	Puna.
Quetta District	„ 2 „ „	Loralai (Bengal Corps, Punjab F Force)
	Sappers and Miners.	
Kirkee	Head quarters A (Depôt) Company	Kirkee, Head-quarters Kirkee, Detachment Bombay, Detachment Karachi
Satara	No. 1 Company	Satara
Burma	„ 2 „	Burma
Aden	„ 3 „	Head quarters Aden. Detachment Berbera, Detachment Zeila
Kirkee	„ 4 „	Kirkee
Quetta	No. 1 Company, Bengal Sappers and Miners	Quetta (Bengal Corps).
	British Cavalry	
Mhow	7th Dragoon Guards	Mhow.
	Native Cavalry	
Burma	1st Lancers	Burma.
Deesa	2nd „	Head quarters Deesa, Detachment Rajkot
Neemuch	3rd Light Cavalry	Head-quarters Neemuch, Detachment Nusseerabad
Sirur	4th Cavalry	Head quarters Sirur, Detachment Puna.
Jacobabad	5th „	Head-quarters Jacobabad, Detachment Sme
Quetta District	6th „	Head quarters Quetta, Detachment Sibi-Pishin
Jacobabad	7th „	Jacobabad
Aden	Aden Troop	Head-quarters Aden, Detachment Reejah, Bulhar.
Quetta District	3rd Bengal Cavalry	Head quarters Anambar Gap, Detachment Sinjawi, Gumbaz and Loralai (Bengal Corps)
	British Infantry	
	2nd Battalion, East Yorkshire Regiment	Head-quarters Bombay, Detachment Deesa, Ahmedabad
sseerabad	„ Lancashire Fusiliers	Head quarters Nusseerabad, Detachment Neemuch
dnagar	„ Gloucestershire Regiment	Head-quarters Ahmednagar, Detachment Kirkee, Satara.
	1st „ Loyal North Lancashire Regiment	Head quarters Mhow, Detachment Asirgarh, Indore.
	2nd „ South Yorkshire Regiment	Head-quarters Karachi, Detachment Hyderabad.
	„ North Staffordshire Regiment	Aden
	„ Durham Light Infantry	Puna.
Puna	„ Royal Dublin Fusiliers	Puna.
Quetta	„ Royal Lancaster Regiment	Quetta — Temporarily attached to Bengal Presidency.
Quetta	1st „ Worcestershire Regiment	Quetta — Temporarily attached to Bengal Presidency.
	Native Infantry	
Ahmednagar	1st Grenadiers	Ahmednagar.
Ahmedabad	2nd „	Head-quarters Ahmedabad, Detachment Sadra.
Puna	3rd Light Infantry	Puna.
Mhow	4th Rifles	Mhow.
Burma	5th Light Infantry	Burma.
Burma	7th Regiment	Burma.
Rajkot	8th	Rajkot
Aden	9th „	Aden

Stations.	Corps.	Stations
	Native Infantry—continued	
Quetta District	10th Light Infantry	Head-quarters Loralai, Detachment Sirjowi, Thal Chotiali, Hurnai
Poona	12th Regiment	Head-quarters Poona, Detachment Kirkee, Malegaon
Hyderabad	13th „	Head-quarters Nusseerabad, Detachment Neemuch.
Bhuj	14th „	Bhuj
Poona	16th „	Puna
Bombay	17th „	Head-quarters Bombay, Detachment Thana.
Quetta District	19th „	Head-quarters Pishin, Detachment Kuch
Deesa	20th „	Deesa
Bombay	21st Regiment (Marine Battalion)	Head-quarters Bombay, Detachment Muskat, Bushire, Bagdad.
Satara	22nd Regiment	Satara
Burma	23rd Light Infantry	Burma
Quetta	24th Regiment	Head quarters Quetta, Detachment Mach, Sibi
Burma	25th Light Infantry	Burma
Karachi	26th Regiment	Karachi
Burma	27th Light Infantry (1st Belooch)	Burma
Baroda	28th Regiment	Head quarters Baroda, Detachment Surat
Hyderabad	29th Regiment (2nd Belooch)	Head quarters Hyderabad, Detachment Jacobabad
Quetta District	30th Regiment (3rd Belooch)	Head quarters Quetta, Detachment Kelat

Local Corps under Rajputana Central Agency.

		Troops or Companies	Officers	Non Commissioned officers and men	Horses
Deoli	Deoli Irregular Force, Cavalry	2	1	167	167
	Do Infantry	8	3	712	
Erinpura	Erinpura Irregular Force, Cavalry	2	1	164	164
	Do Infantry	8	3	634	..
Kherwara	Meywar Bheel Force, Infantry	8	5	691	..
Ajmere	Mhairwarra Battalion	8	2	712	...

Central India Corps under orders of the Agent Governor General for Central India

	Troops or Companies	Officers	Non Commissioned Officers and men	Horses
Aughur—Second Central India Horse	8	8	625	625
Sehore—Bhopal Battalion	8	5	943	.
Sirdarpore—Malwa Bheel Corps	8	4	614	..

Troops to be added to the Summary of Effective Force from Bengal.

	Officers	Non-Commissioned Officers and men	Horses.	Guns	Remarks.
British Troops.					
Staff	13	.			
Artillery	7	224	127*	6	* Includes 121 mules.
Infantry	41	2,001	...	.	
Native Troops					
Sappers and Miners	2	165		..	
Cavalry	7	605	604		
1 Mountain Battery	4	230	126*	6	

Troops to be added to the Summary of Effective Force from Bengal.

Stations.	Corps.	Stations.
	British Troops	
Quetta	First Brigade, Scottish Division, No 1 Field	Quetta.
Do	Ditto Western Division, No. 5 (Garrison)	Do.
Do.	Second Battalion, Royal Lancaster Regiment	Do.
Do.	First Battalion, Worcestershire Regiment	Do.
	Native Troops	
Quetta	No. 1 Company, Bengal Sappers and Miners	Quetta.
Do District	Third Bengal Cavalry	Head Quarters Anambar Gap, Detachment — Sinjour, Gumbaz, Loralai.
Do. do	No 2 Bengal Mountain Battery	Loralai.

Summary of the Effective Force employed in the Bombay Presidency, including Quetta but excluding Burma.

Divisions & Districts		Artillery	Sappers and Miners	Cavalry	Infantry	Artillery								Sappers & Miners			Cavalry				Infantry				Total		
												Field Ordnance															
													Guns														
		Staff Officers.	General Duty Officers	Batteries Horse Artillery	Batteries Field Artillery	Batteries Garrison Artillery	Batteries Native Artillery	Companies	Regiments of British Cavalry	Regiments of Native Cavalry.	Regiments of British Infantry	Regiments of Native Infantry	British Officers.	British N C Officers, Trumpeters, Gunners and Drivers	Native Com N C Officers, Buglers, Rank and File	Elephants	Horses exclusive of Officers' Chargers	Bullocks	40-Pr M. L. R.	9-Pr M L R.	6-3" Howitzer	7-Pr M L R 200 lbs	7-Pr M L. R 400 lbs	British Officers	British Non-Commissioned Officers, and Rank and File.	Native Com N C Officers, Buglers and Rank & File	Officers	N C Officers, Trumpeters, and Rank and File	Horses
Army Hd. Qrs Staff		16																									
Presidency District.		9	1			2					6	2	12	226										1	2	30	
Northern Division		8			2						3	5	10	317			211	10		12							
Poona Division		29	5	1	4		2	4*		1	3	4	36	785	419									14	26	495	19	643	444
Mhow Division		15	1	1	4				1	1	2	2	25	714		18	469	287	4	24	2	12							
Sind District.		11			2					2	1	2	11	317			215	10		12				1	1	29			
Aden Brigade		5				2		1		1	1	1	6	224										2	1	135			
Quetta District		4										1	1																
Quetta (a)		9			1+	1	1						11	224	230							12		2		165			
Rajpootana Central Agency (b)											1	4																	
Central India (c)										1		2																	
TOTAL		106	7	2	13	5	3	5	1	6½	8	26	111	2,807	649	18	895	307	4	48	2	24		20	30	554	19	643	444

Divisions & Districts		Cavalry.			Infantry																						
		British.		Native.																							
					British			Native																			
		Officers	N C Officers, Trumpeters, and Rank and File	Horses	British Officers	Native Com N C Officers, Trumpeters & Rank & File	Horses.	Officers	Non-Com Officers, Drummers & Rank & File	British Officers	Native Com N C Officers, Drummers & Rank & File	Officers	N C Officers, Trumpeters or Drummers & Rank & File	British Officers	Native Com N C Officers, Trumpeters or Drummers & Rank & File	Horses exclusive of Officers' Chargers	Mules and Ponies.										
Army Hd. Qrs Staff																											
Presidency District.								16	582	14	1,638	38	810	15	1,668												
Northern Division								7	240	36	4,000	25	557	45	4,621	836											
Poona Division		8	643	444	9	700	621	67	2,398	30	3,497	129	3,709	60	5,111	1,528	242										
Mhow Division		7			7	600	615	43	1,859	15	1,840	103	3,216	22	2,440	755											
Sind District.		19			17	1,121	1,216	25	1,058	16	1,650	47	1,376	34	2,800	1,431											
Aden Brigade					1	98	98	22	623	10	782	33	842	13	1,015	98											
Quetta District					10	602	596			27	3,074			37	3,676	596											
Quetta (a)					7	605	604	41	2,001			61	2,225	13	1,000		253										
Rajpootana Central Agency (b)					2	331	331			13	2,749			15	3,080	331											
Central India (c)					8	625	625			9	1,557			17	2,182	625											
TOTAL		221	643	444	41	5,303	5,465	221	9,261	170	20,787	452	12,741	271	27,593	6,200	495										

(a) Bengal Troops
(b) Local Corps
(c) Central India Corps

* Includes L Company, Royal Engineers.
† European Mountain Battery.

III.

Information supplied by the Government of Bombay

No. 3, dated 16th November 1886

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of Bombay

WITH reference to the Resolution of the Government of India in the Home Department, No. 34—1573-83, dated 4th October 1886, on the subject of the appointment of a Commission for the purpose of enquiring into the question of the employment of Natives of India in the Public Service, I am directed to request that, with the permission of His Excellency the Governor in Council, you will be good enough to favour the Commission with full details showing the number of "charges" or offices in which Covenanted and Uncovenanted Officers engaged in the Executive and Judicial Administration of the country are at present employed, together with complete information as to the apportionment of these "charges" or offices amongst members of the Covenanted and Uncovenanted Services respectively in the Bombay Presidency and Sind.

2. Columns 2—14, inclusive, of the statement embodied in paragraph 7 of the Resolution of the Government of India in the Home Department, No 68—2024-35, dated 15th December 1881, show the nature of the statistics required, and I am to request that the return now asked for may be rendered as complete as possible so as accurately to represent existing facts. I am at the same time to enclose detailed lists of appointments upon which the figures given in the Resolution of 15th December 1881 in regard to the Bombay Presidency and Sind were based, and to request that corresponding details may be furnished of the figures entered under each column of the present return.

3. The Commission would also be glad to be furnished with figures showing the existing cadre of the Covenanted Civil Service in the Bombay Presidency and Sind together with information regarding the proportion to the total strength of that service of (1) effectives, (2) officers on leave and other non-effectives, and (3) officers in training respectively.

No. 49, Bombay Castle, 4th January 1887.

From—The Acting Chief Secretary to the Government of Bombay, Revenue Department,
To—The Secretary to the Public Service Commission.

In compliance with the request contained in your letter No. 3, dated the 16th November 1886, I am directed to forward herewith a statement * showing the number of "charges" or offices in which Covenanted and Uncovenanted officers engaged in the Executive and Judicial Administration of this Presidency (including Sind) are at present employed, and the apportionment of these "charges" or offices amongst members of the Covenanted and Uncovenanted Services respectively, together with a list † showing the details of the figures entered under each column of the statement

* Marked A.

† Marked B.

2. With reference to paragraph 3 of your letter referred to above, I am directed to state that the strength of the Bombay Covenanted Civil Service is now 161, including 7 Statutory Civilians and 2 Junior Civilians who have not arrived from England. The numbers of Covenanted Civil Servants employed under the Government of India, of those absent on the 18th ultimo on leave (other than privilege leave) and of those in training (*i.e*, who have not yet arrived or have not yet passed their departmental examinations) are 9, 26 and 7 respectively, being 5 5, 16·14 and 4·3 per cent. of the total strength of the service respectively.

STATEMENT A.

	COVENANTED.								UNCOVENANTED AND MILITARY OFFICERS						TOTALS			
	EXECUTIVE.				JUDICIAL			GENERAL	EXECUTIVE			JUDICIAL			COVENANTED	STATUTORY	UNCOVENANTED AND MILITARY	GRAND TOTAL
	Bombay Civil Servants employed under the Government of India	Administration	Districts		High and Chief Courts and Judicial Commissioner.	Districts			Headships of districts and the like	Sub-divisional officers	Talukdars, Mámlatdárs, &c	High and Chief Courts and Judicial Commissioner	District or special Judges and the like	Subordinate Judges and the like				
			Headships of districts and the like	Sub divisional officers.		District or special Judges and the like	Assistant Judges and the like											
BOMBAY PRESIDENCY INCLUDING SIND	9	11	20	40*	4	15	6	28†	4	83	207	4	5	121	127	6	424	557

* Including 6 Statutory Civilians

† The actual number of Covenanted Civil Servants employed under this heading is 27, as Mr. Crawley Boevey, C S., Talukdári Settlement Officer, is on leave, and the officer who acts for him is an Uncovenanted officer.

J. DEC ATKINS,

for *Acting Chief Secretary to Government.*

STATEMENT B.

Officers employed under the Government of India—9.(a)

Administration—11.

2 Members of Council.
1 Commissioner in Sind.
3 Commissioners of Divisions.
1 The Commissioner of Customs, Salt, Opium, and Ábkári.
1 Chief Secretary to Government, Revenue, Financial and General Departments.
1 Secretary to Government, Political, Judicial, and Educational Departments
1 Under-Secretary to Government, Revenue, Financial and General Departments.
1 Under-Secretary to Government, Political, Judicial, and Educational Departments.

Headships of Districts—24.

24 District Collectors and Magistrates, including 2(*b*) Deputy Commissioners in Sind and the Collector of Bombay.

Sub-divisional and similar offices—123.

48 Assistant Collectors (including the Assistant Commissioner in Sind and 10 Assistant Collectors in that Province)
60 Deputy Collectors (including 15 Deputy Collectors in Sind, 6 Assistants to the Divisional Commissioners, 2 City Magistrates (Puna and Ahmedabad) and 1 Personal Assistant to the Director of Agriculture.
10 Cantonment Magistrates.
2 City Magistrates, Karáchi and Sukkur
1 Chief Presidency Magistrate and Revenue Judge.
2 Presidency Magistrates.

Taluk and similar minor executive charges—207.

155 Mámlatdárs in the Presidency Proper.
51 Mukhtyárkars in Sind.
1 Special Mámlatdár for settling compensation for lands taken up for the Southern Mahratha Railway.

High and Chief Courts and Judicial Commissioner—8.

7 Chief Justice and Puisne Judges of the High Court of Judicature, Bombay.
1 Judicial Commissioner and Judge of the Sadar Court in Sind.

District or Special Judges and the like—20.

15(*c*) Judges and Sessions Judges.
1 Special Judge under the Dekkan Agriculturists' Relief Act.
4 Chief Judge and Judges of the Small Cause Court, Bombay.

(*a*) Excluding the late Mr. E. J. H. O. Gleeson, C.S., who died in Burma on 27th October 1886, and including Mr. T. H. Stewart, C.S., appointed to be a Member of the Public Service Commission and the Hon'ble Mr. Peile appointed to act as a Member of the Executive Council of the Governor General of India.

(*b*) Mr. H. E. Watson, Deputy Commissioner, Thar and Parkar, belongs to the Uncovenanted Service, but the Officer (Dr. J. Pollen) acting in that appointment during Mr. Watson's absence on furlough belongs to the Covenanted Civil Service.

(*c*) The number of appointments is 16, but that of Judges actually on duty is 15; one Judge, Mr. Macpherson, performs the duties of two appointments, *viz.*, that of Judge under the Deccan Agriculturists' Relief Act and Sessions Judge, Satara.

Assistant or Subordinate Judges, &c.—127.

2 Assistant Judges F. P. and Joint Sessions Judges.
4(*a*) Assistant Judges and Sessions Judges.
4 Judges of the Small Cause Courts, Puna, Ahmedabad, Surat, and Broach, and Karáchi.
117 Subordinate Judges (including 2 Special Sub-Judges under the Dekkan Agriculturists' Relief Act and 1 Registrar of the Sadar Court in Sind).

Higher miscellaneous appointments held by Covenanted Civil Servants of rank of Assistant Commissioner and upwards—28.

1 Survey and Settlement Commissioner.
1 Collector of Salt Revenue.
1 Collector of Customs, Bombay.
1 Remembrancer of Legal Affairs.
1 Talukdári Settlement Officer.(*b*)
1 Municipal Commissioner for the city of Bombay.
1 Judicial Assistant to Political Agent, Kathiawár.
9 Forest Settlement Officers.
1 Special Assistant Collector and Khoti Settlement Officer.
1 Director of Agriculture.
1 President of the Forest Commission.
1 Administrator of the Porbandar State in Kathiawár.
1 Assistant(*c*) Political Agent in Kathiawár.
1 Special Settlement Officer, Baroda.
1 Joint(*c*) Administrator of the Rajpipla State
1 Manager of Encumbered Estates in Sind.
1 Officer on Special Duty at Baroda.
1 Registrar, High Court, Appellate Side, Bombay.
1 Deputy Collector of Salt Revenue, Southern Division.
1 Private Secretary to His Excellency the Governor.

J. DeC. ATKINS,
for *Acting Chief Secretary to Government.*

IV.

No 89, dated Allahabad, the 5th January 1887.

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of Bombay.

I AM directed to request that, with the permission of His Excellency the Governor in Council, you will be good enough to favour the Public Service Commission with accurate statistics showing how many persons at present employed in the Subordinate Judicial Service and in the Subordinate Executive Service in the Bombay Presidency and Sind have (1) passed the Entrance examination, (2) passed the First Arts or other corresponding examination, and (3) taken the degree of Bachelor or Master of Arts at an Indian University.

2. I am to explain that the information is required for each class of appointments separately, and that the terms "Subordinate Judicial Service" and "Subordinate Executive Service" are intended to embrace respectively all Subordinate Executive and Judicial offices down to and including the office of Munsif or Tahsildár, or other offices corresponding to that of Munsif or Tahsildár which are not reserved for, or not ordinarily held by members of the Covenanted Civil Service.

3 The favour of an early reply is requested.

No. 1457, dated Bombay Castle, 8th March 1887.

From—The Acting Secretary to the Government of Bombay, Revenue Department,
To—The Secretary to the Public Service Commission, Calcutta.

In compliance with the request contained in your letter No. 89, dated 5th January 1887, I am directed to forward herewith, for the information of the Public Service Commission, a statement showing the number of persons at present employed in the Subordinate Executive and Judicial services in the Bombay Presidency proper and in Sind who have passed the Entrance examination or the First Arts or other corresponding examination or have taken the degree of Bachelor or Master of Arts at an Indian University.

(*a*) The fixed number of these appointments is 5, but one of them is temporarily vacant.
(*b*) The officer who at present acts in this appointment belongs to the Uncovenanted Service
(*c*) The permanent incumbent belongs to the Military Service.

Information supplied by the Government of Bombay.

Statement accompanying the letter from the Government of Bombay, to the Secretary to the Public Service Commission, No. 1457, dated 8th March 1887.

SUBORDINATE EXECUTIVE SERVICE.

	No of persons who have obtained the degree of M. A.	No of persons who have obtained the degree of B A	No of persons who have passed the First Arts, or other corresponding examination.	No of persons who have passed the Entrance or Matriculation Examination.
Northern Division				
Deputy Collectors (including one Native Assistant to the Commissioner and one City Magistrate)	2		1	1
Mámlatdárs*	.	2	3	10
Central Division.				
Deputy Collectors (including Assistants to the Commissioner and Treasury officers)	1	2	..	2
Mámlatdárs	..	8	2	18
Southern Division.				
Deputy Collectors (including Native Assistants to the Commissioner)	..		1	1
Mámlatdárs	...	3	5	11
Sind.				
Mukhtyárkars	.	.	1	2
TOTAL	3	15	13	45

* One Mámlatdár has also obtained the degree of Licentiate of Civil Engineering

SUBORDINATE JUDICIAL SERVICE.

	No of persons who have obtained the degree of M A.	No of persons who have obtained the degree of B A.	No of persons who have passed the First Arts, or other corresponding Examination.	No of persons who have passed the Entrance or Matriculation Examination.
The Bombay Presidency proper	4	34	5	42
Sind	...	1	3	1
TOTAL	4	35	8	43

D MACKENZIE,
Acting Secretary to Government.

V.

No. 102, dated the 22nd January 1887.

From—The Secretary to the Public Service Commission,

To—The Chief Secretary to the Government of Bombay

I AM directed to request that, with the permission of His Excellency the Governor in Council, you will be good enough to favour the Public Service Commission with a return in the annexed form, showing the nationalities and castes of the several persons at present employed in the Subordinate Judicial Service and in the Subordinate Executive Service in the Bombay Presidency and Sind.

Vol IV. Sec. I Sub-Sec. B.

Information supplied by the Government of Bombay.

2 I am to explain that the information is required for each class of appointments separately, and that the terms "Subordinate Judicial Service" and "Subordinate Executive Service" are intended to embrace respectively all Subordinate Executive and Judicial offices down to and including the office of Munsif or Tahsildár, or other offices corresponding to that of Munsif or Tahsildár which are not reserved for, or not ordinarily held by members of the Covenanted Civil Service

3. The favour of an early reply is requested.

No 2231, dated Bombay Castle, the 13th April 1887.

From—The Acting Secretary to the Government of Bombay, Revenue Department,

To—The Secretary to the Public Service Commission, Simla.

In continuation of the letter from this Government No. 640, dated 26th January last, I am directed to forward herewith, for the information of the Public Service Commission, a statement showing the nationalities and castes of the several persons at present employed in the Subordinate Judicial Service and in the Subordinate Executive Service in the Bombay Presidency proper and Sind.

Statement accompanying the letter from the Government of Bombay, to the Secretary to the Public Service Commission, No. 2231, dated 13th April 1887.

SUBORDINATE EXECUTIVE SERVICE.

CLASS OF APPOINTMENTS	Europeans or Eurasians domiciled in India.	Europeans or Eurasians not domiciled in India at the *time of* appointment.	Mahomedans	HINDUS.						Sikhs.	Parsis.	Others.
				Brahmans, including Shenvis.	Kshatriyas.	Kayasths (Parbhus)	Bunyas and Vyśas.	Shudras.	Others.			
Northern Division												
Deputy Collectors	1	...	...	1	4	..	..	..	...	...	7	...
Mámlatdárs	1	..	...	19	3	4	8	...	..	...	5	...
Central Division.												
Deputy Collectors	2	1	...	11	1	1	...	...	...	...	1	...
Mámlatdárs	...	...	1	58	...	7	...	...	1 (Sonar)	...	...	...
Southern Division.												
Deputy Collectors	3	...	3	7	.	1	...	...	2		.	...
Mamlatdárs	...	...	...	41	...	5	2	...	1	...	1	...
Province of Sind.												
Deputy Collectors	2†	...	2*	2§	2	2 Amils	2	...	1 Lohánás	..	...	...
Mukhtyárkars	...	...	14‡	...	5	8	13	...	9	1	1	...
SUBORDINATE JUDICIAL SERVICE (BOMBAY PRESIDENCY INCLUDING SIND).												
Subordinate Judges	2	...	1	74	13	8	13	1	1	1	5	...

* One of these is an Afghan, but now settled in Shikarpur
† One born in Goa, but domiciled in Sind, and the other is a native of Ireland, but is now settled in India.
‡ One of these is an inhabitant of Saharunpur, Punjab.
§ One of these is a resident of Puna.

Information supplied by the Government of Bombay.

VI.

No. 106, dated Bombay, the 28th January 1887.

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of Bombay.

I AM directed to request that, with the permission of His Excellency the Governor in Council, the Public Service Commission may be supplied (1) with a return showing with regard to Mámlatdárs now serving in the Bombay Presidency and Sind who hold the degree of Bachelor of Arts, (*a*) the date of their appointment in each case as Mámlatdár and (*b*) the period spent in each case previous to appointment as Mámlatdár on probation in lower appointments, such as Kárkun, &c., and (2) with a nominal list of probationers holding the degree of Bachelor of Arts who are now qualifying for appointment as Mámlatdár, the date of entering upon probationary service being shown in each case.

No. 2744, dated Bombay Castle, the 4th May 1887.

From—The Acting Secretary to the Government of Bombay, Revenue Department,
To—The Secretary, to the Public Service Commission, Simla.

In reply to your letter No. 106, dated 28th January 1887, I am directed to forward herewith returns Nos. I and II furnishing the information therein called for with regard to those graduates of the University who are employed as Mámlatdárs or are qualifying themselves for Mámlats in the Bombay Presidency proper. As regards the province of Sind, I am to state that no graduate at present holds the office of Mukhtyárkar in that province, nor is any graduate now qualifying himself by probationary service for appointment to that office.

Statement No 1, referred to in the letter from this Government to the Secretary, Public Service Commission, No 2744, dated 4th May 1887.

Names of Officers.	Date of graduating and the nature of the University degree held.	Date of entering the service of Government in inferior grades.	Date of appointment as Head Kárkun to a Mámlatdár	Date of appointment as Mámlatdár	Period spent previous to appointment as Mámlatdár on probation in lower appointments, such as Kárkuns, &c.
					Year. Month. Day.
Northern Division					
Khán Sáheb Sorábji Ratanji	October 1877, B. A	5th August 1880	27th September 1882	21st May 1884	2 1 22
Ráo Sáheb Gulábbhai Kanthadji	January 1879, L.C E	10th September 1879	January 1883	18th August 1883	3 11 8
Ráo Sáheb Náráyan Gopal	1st February 1881, B.A	1st June 1881	8th April 1885	25th September 1886	4 9 23
Central Division.					
Ráo Sáheb Ganesh Pándurang Thakár	1872, B.A.	September 1877	19th November 1878	29th May 1879	1 8 9
„ Ganesh Chimuáji Vád	1878, „	27th February 1879	4th August 1880	8th June 1882	3 3 9
„ Shankar Bhálchandra Bápat	1879, „	15th May 1879	1st October 1880	14th October 1882	3 5 0
„ Vishnu Raghunath Kelkar	1879, L C.E.	12th June 1879	October 1881	29th January 1883	3 7 17
„ Yeshvant Ballal Tambe	1878, B.A.	3rd April 1879	January 1882	18th March 1883	3 11 15
„ Krishnaji Sadáshiv Mudle	1875, „	9th August 1879	June 1882	19th July 1883	3 11 10
„ Lakshman Moreshoar Deshpande	1880, „	26th December 1879	August 1882	14th November 1883	3 10 19
„ Wawan Daji Nagarkar	1879, L.C.E.	12th June 1879	August 1882	22nd December 1883	4 6 10
„ Wasudev Pandurang Láte	1879, „	9th August 1879	February 1882	7th March 1884	4 6 26
„ Mahadeo Trimbak Chiplunkar	1879, „	13th February 1879	March 1882	19th November 1886	7 9 6
„ Ramchandra Narayen Joglekar	1883, B A	15th January 1883	August 1885	17th December 1886	3 11 2
„ Lakshman Chintaman Fadke	1877, L C.E.	3rd March 1879	September 1883	1st July 1884	5 3 28
„ Mahadeo K Kumthekar	1880, B.A.	23rd April 1881	August 1884	4th October 1886	6 5 11
Southern Division.					
Ráo Sáheb Gangadhar Bhimrao Jambhekar	November 1876, B.A.	5th February 1877	Did not serve as head Kárkun.	30th August 1884	Did not serve on probation.
					Year. Month. Day.
Rághavendra Pandurang Bengiri	„ 1877, „	17th June 1879	5th December 1884	1st October 1885	5 5 17
Govind Gangadhar Save	„ 1872, „	27th August 1874	Did not serve as head Kárkun.	13th March 1886	11 6 15

Information supplied by the Government of Bombay

Vol. IV. Sec. I Sub-Sec B.

Information supplied by the Government of Bombay.

Statement No. 2, referred to in the letter from this Government to the Secretary, Public Service Commission, No. 2744, dated 4th May 1887.

Names of graduates qualifying for appointment as Mámlatdár.	Date of entering upon probationary service.
Northern Division.	
Mr Nalhabhai Avichaldas, L C E.	17th September 1883.
„ Jamiatiám Raghuram, B A.	16th June 1884.
„ Durgeshvar Natvarji, B.A.	6th September 1884.
„ Sitárám Abájiráo, B.A	9th March 1885.
„ Vai Kunthrai Anandrai, B.A.	February 1884.
„ Manirai Ajitrai, B A.	April 1885.
„ Gaurishankar Harjivan, L C E	1st February 1885.
„ Sákarlál Chandulál, B A.	1st February 1886.
„ Vithaldas Narotamdas, L.C E.	23rd October 1881.
„ Devdatta Dhaneshwar, B A.	1st May 1883.
„ Gopálji Gulabbhai, B A.	2nd December 1882.
„ Edalji Beramsha, B.A	19th January 1882.
„ Bhailál Purshotam, L.C E	13th February 1884.
„ Kasanji Ranchhodji, L C.E	1st January 1884.
„ Harilál Mulshankar, B.Sc.	28th April 1885.
„ Naranji Kuvarji, B A.	16th May 1885.
„ Manekji Kavasji, B A.	27th October 1886.
„ Parshrám Balkrishna, B A.	13th April 1883.
„ Annaji Ramchandra, B A	25th January 1886.
„ Mahadev Sitaram, B A.	1st August 1885.
„ Moreshvar Keshav, B.A.	1st August 1885.
Central Division.	
Mr. Vyankatesh Krishna Dravid, B A.	20th September 1880.
„ Avant Raghunath Modak, L.C.E.	4th September 1879.
„ Mahadev Govind Vágle, B A.	Cannot be ascertained.
„ Keshav Janardan Agáshe, B A.	29th October 1880.
„ Vishnu Anant Patvardhan, B A.	23rd May 1881.
„ Náráyan Hari Gharpure, L.C.E.	7th September 1880
„ Ramchandra Ballal Fansalkar, B A.	5th February 1883.
„ Náráyan Ábáji Parnaik, B.A.	1884 *
„ Balvant Náráyan Dabir, B A.	1884 *
„ Vithal Apaji Vád, B.A.	April 1883.
„ Shámráo Anant Látkar, B A	January 1884
„ Shricrustna Khanderao Bengali, B A.	1884 *
„ Digambar Dalaya, B A.	November 1883
„ Gopal Lakshman Killedai, B A.	March 1884.
„ Vyankatesh Damodar Puntambekar, B A.	June 1884.
„ Náráyan Govind Chandorkar, B A.	22nd March 1883.
„ Moro Govind Joshi, L.C.E.	1884.*
„ Náráyan Dattatraya Garde, L C.E.	January 1884
„ Vinayak Apaji Gupte, B.A.	May 1884.
„ Chintaman Krishna Hardikar, B A	Cannot be ascertained
„ Nágnáth Keshav Godbole, B A.	May 1884.
„ Vishnu Bhaskar Fátak, B A.	March 1884.
„ Sakharam Ganesh Joshi, B A	1885.*
„ Mahadev Raghunath Zate, B.A.	Cannot be ascertained.
„ Ganesh Balvant Jagde, B.A.	
„ Jacob Bapuji Israel, B A.	July 1885
„ Keshav Govind Mali, B A.	19th November 1884
„ Gopal Trimbak Modak, B A.	January 1887.
„ Ganesh Venkatesh Joglekar, B A.	6th July 1885
„ Vasudev Keshav Kunte, L C.E	6th April 1886.
„ Vishnu Náráyan Shendre, B A.	1st February 1887
„ Ganesh Waman Garde, L.C E.	1st February 1887.
„ Krushnaji Vishnu Joshi, L C E.	9th September 1886.

* Exact date of entering the service is not known.

Statement No 2, referred to in the letter from this Government to the Secretary, Public Service Commission, No 2744, dated 4th May 1887—continued.

Information supplied by the Government of Bombay.

Names of graduates qualifying for appointment as Mámlatdár	Date of entering upon probationary service.
SOUTHERN DIVISION.	
Mr. Krishnarao Shrinivas, B.A.	1st April 1884.
,, Swámiráo Narhar, B A	16th February 1885.
,, Subrao Venkatesh, L C E.	24th June 1884
,, Hanmant Ramchandra Datár, B A.	2nd February 1885.
,, Raghvendra Bhojo, B A.	20th January 1885.
,, Náráyan Ganesh, B A.	19th February 1884
,, Krishnaji Guruiáo, L.C.E.	20th November 1879.
,, Venkatesh Bhimrao Bhandiwad, B.A.	1st October 1880.
,, V. N. Sathaye, B A	October 1883.
,, Rajirao V. Mangulvedekar, B.A.	February 1886.
,, Rámrao Parvati, B A.	February 1886
,, Váman Balkrishna Dhume, L C.E.	February 1886
,, Náráyan Chintaman Pethe, B A.	9th August 1884
,, Vináyak Náráyan Parchure, B.A.	2nd April 1883.
,, Hari Ramkrishna Othikar, B A.	1st June 1885.
,, Vishnu Vináyak Bakre, B A	1st June 1886.
,, Pandurang Ganesh Patvardhan, B.A.	18th March 1886
,, Náráyan Ghanashám, B A	24th March 1885
,, Hari Ramchandra Sámant, B.A.	21st May 1885.
,, Raghvendra Subrao, B.A.	27th October 1880
,, Timaji Venkatesh Naik, L C E.	7th October 1882
,, Ramchandra Vishnu Bakre, B.A.	7th February 1881.

VII.

No 112, dated Madras, the 5th February 1887.

From—The Secretary to the Public Service Commission,

To—The Chief Secretary to the Government of Bombay.

I AM desired to request that, with the permission of His Excellency the Governor in Council, the Public Service Commission may be favoured with a return in the annexed form showing (1) the number of persons who have passed the Entrance examination, the First Arts or other corresponding examination, or who have taken the degree of Bachelor or Master of Arts at the Bombay University during each of the past ten years, and (2) the nationalities and castes to which such persons belong

2. The favour of an early reply is requested.

No. 2193, dated Bombay Castle, the 7th April 1887.

From—The Under Secretary to the Government of Bombay, Revenue Department,

To—The Secretary to the Public Service Commission, Simla

In compliance with the request contained in your letter No. 112, dated 5th February last, I am directed to forward herewith a copy of a statement furnished by the Registrar of the University of Bombay showing (1) the number of persons who have passed the Entrance examination, the previous examination or the first B A. Examination or have taken the degree of Bachelor or Master of Arts at that University during each of the past ten years, and (2) the nationalities to which such persons belong, and to state that there is no information available on the records of the University as regards the castes to which the Hindus mentioned in the statement belong, as Hindu candidates are not required by the University to make any declaration with regard to their caste.

Vol IV
Sec I
Sub-Sec B.

Information supplied by the Government of Bombay

Years	Number of persons who have passed the Entrance Examination							Number of persons who have passed the First B A Examination							Number of persons who have taken the Degree of Bachelor of Arts							Number of persons who have taken the Degree of Master of Arts						
	(Native) Christians	Hindus	Parsis	Mahomedans	Others	Europeans		(Native) Christians	Hindus	Parsis	Mahomedans	Others	Europeans		(Native) Christians	Hindus	Parsis	Mahomedans	Others	Europeans		(Native) Christians	Hindus	Parsis	Mahomedans	Others	Europeans	
1877	9	153	40	4	1	10		1	47	9	1		3			23	7	1										
1878	9	161	76	2		13			43	13	1					31	8	1				2		1	2			
1879	11	317	96	1		11			48	8			1			33	12	2		2								
1880	14	288	106	10	1	10		1	56	13	1				1	26	8			1								
1881	10	294	53	2	3	26			47	21	2	1				28	8											
1882	8	402	119	8	5	30		1	78	20	2	1			1	47	10	1	3	1								
1883	18	414	126	10	7	24		1	100	18	2	1	2			48	14	1		1								
1884	22	618	143	13	2	42			124	34	1	1	1			61	17	1	2									
1885	16	647	145	6	4	19		1	102	36	1	1				51	12		3									
1886	15	875	91	7	8	31			134	34	6				2	49	19	3	5									

P. PETERSON,
University Registrar.

Information supplied by the Government of Bombay

VIII.

No 131, dated Calcutta, the 7th March 1887.

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of Bombay

I AM desired to request that, with the permission of His Excellency the Governor in Council, you will be good enough to furnish the Public Service Commission with information showing the extent to which encouragement is offered to Natives of the Bombay Presidency and Sindh by means of Government scholarships or otherwise to proceed to England for the purpose of completing their education. The Commission are aware of the fact that certain scholarships have been recently established for this purpose by the Government of India, but the present enquiry is made with a view to ascertain (1) whether any similar encouragement is offered by Local Governments and Administrations, and, if so, subject to what rules and conditions, and (2) to what extent advantage is taken of the same.

2. It would be convenient if you would be good enough at the same time to supply such information as may be available regarding scholarships, if any, which may have been established with a similar object in the Bombay Presidency but the cost of which is not borne by the State.

No 814, dated Bombay Castle, the 17th May 1887.

From—The Acting Chief Secretary to the Government of Bombay, Educational Department,
To—The Secretary to the Public Service Commission.

I am directed to acknowledge the receipt of your letter No. 131 of the 7th March last, requesting information as to the extent to which encouragement is offered to Natives of this Presidency by means of Government scholarships or otherwise to proceed to England for the purpose of completing their education.

Report by the Director of Public Instruction, No 7255, dated 28th March 1887
Letter from the Registrar of the Bombay University, No. 41, dated 29th April 1887.

2. In reply I am to forward the accompanying copies of the papers noted in the margin which give the information required.

No 7255, dated Poona, the 28th March 1887.

From —K. M CHATFIELD, ESQ., Director of Public Instruction,
To—The Chief Secretary to the Government of Bombay, Educational Department

The undersigned has the honour to report that besides the Gilchrist scholarships (see papers ending with this office No. 4922 of the 3rd December) and scholarships awarded by the University of Bombay, there are no scholarships for the Bombay Presidency. The Registrar will be able to give information as to the University scholarships.

No. 41, dated Bombay, the 29th April 1887.

From—P PETERSON, ESQ., D Sc, University Registrar,
To—The Chief Secretary to the Government of Bombay, Educational Department.

In reply to your letter No. 595 of 1887, I have the honour to inform you that with the exception of the Travelling Fellowship founded by Sir Munguldass Nathoobhoy in 1862 for Hindu graduates, there is no scholarship founded in connection with this University to enable graduates to proceed to England for the purpose of completing their education.

I subjoin the Regulations for awarding the Munguldass Nathoobhoy Travelling Fellowship for the information of the Public Service Commission.—

The Munguldass Nathoobhoy Travelling Fellowship.

Munguldass Nathoobhoy, Esq, Justice of the Peace, in a letter to Government, dated the 19th August 1862, offered the sum of R20,000 in 4 per cent Government Securities, for the purpose of endowing a travelling fellowship for Hindu graduates of the University of Bombay. This offer was accepted at a meeting of the Senate held on the 26th March 1863, and the following regulations were passed for the awarding and tenure of the fellowship:—

"The Munguldass Nathoobhoy Travelling Fellowship" shall be open to all graduates of the University of Bombay being Hindus who shall not be of more than five years' standing from the date of their graduation. By the term graduates is to be understood Masters and Bachelors of Arts, Bachelors of Science, Bachelors of Laws, Doctors and Licentiates of Medicine, and Masters and Licentiates of Civil Engineering; and by the term date

Information supplied by the Government of Bombay

of graduation is to be understood the dates of the candidates' receiving the Degree of Bachelor of Arts or Bachelor of Science or Licentiate of Medicine or Licentiate of Civil Engineering.

2 Candidates for the fellowship must forward an application to the Registrar under Form A. U. one week before the day of election.

3. The election shall take place without examination by the votes of the Syndicate, the Vice-Chancellor or Senior Fellow present having a casting vote.

4. Whenever there is a vacancy in the fellowship, a convenient day for holding an election shall be appointed by the Syndicate who shall give due notice of the same in the Government Gazette.

5. The Munguldass Nathoobhoy Fellowship shall be tenable by any one fellow for a space of three years The conditions of tenure are that the fellow must leave Bombay and proceed to Europe within two months after his election; that he shall spend the whole of the three years subsequent to the date of his leaving India for Europe out of India, and six months at least out of each year in Great Britain or Ireland; and that he shall report twice a year to the University Registrar as to the mode in which his time has been spent.

6 Any violation of the above conditions shall, *ipso facto*, cause the fellowship to be vacated, and the Syndicate shall be empowered, for any just cause, to recall and deprive of his fellowship any one who may have been elected

7. The Munguldass Nathoobhoy travelling fellow shall receive through the University Registrar, in half-yearly instalments, payable in advance, from the day of his leaving India, the interest due upon the endowment, together with any accumulations that may have taken place during previous vacancies.

I return the original papers as asked for in your letter under reply.

Telegram dated 22nd May 1887.

From—Secretary, Public Service Commission,
To—The Government of Bombay

See your letter No. 2231, dated 13th April 1887, and note appended to statement attached to my No 102 of 22nd January. Is Commission to understand that all present incumbents of offices in Subordinate Executive and Subordinate Judicial Services in the Bombay Presidency are Natives of the Bombay Presidency. If not, kindly give details asked for

---

IX.

No 3337, dated Bombay Castle, the 28th May 1887.

From—The Under-Secretary to the Government of Bombay, Revenue Department,
To—The Secretary to the Public Service Commission, Simla

I AM directed to acknowledge the receipt of your telegram No 198, dated the 2nd instant, enquiring whether all present incumbents of offices in the Subordinate Executive and Judicial Services in this Presidency mentioned in the statement accompanying the letter from this Government, No. 2231, dated the 13th ultimo, are Natives of this Presidency.

2. In reply I am directed to state for the information of the Public Service Commission that with the exception of three Mámlatdárs in the Southern Division, one of whom is a Native of Mysore, while the other two are Natives of Madras, all the officers at present employed in the Subordinate Executive Service in the Bombay Presidency proper are Natives thereof. I am at the same time to forward herewith an amended return showing the nationalities and castes of the several persons employed in the Subordinate Judicial Service in this Presidency (including Sind), from which it will be seen that with the exception of one Subordinate Judge who belongs to the Madras Presidency, all the officers entered therein are Natives of this Presidency

3. I am to add that the necessary particulars regarding those Subordinate Executive Officers employed in Sind who are not Natives thereof have already been furnished in the statement sent with the letter from this Government referred to above.

Amended Return showing the nationalities and castes of all officers in the Subordinate Judicial Service in the Bombay Presidency (including Sind).

Class of appointments.	Europeans or Eurasians domiciled in India.	Europeans or Eurasians not domiciled in India at the time of appointment.	Mahomedans.	Hindus						Sikhs.	Parsis.	Others.
				Brahmans including Shenvis	Kshatriyas	Káyasths (Parbhus)	Bunyas and Vyśas.	Shudras	Others.			
Judges of Small Cause Courts.	1	3	...	1	.	1	.	...	...	...	2	...
Subordinate Judges .	*3	...	1	72	11	9	13	1	1	...	6	...

* One of these is a Native of the Madras Presidency

10th May 1887.

A SHEWAN,
Acting Under-Secretary to Government,
Judicial Department

Vol. IV
Sec. I
Sub-Sec. B.
Information supplied by the Government of Bombay.

X.

No. 133, dated Calcutta, the 10th March 1887.

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of Bombay.

I AM directed by the Public Service Commission to request that in the replies of the Bombay Government to the questions forwarded with my letter No. 19, dated 30th November 1886, particular care may, with the permission of His Excellency the Governor in Council, be taken to embody a full and detailed answer to question No 232, quoted in the margin. This question has a very important bearing upon the enquiries of the Commission, and I am to forward a copy of the reply thereto furnished by the Punjab Government, as showing generally the nature of the particulars which the Commission desire to procure. I am at the same time to request that the answer to the question may be framed on the assumption that appointments will no longer be made to the Covenanted grades under the Statutory Rules or in any other way except through the channel of the competition in England, save in very exceptional cases, and that the present system, whereby a proportion of appointments in the Covenanted Service is practically reserved for Natives of India by the rules issued under the Statute 33 Vic., Cap 3, is discontinued.

To what extent could the prescribed Covenanted Civil Service cadre in your Province be reduced if a corresponding increase were made in the English element of the Uncovenanted Service, or in the Native element, or partly in one and partly in the other?

2. I am to take this opportunity of again requesting the very early submission of the replies of the Bombay Government to the questions generally, as the non-receipt of these answers is causing considerable inconvenience in connection with the preparation of the record of the Commission's proceedings.

No. 4773, dated Bombay Castle, the 22nd July 1887.

From—The Acting Secretary to the Government of Bombay,
To—The Secretary, Public Service Commission, Simla

With reference to your letter No. 133, dated 10th March 1887, in which you ask to be supplied with a full and detailed answer to Question No. 232 of the general questions framed by the Public Service Commission, regarding the cadre of the Covenanted Civil Service in this Presidency, and subsequent reminder on the same subject, I am desired by His Excellency the Governor in Council to inform you that, in the opinion of this Government, the answer to the question depends upon the nature of the duties which, in future, the Covenanted Civil Service will be called on to perform.

2. I am further to add that, when the Public Service Commission has decided what offices may properly be transferred from the Covenanted to the Uncovenanted Civil Service, His Excellency the Governor in Council will be prepared to state what reduction can be made in the cadre of the former service.

Government of India Central Printing Office.—No. 12 P S C —3-10-87 —525

SITTINGS AT BOMBAY.

17th January 1887.

The Hon'ble Sir C U. Aitchison, K.C.S.I., C.I.E., *President.*
Sir C. Turner, Kt, C.I.E.
The Hon'ble J. W. Quinton, C.S
C. H T. Crosthwaite, Esq., C S.
H. J. Stokes, Esq, C S.
T. H. Stewart, Esq., C.S.
The Hon'ble Kazi Shahbuddin, Khan Bahadur, C I E.
M. R. Ry. Salem Ramaswamy Mudaliyar, B.L.
W. H. Ryland, Esq.
Rao Bahadur Krishnaji Lukshman Nulkar.
D. S. White, Esq.

18th January 1887

The Hon'ble Sir C. U. Aitchison, K.C.S.I., C.I.E, *President.*
Sir C. Turner, Kt., C.I.E.
The Hon'ble J. W. Quinton, C.S.
C. H. T. Crosthwaite, Esq, C.S.
H. J. Stokes, Esq., C.S.
T. H. Stewart, Esq, C.S.
M R. Ry Salem Ramaswamy Mudaliyar, B L.
W. H. Ryland, Esq.
Rao Bahadur Krishnaji Lukshman Nulkar
D. S. White, Esq.

19th January 1887.

(As on 18th January 1887.)

20th January 1887.

(As on 18th January 1887)

21st January 1887.

(As on 18th January 1887)

22nd January 1887.

(As on 18th January 1887.)

24th January 1887.

The following Sub-Committee left for Madras:—

H. J. Stokes, Esq, C S.
M. R. Ry Salem Ramaswamy Mudaliyar, B.L.
D. S White, Esq

Present —

1 The Hon'ble Sir C U. Aitchison, K.C.S I, C.I.E., *President.*
2 Sir C Turner, Kt, C.I E.
3. The Hon'ble J. W. Quinton, C.S
4 „ „ Kazi Shahbuddin, Khan Bahadur, C.S I.
5 C. H. T. Crosthwaite, Esq, C.S
6. T. H. Stewart, Esq., C.S.
7 M. R Ry. Salem Ramaswamy Mudaliyar, B L
8. W. H. Ryland, Esq.
9 Rao Bahadur Krishnaji Lukshman Nulkar

25th January 1887.

(As on 24th January 1887.)

26th January 1887

(As on 24th January 1887)

27th January 1887.

(As on 24th January 1887.)

28th January 1887.

(As on 24th January 1887.)

29th January 1887.

(As on 24th January 1887.)

PROCEEDINGS

OF THE

PUBLIC SERVICE COMMISSION.

VOL. IV.—PROCEEDINGS RELATING TO THE BOMBAY PRESIDENCY

SECTION II.—MINUTES OF EVIDENCE TAKEN IN BOMBAY.

(SITTINGS AT BOMBAY.)

(Evidence taken by the Sub-Committee, consisting of Mr. *T. H. Stewart, the Hon'ble* Kazi *Shahabuddin,* Khan Bahadur, and Mr *Ramaswami Mudaliyar*)

WITNESS I.—13th January 1887.

Examination of Khan Bahadur Barjorji Edalji Modi, M.A., LL.B., First Class Subordinate Judge, Ahmedabad.

The *Chairman.*

1. How long have you been in the service?—I have been in the Judicial Service since 1873.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

2. You went to England in order to compete for the service?—Yes, in 1873.

3. You are a Fellow of the Bombay University and an LL.B.?—Yes.

4. Have you any acquaintance with the Statutory system?—I have to a certain extent.

Mr. *Stewart.*

5. What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—The prevalent feeling in this province regarding the existing Statutory system is one of dissatisfaction. This feeling is necessarily confined to the educated classes, who alone are competent to form an opinion on such matters The people in general—that is, the masses—hardly give a thought to a question of this kind.

6 What are the grounds upon which any such feeling is based?—The feeling of dissatisfaction is based upon the grounds—(1) that the persons appointed enter by a back door, as it were, and not by open competition, or by virtue of any recognised status in the public service; (2) that the system of nomination is, in its nature, invidious, and does not necessarily secure really good men, while it creates heartburning in those who consider themselves to have better claims; (3) that the Statutory system is looked upon as an insufficient make-weight for the exclusion of the Natives from the open competitive system, (4) that the greatly

Mr *Stewart*—continued.

reduced pay of the Statutory Civilians is apt to make other members of the service look down upon them as interlopers and inferior servants of Government.

7. Is the feeling of dissatisfaction directed against the Statute itself (33 Vic., Chapter 3, Section 6), or is it directed against the rules framed thereunder?—The feeling of dissatisfication is not directed against the Statute, but against the rules framed thereunder The Statute provides that Natives of "proved merit and ability" may be appointed, and leaves the matter of selection, pay, &c, to be dealt with by the rules to be framed under it. The rules may be so framed as to remove the objections detailed in the answer to the last question.

8. If a desire is felt for enrolment in a general service, what are the reasons for this desire?—The Natives desire enrolment in the Covenanted Civil Service by open competition in addition to the Statutory system, because they wish to contest with European candidates on equal terms, in order that all those who may prove their fitness by competition may, by right, enter Her Majesty's service.

9. What amendments do you advocate in Section 6 of the Statute? Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—I think the definition of the words "Natives of India" is sufficiently clear, full and accurate, except that, in my opinion, it should be altered so as to include a person who is not born in India, but is domiciled therein, and is born of parents habitually and not temporarily residing in India I have no other amendments to suggest in Section 6 of the Statute.

Mr *Stewart*—continued

10. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted?—The objections to the rules framed under the Statute do relate to the mode or modes of selection actually adopted.

11 Do they relate to the general conditions in regard to pay, promotion, and retiring annuity under which Statutory Civilians hold their offices?—They also relate to the reduction in the pay.

12. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—Assuming the Statutory system to be retained, I would suggest the following amendment in the rules: Selections should invariably be made from the ranks of the Uncovenanted Service Men of proved merit and ability recommended by the Heads of Departments, for instance, First Class Subordinate Judges, and Small Cause Court Judges recommended by the High Court, or Deputy Collectors recommended by the Commissioner, should be selected. This selection should be viewed in the light of promotion from one service to the other, and the person appointed should be allowed, as far as possible, to get, in his new appointment, a salary at least equal to that of the Uncovenanted appointment from which he may be promoted. He should also be allowed to occupy, in the Covenanted Service, the rank and position corresponding to his pay, and should have the right of regular promotion. Uncovenanted Civil Servants would, no doubt, under such a system, be admitted into the superior grades of the Covenanted Civil Service over the heads of junior Civil Servants. But I believe there would be no inherent injustice in the adoption of this course. Under the present system the Uncovenanted Civil Servants are kept down artificially, as it were, for years together, in an inferior service, carrying low salaries and inferior powers and privileges, although fitted by long and faithful service and experience to serve their country in the higher grades. There need be no competitive or other examination test applied in making selections from among the Uncovenanted Civil Servants. Experience in the service and fitness for promotion certified by the High Court or other high functionary, must be held to be a sufficient guarantee for the qualifications of the person selected Competition in such a case would be an unnecessary, and, to a great extent, unfair test. Competitive tests are generally designed to ascertain initial competency, to be developed by experience in the service. This is evidently unnecessary in the case of tried and experienced servants of Government. On strict principles Natives should get the same pay as Europeans, as they must be assumed to be equally competent But, in the present times of financial pressure, it may be advisable to utilize the present opportunity for the purpose of making a saving It is for the good of the Natives of India themselves, and for the beneficial government of their country, that they should submit to some reasonable scheme of retrenchment. I believe the rights of the English Civilians with regard to pay, promotion, &c, have, by express orders, been placed beyond the pale of the Commission's enquiry, and, consequently, it is not open to me to offer any suggestion under that head. But if it be deemed advisable to adjust the salaries according to the requirements of the officers, hen Natives can manage to live upon less than Europeans of a corresponding rank, and, therefore, the salaries of the Native Statutory Civil Servants may be reduced. But I am clearly of opinion that this reduction should not be so great as 36 per cent. It should not exceed 20 per cent., or at the very outside 25 per cent.

Mr. *Stewart*—continued.

13. How is the present Statutory system regarded by members of the Uncovenanted Service?—The present Statutory system is not regarded in a favourable light by members of the Uncovenanted Service The grounds for this feeling have already been given.

14. Has the Statutory system had the effect of securing men who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—The Statutory system, as at present worked, has certainly not had the effect of securing men who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service.

15 On the assumption that the Statutory system is retained, how would appointment to the Statutory service by nomination be regarded by influential sections of the Native community in your province?—On the assumption that the Statutory system is retained, appointments, by nomination, of persons who have never been in the public service before, would be regarded by influential sections of the Native community with dissatisfaction.

16. How do you consider that merit and ability should be held to have been proved?—Merit and ability should be held to have been proved for this purpose in the same way as Uncovenanted Servants, who receive promotion in their own ranks, are held to be fit for that promotion Long experience and actual good work, testified by the high opinion of superior officers, would sufficiently prove merit and ability and fitness for promotion to the ranks of the higher service.

17. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, intellectual capacity, (3) moral, social and physical fitness?—Under the system I advocate no tests of preliminary qualifications as to age, intellectual capacity, and moral, social, and physical fitness need be prescribed, as a person already in the public service and recommended by competent authorities may be presumed to satisfy all necessary tests.

18. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation?—There need be no period of probation if the method of selection I advocate is adopted.

19. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—The person selected need not undergo any special training, as the training received by him while in actual service in the Uncovenanted ranks would be amply sufficient.

20. Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England, or have gone to England to add to their qualifications, and those who have not?—I do not think

that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England, or have gone to England to add to their qualifications and those who have not.

21. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—It would still be necessary to retain the Statutory system in the manner suggested above.

22. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India?—I cannot say that it is. I believe there are certain sections of the community who advocate an examination in India simultaneously with the examination in England, the subjects, papers, examiners, &c, being identical. I think there are almost insuperable difficulties in the way of having an examination in India. These difficulties are—(1) that I do not think there are sufficient educational resources in India to satisfy the high tests required for entrance into the Civil Service; (2) that it would not do to sub-divide the Indian examination into different centres, and it would be very difficult to fix upon any one centre of examination in India as suitable to all provinces; (3) a uniform standard of oral examination in the two countries cannot easily be secured If means could be devised for overcoming these difficulties, then there would be no objection to having two simultaneous examinations, one in India and the other in England. Each examination should be open to both Natives and Europeans, and the question papers and examiners should be the same, and the two examinations should be regarded as really only one examination and results should be declared on the whole Those of the successful candidates who may have passed in India should go to England and remain there for the usual period of probation.

23. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—No, except that the age limit should be increased, and that, in the standard for the examination, Sanskrit and Arabic should be placed on a par with Latin and Greek, and Persian, Urdu, Marathi, and Guzarati with French, German, &c. Of course a Native should not be allowed to take up at the examination his own mother tongue. It may perhaps be advisable to establish a few scholarships also in order to enable deserving Natives, not possessed of sufficient means, to go and compete in England.

24. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Certain classes of Hindus, especially the orthodox Hindus of the older generation, may perhaps have caste objections to going to England. But these prejudices have considerably diminished of late, and will soon, I believe, totally die out, at all events among those classes who are fit and care to compete for the Civil Service. Those that are anxious to compete in England will go there without fear of loss of caste. Those that entertain caste prejudices against a journey to Europe cannot be held to have ideas liberal enough to make them fit members of the Civil Service.

25. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—There should be one examination for all, Natives and Englishmen.

26. In what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—Native candidates are placed at a disadvantage in respect of age. The present maximum limit of age is nineteen years. It operates as a sort of prohibitive limit for Native candidates. They cannot go to England to prosecute their studies early enough to be able to pass the preliminary test before the expiry of the age limit. The age at which they would have to go would be too tender. Even for English candidates the limit may be too low, although they, being Natives of England, are not under the same disadvantage on that account as Natives of this country. Whether the age limit for English candidates is raised or not, it is absolutely necessary, in order to give a fair chance to Natives, that the limit of age for them should be raised. The English candidates might then complain of the inequality of the two limits. Their complaint might either be just or unjust. If it is found to be just, then the age limit might be raised for them also If unjust, then they would have no right to complain. On the whole, I am of opinion that the age limit should be raised equally for all candidates, English and Native, and that it should be raised to twenty-two or twenty-three years.

27. To what extent does the Uncovenanted Service in your Province include in its ranks persons, eligible on the ground of proved merit and ability, for appointment to offices ordinarily reserved for members of the Covenanted Civil Service?—There are always in the ranks of the First Class Subordinate Judges, Small Cause Court Judges and Deputy Collectors, and others holding equally important posts, a few persons eligible, on the ground of proved merit and ability, for appointment to offices ordinarily reserved for members of the Covenanted Civil Service.

28. If there are such persons in the Uncovenanted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay?—They could not.

29. Under existing rules as to pay, &c., how would such appointment be regarded by Uncovenanted Officers?—The appointment of such Officers to the lowest grade would entail a great pecuniary loss upon them, and would not, for years together, give them any chance of rising in the Covenanted Service to the same pay which they last drew in the ranks of the Uncovenanted Service. These drawbacks would be too much for them, and they would thus be compelled to forego admission into the Covenanted Civil Service, while persons considerably their juniors would willingly consent to begin with the lowest grade of the Covenanted Service, and thus obtain, by a sudden leap, an enormous advantage, both in rank and future prospects, over their senior and, presumably, abler and more deserving brethren in the service.

30 What special provision, if any, do you think should be made for the appointments to Covenanted posts of deserving members of the Uncovenanted Service?—In case open competition in England on equal terms with Europeans is retained, then, politically, it may become necessary for the

preservation of British rule and British supremacy, that a provision should be made, reserving the very highest administrative posts for the Europeans, and also fixing a certain percentage, say 50 per cent, as the maximum proportion of Native candidates passed in any one year to the entire number passed in that year I think that some such restrictions were contemplated by the Committee appointed by the Secretary of State for India, consisting of Sir J P. Willoughby and others, who made their report on the 20th January 1880, in paragraph 2, of which they expressed their opinion to the effect that Natives of India should be employed in the administration of India to as large an extent as possible "consistently with the maintenance of British supremacy." In order to compensate the Natives for these restrictions, it should be provided that every year one Native in each province should be promoted from the ranks of the Uncovenanted Civil Service to the Covenanted Civil Service, as a reward for proved merit and ability, and should be placed in the grade which will give him the same or nearly the same pay as that of his last appointment.

31 If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service, and if so, what classes?—Judicial appointments should ordinarily be restricted to the subordinate judicial officers in the Uncovenanted Service, and Revenue appointments to the Revenue officers.

32. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—The appointments made from the ranks of the Uncovenanted Civil Service should not be provisional, and the persons appointed need not be required to pass through a period of probation.

33. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the higher Covenanted offices without requiring them to pass through the lower grades?—This is almost the only way—and it is, I think, a very appropriate way—of satisfying the legitimate aspirations of Uncovenanted Servants of proved merit and ability

34. If certain appointments in the Covenanted grades are set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service?—Appointments to the Statutory Service should, as a rule, be from the Uncovenanted Service.

35. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—If the Uncovenanted Service were made open to all natural-born subjects of Her Majesty, including persons of pure European descent, then all services in India, from the highest to the lowest, would in course of time be flooded with persons who are not Indians I believe that this is neither the object nor the intention of British rulers.

36. If not, how would you treat, in regard to pay, persons selected from these two classes, if appointed to the lowest grade of the Covenanted Service?—If persons from the Uncovenanted Civil Service are appointed to the lowest grade of the Covenanted Service, then some means should be devised to make it worth their while to accept the Covenanted Service under such conditions If the salary of such a person in the Uncovenanted Civil Service is only moderate, say Rs. 500, then his initial salary in the lowest grade of the Covenanted Civil Service should not be less than that sum. His promotion would, of course, be practically stopped until he attains a rank carrying the pay equal to that sum on the 75 per cent. scale. If he is already getting high pay, say Rs. 800, in the Uncovenanted Civil Service, then he must, in the ordinary course of things, be an experienced Government servant of many years' standing. He should not only get that same pay in the lowest grade of the Covenanted Civil Service, but should, besides, be allowed full pay, and not 75 per cent. only, when his time for promotion arrives. This time must, in his case, arrive very late, and if he is thrown back on 75 per cent, he will probably become liable to be retired on pension before he obtains any considerable increase, or perhaps any increase whatsoever, to the pay with which he started. A better solution of the problem is, in my opinion, that which I have already mentioned above, namely, that the Uncovenanted Civil Servant should be appointed to a rank in the Covenanted Civil Service corresponding in pay with the pay he drew in the Uncovenanted Civil Service, the pay of the Covenanted post being taken at 75 per cent.

37. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England, and to persons holding Covenanted posts who do not enter through that channel?—I think there should be no difference. Any such distinction would be invidious and unnecessary, as persons appointed from the ranks of the Uncovenanted Civil Service must be presumed to be quite as fit for the posts to which they are appointed as persons who have originally entered the service by competition in England.

38. How, then, do you justify the application of the same rates of pay in the case of Natives who have satisfied the very high tests required by the examination in England and Natives who have not?—*Cæteris paribus*, Natives who have satisfied the very high tests required by the examination in England would certainly be entitled to better consideration and better pay than those who have not. But I altogether deprecate the appointment to the Statutory Service of raw youths by nomination. I propose the appointment of tried and experienced Uncovenanted Civil Servants only. They stand on quite a different footing from untrained probationers who have not passed the English Competitive Examination.

39 How far would any system of appointment which involves a journey to and residence in England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—I do not think that a journey to and residence in England entails at present the same caste disadvantages upon Hindus as it did several years ago. The prejudices are, I think, wearing off. Besides, on high administrative grounds, I think residence in England is essential.

40. How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are

wealthy enough to undertake the cost of a journey to and residence in England?—If simultaneous examinations in India and England be decided upon, it would be a convenient arrangement for Natives, although, no doubt, they would have to reside in England for a couple of years after they pass the preliminary test. But if it should be found necessary to hold the examination in England alone, then Government should, I think, establish a few scholarships to be competed for by the Indian candidates, so that those candidates who are not wealthy, but yet are deserving and able, may have a fair chance equally with those who are wealthy enough to undergo the cost of the journey and residence in England. Scholarships may also be established by the private liberality of wealthy and patriotic Natives.

41. Does a voyage to or residence in England involve the loss of social position or other unfavourable consequences in the case of any section of the Native community?—I do not believe that now-a-days a voyage to or residence in England involves the loss of social position or other unfavourable consequences in the case of any section of the Native community.

42. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to and residence in England?—No special provision should be made in favour of Natives who object, on religious or other similar grounds, to undertake a journey to England or to reside there.

43. How far should appointments in each province to Covenanted posts be restricted to Natives of the province concerned?—Appointments made according to the result of the open competition should be regulated by the choice of the candidates, as is done at present. Appointments made from the ranks of the Uncovenanted Civil Service should be restricted to Natives of the province concerned.

44. How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates?—I believe the Native community would regard it with favour. I would myself regard such a scheme with favour.

45. On what principles should the promotion of Natives appointed to Covenanted posts, otherwise than by the channel of the competition in England, be regulated?—On the same principles as are applied in the case of persons appointed through the competitive channel.

46. Should Natives appointed to Covenanted posts be required to pass the Departmental examinations?—Natives promoted from the Uncovenanted to the Covenanted posts need not be required to pass Departmental examinations.

I would add here that I think subjects of Native States in subordinate alliance with the Crown should be eligible for appointments to the Covenanted posts in British India.

47. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—I am not aware that it is regarded as unsatisfactory by any influential sections of the Native community.

Vol. IV. Sec. II. Bombay.

Khán Bahadur *Barjorji Edalji Mody.*

48 Is it, in your opinion, necessary that there should be a proportion of Europeans either in the Subordinate Executive Service, or in the Subordinate Judicial Service, or in both of those services?—In my opinion it is not necessary.

49. Are you in favour of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions?—I think the present tests for appointment to these services work well, nor is the rule laid down about age objectionable. Candidates for the Subordinate Judicial Service are required to pass the Subordinate Judge's or the LL.B examination, and those for the Subordinate Executive Service the lower and higher standard examinations I think these tests are satisfactory, and secure good public servants. The only alteration I would suggest is that, taking into consideration the progress which education has made, no candidate should be held eligible for the Subordinate Executive Service unless he possesses an Arts degree. I think the Subordinate Judge's examination is high enough to dispense with the necessity of a degree, and an LL B. always possesses a degree in Arts. I do not think it is possible to devise any one system which would be equally applicable to all provinces. It would be convenient to leave the local Government of each province to frame its own rules in such matters.

50 You say that the definition "Native of India" is not clear?—It is not.

51. You think the definition ought to be made clearer?—Yes, for it might mean that a Native of India born in England would be excluded.

52. You think the definition should include Natives of India wherever born?—Yes.

53 Would you suggest any other change in the Statute?—I am not at present prepared to do so.

54 Would you say that there should be any alteration in the rules?—I should first like to read a copy of the rules. I have a strong feeling in favour of equal pay being given to all Civilians, whether European or Native, who have passed the prescribed test.

55. Dou you mean those raised from the Uncovenanted ranks to the Civil Service?—Yes.

56. Supposing the Statutory Service were retained, what privileges would you give to the Natives of Feudatory States?—The Natives of Feudatory States might be admitted.

57. Supposing the Statutory system to be retained in its present state, would you advocate those selected being sent to England?—Yes.

58 Would you admit persons who have qualified for the Bar, or for any other profession?—I would not open the door to them at all. The competition ought to be between persons in the service itself.

59 Would you appoint persons of noble family to the service?—Yes.

Mr. *Stewart*—continued.

60. Supposing they were appointed to the Statutory Service, what allowance would you give them to commence with?—The same as the other men.

Mr. *Ramaswami Mudaliyar.*

61. Should not a man who has distinguished himself at the Bar be admitted to the Statutory Service?—Certainly not My reasons are that a man who has distinguished himself at the Bar, or in Medicine, would not care to accept such an appointment There is no reason why those who have not distinguished themselves should be appointed, and, besides, if either of these classes were appointed, it would introduce a sort of laxity in the system.

62. Should a man promoted from the Uncovenanted Service be placed at the bottom of the list of the Covenanted Civil Service?—He should take his proper rank and receive the proper pay.

Mr. *Stewart.*

63. Supposing a man, after serving for fifteen years as a Subordinate Judge, was appointed a Second Grade Judge, should he get the full salary of that grade?—He should.

64. Should he have his name put on the list next to a Junior Collector drawing ₹1,800 a month?—He should be put at the bottom of the list of those already drawing ₹1,800 a month.

Mr. *Ramaswami Mudaliyar.*

65. Supposing a Subordinate Judge were appointed a District Judge, should he rank with a District Judge of the Covenanted Service, and should he be placed at the bottom of the list of District Judges and not below the Assistant Judges?—He should be placed at the bottom of the list of the District Judges.

66. You say that persons who had made their mark at the Bar would not care to enter the service?—Yes, and I would exclude them altogether. It would be a sort of nomination system, which I do not like.

The Hon'ble Kazi *Shahabuddin,* Khán Bahadur.

67 What would be your standard of ability?—Recommendation from the higher authorities.

68. These higher officers may in some cases think that men not in the service are better qualified for these appointments · would you in that case tie their hands,—that is to say, if a man at the Bar was very successful in his career, should he not be appointed?—Yes, if he obtained the recommendation of the Judges of the High Court.

69. If the Agent, Governor General, Central India, should recommend a Vakil for his high abilities, would you advise that he should be appointed?—I would tie his hands to this extent, that members of the Bar of proved abilities only should be recommended

The Hon'ble Kazi *Shahabuddin,* Khán Bahadur, —continued.

70. But supposing he was a Vakil and not a Barrister?—Then he would be quite ineligible.

71. Then you would not give discretionary power to the local Government or to the Government of India even?—I would not, unless it was expedient to do so for political reasons.

Mr. *Stewart.*

72. Then you modify your previous answer?—There should be a rule that Government be allowed to reward men of merit by appointing them as Inamdars, giving them jagirs, &c.

The Hon'ble Kazi *Shahabuddin,* Khán Bahadur.

73. And not to the service?—No.

74. Supposing we wanted a man—for instance, a good surveyor—to go to Thibet, and he was in every respect qualified, would you not open the door to him for admission to the Covenanted Service?—The competitive system already ties the hands of Government.

75. Would you exclude even University men who have obtained honours?—Yes, unless they have been in the Public service.

Mr. *Stewart.*

76. At present the rules require the sanction of the Government of India to appointments under the Statute to posts in the Covenanted Service. Would you require that that power should be exercised by a higher authority even—I mean the Secretary of State for India?—It does not matter, but I think the sanction of the Governor General would be sufficient.

77. Don't you think it would cause jealousy among the Covenanted Civilians if Uncovenanted Civilians were placed in the higher grades?—For instance, supposing the Oriental Translator to Government or some such official was promoted to a higher paid post reserved for the Covenanted Service?—I do not think it would create any jealousy if they were placed under the officers just senior to them.

78. You are not in favour of changing the place of examination at all?—No, I should prefer having the examination held in England, but if the difficulty of doing this cannot be obviated, it would be better to have two examinations simultaneously.

79 Do you think the difficulties you mention are insuperable?—They are almost insuperable.

80. Supposing the examination was still held exclusively in England, would you give encouragement to Natives to compete?—I think scholarships might be established by Government. It is expensive for Natives to go to England.

81. Do you consider that there is any caste prejudice or objection to sending children to study in England?—Not being a Hindoo, I will not say that there are not some prejudices, but I am certainly inclined to think that, according to the present rate of progress, those prejudices will before long die out.

82 Would you alter any of the present subjects of examination?—I believe that some of the

Mr *Stewart*—continued.

Vernacular languages should be introduced. For instance, Sanscrit ought to have equal marks with Latin and Greek.

83. Would you make any concession as regards Persian?—Yes, I would give it the same marks as French and German.

84. You are not opposed to holding an examination in India?—Certainly not.

85. Supposing a simultaneous examination was held, would you have the subjects of examination identical in both centres?—Yes, I would.

86 Supposing the examination was held in India, would you have one centre or several centres?—I would have only one centre, but that one centre ought to be of such a nature as to be one examination for the whole of India, and one centre I think would be more convenient. I would have one fixed centre.

87. Where would you have it?—I would prefer Bombay I am in favour of Bombay because I belong to this Presidency.

88 Would you have the successful candidates all placed on one list?—Yes.

89. Supposing you had the examination in India, would you have the successful candidates go to England for a period of training?—I would they should have only their preliminary test in India.

90. Would you have no selection for special provinces?—Ordinarily selections for the appointments in a particular province should be confined to the candidates belonging to that province Candidates would be willing to serve in their own provinces

91 In Bombay, for instance, do you think it would be of particular advantage for a man, say a Brahmin, to stay here?—I think it would be

92. Do you know any Native gentleman who, having been successful in the open competition, is now in the service?—I know some.

93. Would you give us your opinion of the gentlemen you refer to?—I believe they are very competent

Mr. *Ramaswami Mudaliyar.*

94 Do you think there is any feeling that people of other provinces should not serve in the Bombay Presidency?—The experiment has not been tried sufficiently, but there is Mr Tagore from Bengal, who is serving here as a Sessions Judge and who is very much liked by all.

Mr. *Stewart*

95. Supposing a Parsi were appointed to Dharwar?—As far as my experience goes I do not think there would be any dislike to him.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

96. Are not Brahmins largely employed in Guzerat, and is there not a feeling of dislike shown towards them?—I believe there is a sort of class dislike amongst the people in Guzerat.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur, —continued.

97 What classes in Guzerat generally get official positions?—Hindus, Parsis, and, as a matter of fact, all classes.

98. Would they like people of other communities to come in,—that is to say, people from the other provinces?—Well, I suppose they would prefer having their own people.

Mr *Stewart.*

99 There are many Parsis, I suppose, in Guzerat Are they appreciated by the Nagars?—The feeling is against having too many Parsis in a Hindu population.

Mr. *Ramaswami Mudaliyar.*

100. In the Uncovenanted Services?—I am talking of the Uncovenanted Services.

Mr. *Stewart.*

I suppose you have been chiefly engaged in Civil duties?—Yes.

101. Do you approve of pure outsiders being appointed to the position of Deputy Collector?—No, I do not.

102. What test would you apply in their case?—A test of their knowledge of Revenue matters coupled with a University degree. Education is now so advanced that it would be easy to find many candidates to seek such service.

103. Would you shut the door against those who have not had a University education?—No, I would not.

104 Would you advocate a scheme for promoting Mamlatdars to Deputy Collectorships?—I think there is no objection to the present system being retained.

105. Supposing you were to abolish the Statutory system which, as it is now, gives one appointment in every six to a Native of India, would you give that one appointment to a member of the Uncovenanted Service?—I would.

106. Instead of putting a Statutory Civilian in for one of the six appointments, would you take a man from the ranks of the Uncovenanted Service?—I would.

Mr *Ramaswami Mudaliyar.*

107 How do Mamlatdars compare with the Subordinate Judges as regards educational attainments? Are they as competent?—No, I think Subordinate Judges are superior

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

108. Are the duties of the Mamlatdar very different from those of the Subordinate Judge?—Very different.

Mr. *Ramaswami Mudaliyar.*

109. Do you personally know whether objections have been made to Subordinate Judges trying suits on account of their partiality?—I have not heard of any.

Khan Bahad
Barjor
Edal
Modi

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

110. Supposing a dispute took place between a Bania and a Parsi, would the Parsi object to his suit being tried by a Bania Judge?—He might, but at present I am not aware that there is any party feeling against Banias among Parsis.

111 You do not think that the Statutory system is a good system from an economical point of view?—I mean to say that men, Europeans or Natives, holding similar posts should get the same pay. At the same time I admit that Natives can live on less pay, but the principle which makes a distinction between races is a bad one, and ought not to be adopted.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur, —continued

Mr *Ramaswami Mudaliyar.*

112. Do I understand you to say that R200 a month for Statutory Civilians on first appointment is enough?—It is rather small, but of course it would be enough for a time.

WITNESS II.—13th January 1887.

(By the Sub-Committee)

Examination of Rao Bahadur Chunilál Venilálл, Deputy Collector, Broach

Mr. *Stewart.*

113. What position do you hold in the service?—I am Deputy Collector of Broach. I have passed through all the grades leading to that appointment.

114. How many years have you served?—Next June I shall have completed forty years' service. For twenty-three years I have been Deputy Collector

115. Of what province are you a native?—Of Guzerat

116. Of what caste?—I am a Brahma-Kshatriya

117. Do you know any Civilians who have been appointed to the Covenanted Service under the Statute?—I know three.

118. I suppose you have talked over the subject with your friends in Guzerat?—I have; they have expressed dissatisfaction with the system.

119. As regards the rules, or with the Statute itself?—Dissatisfaction is expressed because Statutory Civilians do not enter the Service by the same door as Covenanted Civilians, and yet, at the same time, they rise to posts similar to those held by Covenanted Civilians. It is generally said that the present system of appointment affords no satisfactory test of the abilities of Natives appointed under the Statutory rules.

120. Do you propose to substitute anything for the Statutory system?—I would abolish it altogether, and would occasionally give men of approved merit in the lower service higher appointments.

121. Supposing that the Statutory Service is retained, would you put young men of good family into it, and if so, would you advise that those young men should be sent to England to go through a prescribed course of training there?—I do not think it would do any good. The Statutory system is not at all looked upon with favour by the people.

The Hon'ble Kazi *Shahabuddin,* Khán Bahadur.

122. You say you would abolish the Statutory system altogether?—Yes.

123. You are aware that in Guzerat, before the British rule in India existed, there were old Rajput, Mahomedan, and Girasia families who were in an affluent condition?—Many.

124. In what condition are these families now?—In a decayed condition.

125. What is the cause of that?—Want of education.

126. That is to say that the educational attainments required by the British Government are not found in them?—Yes.

127 Do you think that, for political reasons, since this change of rule has reduced to poverty so many old families, their young men should be invited to compete for the service, or would you

The Hon'ble Kazi *Shahabuddin,* Khán Bahadur —continued.

require every post to be filled by a B A or an M A? Would you not give any discretionary power to Government in appointing young men to vacant posts?—It would be proper for Government to put these young men into the Uncovenanted Service for training, and then preference should be given to them when openings occur If they have passed an educational test at a prescribed examination, they should be employed in the lower subordinate service, and then, if they have shewn their fitness, they should be promoted.

128. That is to say, you would have Nagars or Dukshani Brahmins, who are the most forward classes, appointed?—Yes; when two candidates have equal merits I would treat them equally.

Mr. *Stewart.*

129 Do you think that there is any danger in the Bombay Presidency of there being difficulties as regards these appointments on political grounds?—I do not think that the Statutory Service is created to provide for noble families,—that is, so far as I am aware, it was not.

The Hon'ble Kazi *Shahabuddin,* Khán Bahadur.

130. Say, for instance, they were appointed as Police Superintendents or as Assistant Police Superintendents?—These people allow their sons to go astray, and that is a great reason for their decayed condition.

Mr. *Ramaswami Mudaliyar.*

131. You said you were acquainted with three Statutory Civilians?—Personally, I am acquainted with one.

132. Do they belong to high families?—One is said to belong to the family of a Sardar; another to the family of an Inamdar, and the third is Mr. Bomanjee of Bombay.

Mr. *Stewart.*

133. Is any dissatisfaction felt as regards the recruitment for the Covenanted Civil Service?—No dissatisfaction is expressed here.

134. Do you advocate any change in it?—No, I would have the men selected by competition in England.

135. Would you have any change in the age?—I would have the maximum age at twenty-one and the minimum at eighteen. By English law the age of twenty-one is fixed as the age of attaining majority; according to the Native law it is eighteen.

136. Do you think that great hardships are caused by requiring Indian candidates for the Civil Service to compete in England?—Well, it

Mr. *Stewart*—continued.

causes great expense to them, and parents of course do not like their boys going away.

137. But still you would have the examination in England only?—If you have a simultaneous examination in England and in India, parents will still have to send their boys to England for two or three years. The question papers, besides, must be prepared in England, and at the least they would take eighteen days to reach here, and there is no certainty that they will not be got at.

138. Have you any other reason for objecting to hold an examination in India?—Yes, the system of education in India is a failure. Moreover, having one examination in England leads only those who are in a good position to go there, and the Civil Service ought certainly to be a noble service.

139. Do you think that having to go to England secures men of good family?—I think it does.

140 Would you alter the present subjects of examination in England; would you have any alteration in the marks given for any of the subjects?—I think an Indian language should be added to the subjects The marks for Sanscrit and Arabic should be raised.

141 To what standard?—To the standard of Latin and Greek.

142 Would you adopt special steps to encourage Native gentlemen to go to England to compete for the Civil Service?—I would not.

143 You would keep the present difficulties in their way as a sort of handicap?—It is desirable that the Civil Service should be composed of respectable people.

144. Supposing the examination were to be held in India, would you require the selected candidates to go to England in order to complete their training for the service?—For that very reason I am against an examination being held in India. If a simultaneous examination were held, why should the candidates in India go to England? I would rather have those candidates first placed for their training in the Uncovenanted Service.

145. Do you know any Native Civilians who were appointed to the Covenanted Service under the competitive system?—Yes, I know three—Mr. Thakúr, Mr. Tagore, and Mr. Khareghat.

Mr. *Ramaswami Mudaliyar.*

146. Your objection to having a simultaneous examination is mainly a technical one, but you also say you have another objection, which is, that all classes of society would be able to compete. Supposing the Indian examination is identical with the one held in England, would there not be a guarantee that those who have had a high education and are able to compete must have a certain position in society?—In India there is such regard for caste that men of low position will not be respected.

147. Is that your experience in the Uncovenanted Service?—Yes.

148 If a man is good and honest, would he not be respected if holding a good position?—I do not know in the service at present any one who is of a low caste.

149 Do you not think that by confining the examination to England you deter many young men of these families from competing for the service?—Yes.

Mr. *Ramaswami Mudaliyar*—continued.

150. Do you not think that is unfair?—It may be in one sense; but as far as the interests of the public service are concerned, it is not unfair.

151. Why?—It is advisable, in the interests of Government, to have men of good family in the service.

152. What makes you believe that competition in India would bring men of lower families to compete?—Because the examination would be held in their own country.

153. In selecting officers, after they are once admitted, do you think that ability ought to be looked to?—Oh, yes.

154. Are you aware that anybody can compete in England?—Yes.

155. Anybody, however humble his position may be?—I suppose some sort of certificate is required from candidates before they are admitted to the examination.

156. There is no prohibition against men belonging to the very humblest position from competing?—But then there is this distinction as regards Englishmen that we in India do not, as a rule, know what their families are—that is to say, the social status of their families—; but here, in India, a Native is known, because he comes from the country itself.

157. If a man of one province were to serve in another, would that be the case?—There would still be some connecting link.

158. What do you say about the Queen's Proclamation, which declares that no one shall be excluded by birth or other reasons from occupying a post, provided he is competent?—I say that examinations in India have many drawbacks. Three things are to be taken into consideration—family, *i.e*, social position, respectability and merit.

159. Supposing a man has merit, should he be excluded on the ground that he is not of good social position?—No, not if he is of good family.

The Hon'ble Kázi *Shahabuddin*, Khán Bahadur.

160. With reference to the grounds you have mentioned against holding examinations in India, supposing you got candidates from good families, would you then object to the examinations being held in India?—I would modify my objections to a certain extent.

Mr. *Stewart.*

161. With regard to the Uncovenanted Service, referring only to three classes of officials, *viz*, Subordinate Judges, Deputy Collectors, and Mamlatdars, would you consider as eligible for those posts all natural-born subjects of Her Majesty?—Yes.

162. Would you recruit that service by nomination or competition?—I suppose the present system of examination works well.

163. Would you retain the present system?—I would, because under that system I think you get good men. I would put graduates and non-graduates on a par.

164 Whom do you mean by non-graduates?—I would promote people who have already served many years under Government.

165. Is any dissatisfaction expressed with the system here of giving preference to graduates over

Mr. *Stewart*—continued

non-graduates who have served many years in the service?—Yes.

166. As regards Deputy Collectors, would you make any change in the system?—No, I think that nomination to Deputy Collectorships without requiring that the nominee shall have served as Mamlatdar should be put a stop to.

167. Do you know anything about the appointment of Subordinate Judges?—They are made from a general list which is kept by the High Court and Government. There are the District Court Pleaders' examination and the Subordinate Judges' examination. Those who obtain higher marks are admitted as High Court Pleaders; those who obtain lower marks are admitted as District Pleaders.

168. Would you approve of members of the Bar being appointed Subordinate Judges?—Yes, if they have passed for the higher Bar · still I think the present test is sufficient.

169. Do you prefer provincial recruitment for the Uncovenanted Service?—I do.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur

170. You say no direct appointment to Deputy Collectorships should be made?—Yes.

171. For what reason?—Because then you do not get trained people

172. The present system has been in existence since Sir Erskine Perry's time, and many Deputy Collectors have been appointed direct?—Yes.

173. Do you know any of the first batch of men so appointed?—Yes; they were not men of practical ability.

174. You say that a good deal of dissatisfaction is felt regarding the appointment of Mamlatdars from the undergraduates?—Yes, in the lower grades.

Mr. *Stewart*.

175. Do you think that to be an efficient Mamlatdar requires very great knowledge in land tenures and such matters?—Certainly.

176. You have graduate Mamlatdars under you?—No I have never had graduates serving under me.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

177. Do you not think that graduates look upon the work of a Mamlatdar as inferior?—Yes, in the beginning they did so, but now they have become reconciled to the work.

178. Do graduates make good Magistrates?—Not practical Magistrates. In intricate cases they are not able to solve a question.

179. With regard to the Statutory Service, do you think the pay ought to be the same as given to those of the Non-Statutory Service?—No · Europeans, of course, have many items of expense to incur.

180. A Statutory Civilian gets ₹200, a month to commence with. Do you think that is sufficient?—I think it is. It is equal to the pay of a Mamlatdar, who has already served Government for twenty years.

181. What pay would you give a Statutory Civilian?—Two-thirds of the pay given to a competitive Civilian.

182 You say you would pay Statutory Civilians less than those of the Covenanted Service, because Natives have less expenses to bear?—I say that a European has to keep his children at home for a time. If his wife becomes ill, he has to send her home, which costs about ₹1,000 for her voyage there and back. If he himself becomes ill, it costs him the same amount.

Mr *Stewart*.

183. Would you have a distinction as regards furlough rules between Statutory and Covenanted Servants?—I would

WITNESS III.—17th January 1887.

Examination of W Lee Warner, Esq., M.A., Acting Secretary to Government (Judicial, Political, and Educational Departments), Bombay.

Mr. *Crosthwaite.*

Vol IV Sec II Bombay. — *W Lee-Warner, Esq*

184. You are Acting Secretary to Government in the Educational, Political, and Judicial Departments?—Yes.

185. Will you tell me what positions you have occupied before?—In the Educational Department I have been Inspector of Schools in Sind, and Acting Director of Public Instruction. In the Revenue Department I have been Assistant Collector through the various grades, and Acting Collector. In the Political Department I have been Assistant Political Agent at Sataia, and Acting Political Agent at Kolhapore; and in the Political Secretariat I have been several times on special duty. I was Under-Secretary to the Local Government, and subsequently to the Government of India, and at present am Acting Secretary to this Government. In Sind I was Assistant to the Commissioner

The *President.*

186. Is the evidence that you are about to give your own opinion, and not as representing Government?—Entirely, absolutely without any communication with the Government.

187. Is any dissatisfaction felt with regard to the existing system of appointing Natives, as Statutory Civilians, to posts reserved for the Covenanted Civil Service? If so, what are the grounds of dissatisfaction?—I think that there is some dissatisfaction, but it varies according to the various classes. Generally, I think; there is a feeling that the system of selection leaves too much to the favour of Government and the accident of being known at headquarters. There is another objection on the part of men in the service of Government, who feel that it would be better if promotion were made to the Statutory Service instead of the present system of bringing in younger men, who, so far as official duties are concerned, are not of proved merit or ability.

188. Is any dissatisfaction felt from the fact that appointments under the Statute must be to particular posts instead of to the Service?—There is dissatisfaction, undoubtedly, on the part of the men already in the service of Government, that they cannot be promoted to something higher than the lower grades of the Covenanted Civil Service At present, however, the Statute is used entirely to bring in young men of good family, so that the objection hardly applies to the present method of working.

189. Are your objections against both the Statute and the rules?—My views are in favour of enlarging the Superior Native Civil Service and giving it larger prizes than it now has. I would entirely alter the whole system of appointments to it

190. That is, by an amendment of the rules, not by an amendment of the Statute Do you wish to amend the Statute?—I wish to amend the Statute.

The *President*—continued.

191. In what respect?—I wish to make it impossible to appoint to the Covenanted Civil Service, as reduced in numbers according to the scheme I am about to propose, any Indian candidates except those who have passed the door of the open competition in England. I propose two wholly distinct services—a Superior Civil Service of India, which I should like to reserve entirely for Natives (in the Statutory sense) of this country; and I wish to have a narrower Directive Service, which should, as far as possible, be manned by Englishmen, and in regard to which no concession should be made in the way of holding simultaneous examinations, or reducing the standard, so as to help Natives to reach it They must reach it exclusively by the English door. It should be a fair field for all British subjects of Her Majesty. I am in a difficulty in suggesting an improvement to the Statute for the reason that I want to give to the Natives a grand career on the spot, open only to themselves, leaving to Englishmen that direction of the Indian administration which, so long as we govern India on English principles, and these principles are not part of the social, religious, and moral life of India, we must maintain

192. Would you alter the definition of the term "Native of India"?—I think the definition as explained is quite sufficient; I see no reason to alter it, except to admit the subjects of States in subordinate alliance with the Queen, and all the children of Europeans really domiciled and settled in India.

193. If the Statutory Service is retained, would you send selected candidates to England for training compulsorily, or would you only encourage them to go?—Assuming the Statutory Service to be retained, and assuming preference still to be given to birth, I should prefer to send them to England.

194. Compulsorily?—Compulsorily. Although I recognise the objections entertained by some classes in Bombay to going to England on religious and caste grounds, still I think they would give way. In my opinion all selected candidates for the Covenanted Civil Service should spend two, at least, or three years in England. Where at present there is an ineradicable religious feeling against going to England, I would not do violence to that feeling by compelling such candidates to go to England, but I would encourage it. I am, however, really not in a position to argue on this line, because my main argument is that the Statutory Service should go, and then this difficulty goes with it.

Mr. *Crosthwaite.*

195 Have you had any acquaintance with any of the Statutory Civilians appointed in Bombay?—The system has been developed since I left District life in Bombay, and, therefore, personally, I know only three or four of the Statutory Civilians. I have never had any working under me, still I am acquainted with three or four of them.

Mr. *Crosthwaite*—continued.

196. Can you speak as to their capacity?—One of them I consider a most capable officer, but he had already served under the Government of a Native State, and had obtained considerable experience before he entered the Statutory Civil Service; of another I cannot give a good account.

197. Are they men of high family?—It is difficult to answer that question. The Indian notion of aristocracy depends on caste, and differs from that which creates the social feeling of England. Here members of a whole caste are considered more or less of good family.

198. Do they belong to families of large local influence?—On the whole not so much as one would expect. I may say conspicuously less than one would have expected, considering the importance attached to social standing in the selection of candidates under the existing rule

Sir *Charles Turner*

199. Are there many influential native families in this province, families the descendants of Sardars or Princes whose position commands the allegiance of a large number of other natives?—I think there are sufficiently large numbers of old and influential families. We have not got that landed aristocracy that the different land systems produce in other parts of India, but there is a large number of historic families, the names of which every one acquainted with the history of the Mahrattas would at once accept. I have been thrown of late somewhat frequently into contact with that class, and I think they do feel strongly that their claims are somewhat more overlooked in filling up Statutory appointments than they think they had a right to expect.

200. Are the sons of such families generally receiving a fair English education?—Some of them are beginning to receive it, and a few are able to speak English excellently, but they rarely go through the college course. They become young gentlemen at home.

201. Do you think that the abstention on the part of Government from appointing the sons of such families has been due to the difficulty of finding men properly qualified for official employment?—The system is so new, and the appointments have been so few, and there are so many classes to be considered, that I do not think Government can be held to blame. The system has not had time enough to work.

The *President.*

202. What has your recruitment been?—One a year or thereabouts.

Sir *Charles Turner.*

203. I understand you to say that the appointments that have been made have been from families which were not, strictly speaking, families of influence?—Looking at the appointments as a whole, the distinctly superior social standing which seems to have been postulated by the present system is not represented as fully as might have been expected

204 I think you said you wished the rules to be amended so as to exclude this question of family. Did I rightly understand you?—I did not mean to exclude the idea of family, but the notion that it is a great thing to get into the Covenanted Civil Service The time seems to have arrived for a large Indian Uncovenanted Civil Service on a broad basis. I do not think it should be thought a thing to be grasped at, to get into the Covenanted Service otherwise than by one door. The superior service of India, which I propose, should be regarded as an honourable service.

Sir *Charles Turner*—continued.

205 Do you wish to retain the qualification of birth as a consideration in filling appointments in the public service in India?—I wish to have a Haileybury in every large province, and for entrance into that Haileybury I would, at first, both nominate candidates and select candidates by competition. I would nominate very carefully the representatives of all classes of the community, so as to equalise competition. I would then leave it to competition to determine which of the young men admitted into that college for a three years' course should pass out of it into the higher posts of the service.

206. Would you still give a preference to men of good family?—In nominating I should consider birth and include a proportion of boys of family and influence I do not think birth should be altogether disregarded.

207 I understand you to say that you would retain the definition of "Natives of India" in the Statute as it is, if the Statute is not repealed. Should the term "Native of India" include persons born and domiciled in India of parents habitually resident therein?—Yes

208 The construction of these words has been held to mean that when the father is a European domiciled in India, and the son born out of India or in a Native State, that son is not a Native within the Statute, but that if his elder brother was born in India, or his younger brother was born in India, would both of them be Natives of India?—I think that is defective certainly, and all sons of a man settled in India, wherever born, should be held to be in the same position as those born in India.

209. Would you include in the definition of the term "Native of India," if the Statutory system be retained, persons born in the territories of Native States?—Yes, I have already expressed that opinion. We have had considerable difficulty in this Presidency from the exclusion of subjects of Native States The restriction has hampered me once or twice. I look on it as quite illogical and inexpedient to exclude the subjects of a Native State, which is protected by us and is in alliance with Her Majesty. Many of them own property in British India, the great bulk of them in fact, they are often men of family and have weight in the country; their properties are surrounded by British territory, and, as a matter of fact, in this Presidency, we are constantly asked to give such men a naturalisation certificate, though they do not wish to live here, to enable them to pass the law examinations of the High Court.

212. There is also a certain unity, an identity of interest?—Yes, I quite agree. I look upon it as a distinction that should never be maintained. I have the same sort of feeling with regard to aliens, that they are the same as ourselves in India.

213. Do not the Feudatory States which are connected with this Presidency largely employ Natives of this Presidency?—They largely employ them as higher officials.

214 And in the subordinate ranks of our service are there not many subjects of Native States employed as clerks?—Yes.

Sir *Charles Turner*—continued.

Vol IV Sec II. Bombay.

W. Lee-Warner, Esq

215. Do Natives of India labour under any, and, if any, what disadvantages in competing for employment in the Covenanted Civil Service?—Natives are dissatisfied with the limitation of age, and the obligation to go to England I would not make any concessions to Native opinion in this matter.

216. Will you give us your reasons?—I think we must, first of all, enquire upon what principle we are going to fulfil our responsibilities in India. It seems to me that, for some years to come, England being responsible for the government of India, she must direct the policy of India. I think that that direction should be in English hands until certain social, moral, and intellectual changes have taken place in India, which it will take some time to bring about If England is to direct the Indian administration, she can only do so in one of two ways either you must have a small body at the head to direct the whole machine, or you must have a leaven of your British administrators throughout your whole administration; and I fear that the Natives of this country would, in the latter case, be edged out if you leave it open for Englishmen to be put in subordinate grades of the services. That opening might prove dangerous to the rights of Natives of this country in their own administration, and, therefore, it would be better to reserve the English contingent for the higher grades of the service, keeping the Covenanted Civil Service (call it a Directive Service), and reducing it in numbers, if possible. To this you should allow the Natives of this country to be eligible, but only by passing them through precisely the same conditions as the English boy that comes up for examination. Thus, for the sake of my argument, I have to express the expectation that but few Natives will get into the ranks of the reduced Directive Civil Service. The *quid pro quo* is that they will have a large service exclusively reserved for them in their own country. That service should be separately organised for every province; it should consist of all Statutory appointments and any you can give out of the Civil Service. Into this administrative service all Indians should come through the door of your Haileybury colleges in different parts of India. Each college should be the very best college that you could make, you should have the largest supply of English Professors, the young men should have their debating club, their cricket ground; and, above all, it should be on the residential system under the supervision of an English Principal: you would then be able to have some guarantee of physical and moral fitness. When boys live under observation you can not only influence them, but learn about them that of which at present we know nothing. Moral courage can best be acquired where boys are living together. It is because I think it possible to give the Indian this valuable concession (which will, as they increase in fitness, increase their weight in the administration) that I am averse to thwarting that scheme—depending, as it does, on the reduction to an irreducible minimum of our directive service by discouraging the admission of Indians into the Covenanted Civil Service except through the English door. But if no organic change of that sort is to be made, and if the Statutory Service is retained, I would still make no material alterations in the conditions of the public competition I do not think that European agency can be very materially reduced. It can only be safely replaced by

Sir *Charles Turner*—continued

Indians who have acquired, by residence in England, many of those social, physical, and moral qualities which I have previously claimed as the ordinary product of English education The mental, social, and moral horizon of the Indian mind is altered by contact with English society. No one can help noticing the result of even the social contact of Indian barristers with their English professional brothers. For English administration we want the English traditions and the English spirit, and this cannot be acquired in Indian schools I therefore think a visit to England and residence there, during the period of probation, essential. As regards an alteration of age, I do not think it would be fair on the English competitor to give the Indian an extra year. After all, England is only seventeen days from India, and the boy who goes from here can make marks in subjects which he can acquire more easily and certainly at less expense than the English boy At the same time, while I would not alter the age or the obligation to reside in England, I would, if my own theory is not accepted, make some concessions which I will mention presently. I would, if my own scheme of a superior Indian service is rejected, establish scholarships and give passage money to England for one or two Indian boys annually selected by public competition in each province. Perhaps the proportion might be four for Northern and Eastern India, and one for Bombay, and one for Madras. The examination should be special, and the subjects those fixed for the open competition. That would enable them at once to get on the rails of the educational system in which the examination lies I would not alter the limit of age. I mean I would not alter it specially for them. The age must be the same for Indians as for Englishmen; and as the bulk of the Covenanted Civil Service must be Englishmen, so long as England is responsible for the government of India, and while Indian standards of morality and administrative capacity remain so dissimilar from English standards, the question of altering the age must be principally considered from the point of view of the English market. All things considered, I regard the limit of age, nineteen, as the best we can get for Englishmen I say all things considered, but I am open to correction That is the age at which the education of English boys is specialised, and at which the Universities select their raw material, and it seems to me the best age for selecting your Indian official.

I am not prepared to add to the subjects of examination, but, if the test is equal, Persian and Sanskrit should receive the same marks as Latin or Greek.

I am decidedly opposed to holding simultaneous examinations in India for these four reasons—

(i) My arguments point to a limitation of the Indian element in the Covenanted Civil Service as the condition on which alone we can exclude the English element from the superior public service of India.

(ii) I am familiar with Indian examinations, having examined for the Bombay and the Calcutta University examinations, and I am confident that we have not the power to maintain in India the standard of oral examination applied at home.

Sir *Charles Turner*—continued.

(iii) I regard the danger of acquiring knowledge of the papers and of cribbing in the Indian examination as a very appreciable danger.

(iv) A competitive examination is supposed to embody the attractive theory of *la carrière ouverte aux talents*, but in England competition is only a part of the whole educational scheme. That scheme involves a great expense for education, and that expense secures a limited competition from the ranks of persons of means. This class of society in England represents a high standard of social and moral fitness. We know what is meant by the word "gentleman." In India the State gives an almost gratuitous education to the poor. Our schools are filled, not with the higher classes of all communities, but with a preponderating mass of a single community. The English educational system secures the best of home influence, while it also takes a boy away from home, and regards his moral and physical education as equally important with his intellectual training. In India the school-boy attends the class only, and learns merely his books. We must look at the elementary facts of the position. A competitive examination at the top of the English educational system must produce different results from a competitive examination in India. The same mill will grind wheat and oats. Everything depends on what you put into the mill. You cannot put into the competitive mill English boys in England and Indian boys in India, and expect the same out-turn. In England the cost of education ensures that your competitioners have reached a certain social standard with its intellectual and other advantages. In England, again, those boys have been disciplined at school by contact with each other under the master's eye. The house-master has eliminated the bad. In India education is free, or nearly free, and there is no discipline or test of morality under the residential system. The theory of equality by holding simultaneous examinations in England and in India seems to me based on a fallacy when the educational systems are so different.

The *President*.

217. If an examination is held in India, should it be identical with that held in England?—If my objections to holding an examination in India for the Covenanted Civil Service are not shared by the Commission, then I answer—(1) The competitive examination in India should be identical, as far as it goes, with the English examination, but it must test the existence of those qualities—moral, physical, and social—which the English competitive examination takes for granted, or accepts on proof adequate in England, but inadequate in India. For instance, a school character passes the English boy for morality. But the school has had that boy under close observation and discipline for years. There is not a boy in India to whom the same test has been applied.

The *President*—continued.

Vol IV. Sec II. Bombay.

W. Lee-Warner Esq.

218. Should it be held at one or more centres in India?—The examination must be held at one centre only. Under no other system can the same test be applied to all candidates. The standard in our Matriculation examination varies immensely, even in the same province of India.

219 Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations?—A fixed proportion of places would have to be reserved annually for Indians, but only then on condition that the Indian candidates beat the English candidates I am arguing on the theory that you are going to hold two examinations in different places, which, I think, open to objection. Supposing there are fifty places vacant, of which ten are apportioned to India, ten Indians must secure places in the first fifty of the combined list If less than ten Indians attain that position, only those who do attain it will be selected If thirteen attain it, the last three must make way for the next three Englishmen below fifty. The apparent unfairness of this arrangement, and the perpetual agitation for more than ten places, are, in my opinion, fatal to the scheme, which I think objectionable on other grounds.

220. On what principle would you make the apportionment?—I do not think that any acceptable apportionment could be made.

221. What are your reasons?—No apportionment can ever be made which will seem fair either to Englishmen or to Indians The Commission must ask this elementary question—What are you to do with the Indian candidates when you have them? Of their bare intellectual attainments proof is given by their success. They will make excellent Judges with the Codes to guide, and the High Court to supervise them Will they make good Magistrates? Ask the High Court what their experience is. My own experience is that Indians do not make good Magistrates. Within the last few months two cases came before me which illustrate my fears I might take a dozen; but I have taken these two, because the actual finding was honest and right, but there was no sense of proportion in the punishment A Mahomedan was convicted under section 497, Penal Code, of adultery with a Hindu woman, technically married, but a known prostitute The woman had been married at five or six years of age to a man who had never lived with her as her husband, and who was subject to epileptic fits, and she had to get her living the best way she could. The accused was awarded one year's rigorous imprisonment, and the Magistrate explained that the punishment was severe because of the difference of religion. A few days later, another Magistrate awarded one day's simple imprisonment to a man who in cold blood put his foot on his girl-wife's arm and pulled the arm up and down till he broke it, because she kneaded cow-pad cakes badly. The Magistrate explained that a woman should not take her husband into Court. These and other instances make me feel that the religious and social customs of India force Indian Magistrates to view offences from an entirely different stand-point from that adopted by English-

Sir *Charles Turner*—continued.

men. In regard, again, to the administration of a district, I would ask those who have faced serious dacoities, famine, and religious riots, whether they have not found the Indian official placed in peculiar difficulties by the conditions under which he must work. The Englishman, without being a better man, is by his very impartiality, or, if you like, indifference, placed at an advantage in dealing with religious and social disputes. But I am unwilling to dwell on this further than to point to my conclusion that the directive administration must be English until Indian society and the Indian educational system are much altered. Therefore, the apportionment of appointments will be very difficult, and the calculation must consider the contingency of troubled times The question with which I started recurs: "What are you to do with the Indian candidates when you have them?" They are better than Englishmen in some departments, and in my opinion much inferior to them in others. They are good Judges, but indifferent Magistrates, and they have yet to prove that they will make good Collectors of districts I would prefer an apportionment based on residence to one based on religious sects, except in the case of Europeans (Natives of India) and Parsis, whose characteristics are the same in all parts of India.

222. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—I am of opinion that all selected candidates for the Covenanted Civil Service should spend two at least or three years in England One of the ablest of Brahman servants of Government said to me just now: "The great aim should be to get them beyond home influences" I could not help thinking of the value we attach in England to the spell of home life, and recalling to my mind the contrast I have drawn between the English and Indian educational systems. But his remark is true. The success of the Rajkumar College in Rajkot is felt by the Chiefs to be due to the removal from home to the family life of the college. A residence in England will educate the future Civil Servant of India more than his books will, and cure many of the defects which I have attributed to the Indian system of education Until the position of women is altered in India, and until a great social reform has been effected, Indians will derive great benefit from a removal into the atmosphere of English society.

223. Are the young Natives obtained under the existing system of the open competition in England the best, as regards character and capacity, who would be obtained under any system?—It is not fair to generalize as to the effects of the existing system, and the Indian Covenanted Civilians in Bombay are so few that any special remarks would be personal. I do not think that this question can be answered in the affirmative, and I should hesitate to show cause for a reply in the negative.

Mr. *Ryland.*

224 You have said you would have two services, an upper and a lower service, the superior and the inferior?—I dislike the word "inferior." I have called them a directive and superior Civil Service of India

Mr. *Ryland*—continued

225. For the first you would endeavour to secure Europeans as much as possible?—Yes.

226. In the second you would only admit Indians?—Yes.

227. Whom do you include under that term "Indians"?—I mean the Statutory Native. I always speak of Indians as men within that meaning subject to the alteration I have already proposed. I certainly think it desirable that a boy born in England of parents resident in India should be considered as a Statutory Native.

228. Europeans settled in this country, their sons and descendants?—Most certainly.

229. You have just now given us some instances why you regard Native Magistrates as not generally successful in their administration?—I preferred to put it as placed under exceptional difficulties, owing to a different way of viewing offences into which the religious principle of Indian civilisation so largely enters.

230. I supose you are aware to some extent of the feeling of the masses of the people in the country generally, who are not represented?—I always think it is very rash for anybody, English or Indian, to say he is aware of the feelings of the masses of the people, but I think I am not less aware of them than anybody else who had passed his life under similar circumstances would be.

231. Can you say whether you think they themselves would have more confidence in Europeans?—I have no hesitation in saying that wherever religious or social questions are concerned, litigants desire to bring their cases before English Magistrates It has been my constant experience to be asked to call up such a case from the Court of an Indian Magistrate.

The Hon'ble Kazi *Shahabuddin,* Khân Bahadur.

232. You mention the existence of a very large number of old families,—in fact, the old aristocracy of the country; are you aware that there are such families to a large extent in Gujerat; because you speak of Marathas?—I have never served in Gujerat; I know a few by name. If you include Kathiawar, of course there are many. In the Deccan there are many.

233 In your official capacity you might have come to know that Gujerat is full of old families, particularly Rajputs and old Mahomedan families which are very similar to the Maratha families of the Deccan and Konkan, and quite enjoy the status of noblemen?—I am unable to speak of the condition of the nobles of Gujerat, never having served there.

233. Do you contemplate giving any power to Government to provide for young men of these good families except by competitive examination?— I think probably they would come into the competition I explained that, in recruiting the proposed Haileybury colleges, I would like to appoint these boys with the rest. I have dealt with it elsewhere My theory is that Government should withdraw largely its educational energies into these colleges, and most liberally aid every class of the community outside to found its own preparatory schools. I believe that all good education proceeds on close lines, and we do not want to do away

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur —continued.

with religious or social influences that are good. Aligarh's success is due to its ability to provide religion in its school. The whole province would have its Mahomedan, Hindu and European schools, which should be conducted largely on the grant-in-aid principle, by the best efforts of each community, and in this college, for the first time, the contingent from all of these institutions should be brought under *one common roof*, all living there It would be necessary to secure some equitable representation of all classes by nomination at first, as well as competition, but in a few years that difficulty might disappear.

235. Is it not true that these families have been decaying rapidly since the advent of the British?—I do not know why you say "decaying rapidly since the advent of the British." That implies that they were not decaying before that date My idea is that India always has seen an ebb and flow into power of certain families, and undoubtedly if some have decayed, others have come forward into prominence under British rule

236. Do you say the condition of the large military families, Mahomedan and Rajput, before the advent of the British Government was the same, or fluctuated in the same degree as now?—I think that the influence of families fluctuated, their property was much more insecure before our rule, and therefore all men of family, as well as the bulk of the people, were less able to maintain their position than they are now under British rule

237 Would it not be politically right to include these families in any scheme for recruiting the administrative service of India?—I am particularly anxious they should be represented, but it is absolutely necessary they should possess a certain amount of education. I would at first assist them to come into the service by the nomination system I have proposed I look upon it as important to secure them participation in the system

Mr. *Ramaswami Mudaliyar*.

238. Your opinion is that the age should not be raised for the competition in England?—On the whole it is so I think there are only two courses open—an advanced age for the competition which would catch men of proved capacity who had taken their degrees, or the present age which catches the promising public school-boy at the age when he leaves school On the whole, I doubt the necessity for raising the age to twenty-one, nor do I think that that course would give any advantage to the Indian candidate The only change which I would make in the present system would be to allow selected candidates to complete their University course. The third year of college life is, in my opinion, the most valuable

239. You say there are two courses open—an advanced age to attract good men, or the present age which secures school-boys—and yet you prefer the one which catches promising public school-boys Would it not be better to catch a man who has proved his capacity?—I think you draw too marked a distinction in the use of words A promising boy of nineteen has proved his capacity up to that age, a promising man of twenty-four has proved his capacity at a greater age, but only in the same way; that is, he has not shown an aptitude for official work but even the promising boy has proved his intellectual power and shown at school his moral courage and self-control It is only a question of degree.

Mr *Ramaswami Mudaliyar*—continued

240 Do you not think it a greater advantage to have a man who has proved his moral self-control than a man who has not?—I do not hold that promising boys of nineteen have not proved their moral self-control Our whole system of education in England secures that even in boys. My experience of age is not that under the nineteen years' rule we get worse men.

Vol IV. Sec II Bombay

W Lee-Warner, Esq

241. I simply draw your attention to your own statement You say there are two courses open—one, an advanced age for men of proved capacity who have taken their degrees, or the present age which catches the promising public school boy at the age when he leaves school, one has had a greater opportunity of showing and proving his capability of exercising that self-control, the other has not had the same opportunity. Would it not therefore be better to have men who have proved it than men who have yet to do so?—It would be better if you found that the promising school-boys turned out a less percentage of success than the proved men of twenty-four But that is not my experience.

242 Which is your own opinion?—My own opinion is that there is not much difference I think you may get better men as regards education under the age of twenty-four. On the other hand, I think it is physically much better for a man to come out at a younger age, and, without health, intellect is heavily handicapped

243. You say that men who came out to India under the old system remained in the country much longer?—Yes, they served for thirty or thirty-one years, whereas now men wish to go back when they reach their pensions From a selfish point of view I wish they would go It is one of our personal grievances here that the senior men will not make way for the younger

244 In former years we had men serving thirty or thirty-five years before they went back?—We have several men now who have attained their thirty years To me it seems a great benefit to India that Englishmen are able to keep contact with England, it liberalises them, enables them to look at things in a less narrow view It enlarges their mental horizon to take frequent leave and mix with English thought.

245 You say the third year of college life is in your opinion the most valuable, and therefore, according to your suggestion, gentlemen should stay there another year?—I would like them to remain three years.

246 Would not that add to the expenditure?—Yes, but the question is what return you get for it You cannot afford to do with any less capacity for Indian administration than you have now. It is a great and increasingly difficult business, the administration of India you cannot afford to reduce the capacity of men you import for that object If an expenditure of £150 a year will enable you to improve these men, and I think the third year would be beneficial to them, then it is worth paying for.

247. According to your opinion those gentlemen who come out after remaining in England two years would not be so good or so efficient as a man that remained three years and completed his college course?—I think so.

248 If you had a man who remained three years at the University and took his degree without any cost to the State, would it not be preferable to have that system than to incur additional ex-

Mr. *Ramaswami Mudaliyar*—continued

pense?—Yes It is always better to get an article for nothing if you can.

249 Do you still adhere to the opinion that it is better to have gentlemen selected at nineteen and to spend money on them rather than to have those who take their collegiate degrees and then come out?—On the whole I think so, because of the greater risk to health they run at the more advanced age

250 It is only one year?—I beg your pardon. It may be five years—the difference between twenty-four and nineteen for entering the service For whatever the age might be, I would still have them go through a special course of training I would not let the twenty-four years' man off his two years' probation in England, attending Law Courts and gaining special knowledge

251. Would his health be worse if he came out at twenty-five than if he came out at twenty-one?—I think he would feel it certainly at the end of his career He would be more anxious to get home at fifty.

252 You do not advocate a competitive examination in India Is it because you do not believe that it gives the same guarantee of moral character as the competition in England does?—That is only one reason. Other reasons relate to the impossibility of holding two, probably five, examinations at different places. The oral examinations would differ

253 If students who receive a good intellectual education in our Universities in India do not possess an equally good moral character, does not that seriously condemn the system of education that is given in India, and the Government for giving it?—I never draw inferences on partial data That might be a legitimate inference to draw, if Government would at once alter the whole system of education in India. Even now systems vary in different provinces, and, in some, more is done by the grant-in-aid system, under which teachers are free to introduce their own system of moral instruction.

254 But if the result of education is that we produce men possessing intellectual capacity but not moral capacity?—I say you cannot judge moral fitness in India in the same way as you can in England.

255. That is, you do not think there is a guarantee of it?—I think the absence of a residential system in education a defect, and when you ask me to condemn Government for it, I am not prepared to do so, because it involves expense and religious difficulties in India I would rather condemn India for it, if any one is to be condemned

253 As a matter of fact, the result of our education is that you get men intellectually qualified of whose moral character there is no guarantee Is that it?—The educational system is defective in ignoring the need for moral training. I am unable to say who is to blame. I note the fact that our monitorial system at home and the discipline of the house-master are wanting in India.

257 You said something about Indian home influence. Have you moved about in Indian homes in such a way as to justify your opinion?—I have not moved in Indian homes. As you are aware, it is, under the customs of the country, impossible for a foreigner to enjoy the privilege of social equality with Indians, but I rely upon the statements of very many friends of the community who are

Mr. *Ramaswami Mudaliyar*—continued.

Natives, who have repeatedly expressed to me their wish for a healthier home influence for their children, so that the mind and body might be educated, not merely at school, but also at home.

258. You draw your inference from what you heard from these Natives?—I do.

259. In a previous answer you refer to two criminal cases I do not know whether you generalise from these two cases. Do you want to draw any general inference, because there is a miscarriage of justice in one or two instances? Do you think you have sufficient data before you to come to the conclusion that Native Magistrates are bad?—I said that Native Magistrates are placed under peculiar difficulties, and I hold to that position. I formed that opinion as the result of seventeen years' service in various parts of the country, in the course of which I have had very good means of weighing the work of natives as Subordinate Magistrates, District Magistrates, and in other capacities These two cases struck me as peculiarly well adapted to show how a most honest Native Magistrate, who was technically right as to the guilt of the accused, assessed the punishment in an altogether different proportion from that which an Englishman would have applied He introduced religious and social considerations, based on the idea that all men and women are not equal in the eye of the law. That is not an English idea. I chose the cases because the Magistrates were right in convicting, but in my opinion were quite wrong in the measure of punishment.

The *President.*

260. What you think is stated in p. 15 of your written replies, there you say—"These and other instances make me feel that the religious and social customs of India force Indian Magistrates to view offences from an entirely different stand-point from that adopted by Englishmen." That is my precise view.

Mr. *Ramaswami Mudaliyar.*

261 And it would be a fair inference?—Yes, as based on the other instances I refer to. I refer to a great many instances, observed over the whole period of my career in various parts of India. I have suggested to the Commission to ask the opinion of the High Court, whose experience of this important matter will be valuable.

262 You say "technically married, but a known prostitute" Is that recorded in the Magistrate's judgment, or is it that you heard she was a known prostitute?—The case came before me on an application for review

263 And you did not know that she was a known prostitute?—The facts I have stated here are the facts found by me sitting as a Court of Review, and therefore on the record

264. The Judge may not have known it at all or attributed any importance to it—In this case I sat as a Court of Review, and I am now giving you what was found by that Court of Review.

The *President.*

265. Was it found as a fact in the case?—The woman lived with this man a whole week, and then a quarrel arose as to wages She had lived with others in the same way

Mr. *Ramaswami Mudaliyar*

266. Did the Court of First Instance find as a fact that this woman was living as a prostitute?—Yes; but that the accused was technically guilty because her husband had not given consent.

267. How long were you District Magistrate?—I was District Magistrate for only six months, but I was Divisional Magistrate, which is practically the same, for two or three years, and during the whole of last year, up to November, I was exercising Sessions Court powers and, occasionally, the powers of a High Court Judge My opportunities of reviewing the work of these Magistrates have been as District Magistrate during the period I acted as Collector, as Divisional Magistrate, and as Political Agent and President of the Council of Regency of Kolhapore

268 Have you met with any other similar instances of want of judgment on the part of Native Magistrates?—Constantly I could mention thirty instances to the same point in the course of my experience

269 My question was confined to your work as a Divisional Magistrate—As Divisional Magistrate I cannot at this moment recall many very bad cases.

270 I refer to Native Deputy Magistrates. Were there any cases in which Native Deputy Magistrates have shown this want of judgment or partiality?—I have not used the word partiality My general feeling is that a want of proportion is one of the severest difficulties a Native Magistrate has In order to apportion crime you must take a certain standard In fixing this standard of wickedness, Indian officials are, by the present social system, apt to give weight to caste, and they are in greater difficulties than Englishmen, who deal with the facts before them without knowing what is said out of Court

271. Difficulties as to apportioning proper punishments as compared with the nature of the offence?—I think that is mainly the defect—a want of proportion between two offences.

272. Were the Magistrates whom you have come across graduates or men of sufficient training?—Yes, I have had to deal with a number of graduates as well as others

273 Your complaint is the same against them also?—Yes, I think it is a tendency from which they are not quite free. I speak of it as a tendency and think it is one of the things that will take longest to rectify.

274 As regards the superior service, you do not suggest any scheme by which those who have distinguished themselves in that service may be promoted in the Government service?—I do not wish to mix the two services I wish to give Natives a large honourable service, to exclude Englishmen from their branch of the service and not lower the standard of the other to meet their views.

275 But I suppose Europeans are practically excluded now from that superior service at this moment by the orders of the Secretary of State?—They are not excluded from all ranks of it.

276. This enquiry is now confined to judicial and executive,—that is, Magistrates and Judges. From this branch of service Englishmen are practically excluded—are they not?—I think they are not excluded if they are promoted from other branches of the service.

The *President*

277. Mr Mudaliyar refers to the orders of Government about posts over Rs 200.—Europeans can be promoted from one department to another, and, lately, one came from Simla to Sind

Vol IV Sec II Bomba

W Lee-War Esq

Mr *Ramaswami Mudaliyar.*

278. Would it not be unfair to those men who had distinguished themselves in the service not to have an opening by which they could get into the higher service?—The word "unfair" can only be used when you stand on the top of the pinnacle and look down and see things in their proper proportion The absolute ideal of fairness is never realised in practical politics, but it does not seem to me unfair to recruit men for a particular service and let them look for promotion in it It is not unfair for the Bengal Government to say they cannot give a Bombay Civilian a certain appointment because it is not what he was recruited for

279. At present the law provides for the admission of Natives into the reserved posts, according to your scheme that law is to be modified or put a stop to altogether?—Only by the surrender of certain appointments from the Covenanted Civil Service

280 What are those appointments?—They would have to vary in every province A certain number of the Assistant Collectorships should be surrendered in different districts

281 Assistant Magistrates?—Yes We do not use the term "Assistant Magistrates," we call them Assistant Collectors Besides these there would be Small Cause Court appointments, and others that are now occasionally filled by Europeans

282 You would not give District Judgeships?—Certainly I would give some of the District Judgeships.

283 District Magistrates?—I would not transfer the District Magistrates to the new service

284 Do you not think your scheme would make men discontented if you left no opening at all?—I think, whatever we do, people who insist on absolute equality would be discontented, and yet would ask us to be unequal by excluding Europeans or reserving appointments for certain classes There is no scheme ever devised in England, Germany, or here that did not recognise compromise and miss securing universal contentment; and therefore I do not think any legitimate opposition should be expected when it is understood on the principle I have stated, *viz.* (that England being responsible for the government of India, must have a direct power of direction over the administration), that our task is to make its direction felt, while we give the largest scope to the people of the country. My view may be wrong, but such is my contention.

285 There will be two services—one the superior, the other the inferior, the Covenanted being the directive service. Would not the feeling with the ruling and governing classes be that they were vested with power of government and that they were a superior sort of beings altogether? Do you not think that would be the result?—I have heard it said by people of the country that that is the effect in the mind of the Civilians appointed to the Statutory service, but I never heard of any Englishman who thought that by being in the Covenanted Civil Service he was a head and shoulders taller than any other Englishman

286 Have you not heard that Englishmen look upon the Natives as being of inferior caste?

Mr. *Ramaswami Mudaliyar*—continued.

—Of course I have heard such imputations, but I do not see how it bears on the present question I do not justify the feeling in any way.

287 Do you think the existence of any such state of feeling in the minds of the people is a healthy state of things?—Of course it is an unhealthy tone In a healthy state of society we should all try to help each other, as being all of the same caste (mankind)

288 Do you not think when men come here and hold posts superior to those generally held by Natives it will engender the feeling that they belong to a superior class altogether?—I do not see how my scheme, which does not exclude Natives if they pass the same examination as Englishmen, can engender any such feeling My proposal makes no great change in the present state of affairs

The *President*

289 Do you think there is any danger of a feeling of that kind arising under your scheme?—I think that as long as any country is governed by foreigners, that feeling of superiority must exist, and it is a pity that it should be necessary at present for the good of India that it should be governed by a foreign Government

Mr *Stewart*

290. By the use of the term Directive service I presume you would include in that service all high posts which exercise control over the administration?—The present list of the existing Covenanted service would be taken as the basis, and I would eliminate from it, by local committees in each province, as many appointments as it was thought could safely be eliminated

291 You would reserve a certain number of lower posts?—I consider it essential that lower posts should be reserved I would never allow a man to be a Collector straight off, unless he had been for some years an Assistant. I think the administration would suffer very much unless the future British Civilian had passed through all the lower grades of the service.

292 Then you would keep the training for the Directive service in the Directive service itself?—Yes

293 Apart from that you would have a superior public service in India, which would be recruited only from Natives as defined in the Statute. That is to say, you would not allow any European to enter; you would not limit the term to its meaning as now interpreted?—No if the parents were resident in India and intended to die here I should include their children wherever born I wish to give as much as possible to Natives as defined by the Statute I am very anxious that Natives of the country should not be ousted.

294 You could not have the service you talk of unless the Statute was amended?—No, it would have to be amended, so as to exclude from the Directive service all who did not pass in England

295. Do you think having a simultaneous examination in India would degrade the standard of examination?—I have examined several times for the Universities and was dissatisfied with examination at centres I have found it most difficult to maintain the same standard in the ordinary oral examinations in Bombay and Poona even It is difficult even if there are two examiners in the same room For although they have a conversation together, yet when they begin to examine their students afterwards and you listen to the questions put by your brother examiner, you will find his standard not the same as yours

Mr *Stewart*—continued

296 Could oral examination be done away with altogether? Do you think the difficulties quite insuperable?—I think it most important to have oral examinations They show real work and readiness of address, which are qualities required in public life

297 From your educational experience could not these difficulties be removed substantially?—I do not think so It is a remarkable thing that last year the University authorities were unable to discover how the papers had been sold to the competitors If you ask Native gentlemen they will tell you that nearly every year they have an impression that some one knows about the papers set in our examinations We have difficulties, however, in connection with this subject even in our own departmental examinations

298 Had you any experience of the famine in Bombay?—I was in Sind during the famine in Bombay, except for the first part of it, but I am well acquainted with all its scenes and history, as I served afterwards in many of the famine swept districts, with officers who had been there throughout

299 Did you say Indian officials were palpably incompetent in times of famine?—That expression is too strong One of the failings in the famine administration I heard of was that there was great difficulty in prompt organization, in keeping order on relief works, and a great difficulty in managing the feeding of those who received food The food difficulty must be a great difficulty, if you come to think of the customs of the country The feeding presents no difficulty to Englishmen, but it is otherwise with high caste officers, and all famine arrangements require powers of organization and different notions of charity An Englishman's notion of charity is that it is right to kill a horse when in agony or incurable A Native does not think so, he thinks it is cruel.

300 Have you any experience of the comparative conduct of Natives and Europeans in Satara after the daco ities?—Yes, it was a trying time for some of the Native Magistracy I [illegible] you can blame them I [illegible] cal education of many N[illegible] looked after than that of Er[illegible] is not thought a moral [illegible] school-boys It is probabl[illegible] from a different point of view. An Englishman, for instance, is afraid of cowardice It is cowardice of public opinion that makes you not a coward very often Think what an advantage that gives the Englishman.

Sir *Charles Turner*

301 You say you think that on the whole the age of nineteen is the better age at which to select candidates than the age of twenty-four Is it not your experience that the accidents of education tell very much more at nineteen than they do at

Sir *Charles Turner*—continued

twenty-four? That one boy may have received much better instruction than another?—I confess that in giving that evidence I was rather weighted by a feeling, which perhaps the Commission may not share, in favour of public schools, and when my opinion was asked some years ago as to whether the age should be reduced to nineteen, I took occasion to write to many friends engaged in public school education in England, to consult their opinions as to whether the reduction to nineteen would bring out many more public school men, and they thought it would

302 The public schools you mention secure the services of the most highly paid masters, is it not probable that a boy who has enjoyed such advantages would be able at nineteen to beat a boy of better intellectual capacity who had been educated at an ordinary Grammar School?—I think that from one point of view twenty-four is the better age It was rather against twenty-one that I was arguing I think two years makes a difference Undoubtedly a man who has gone through the University course is of more proved capacity than a boy of nineteen But I have already expressed my views on this point

303 Has it not been your experience of University men that a very large percentage of the better educated do not select their profession until they have completed their University course?—Quite so If the age were deferred to twenty-three we should have a greater chance of obtaining men who had secured the greatest amount of English education That is admitted

304 And we should also have the advantage of obtaining men who had enjoyed the advantages of residence at a University of the highest educational character?—I think so, but while I admit all these special points, my difficulty about the age being raised to twenty-four is that I do not wish to get rid of the probation for two years, which would make the age of arrival in India very late

305 Have you heard complaints among the Natives, of the youth and inexperience of the Covenanted Civilians when they first enter on their career as Magistrates?—Yes, I have

306 Do you think it would be desirable they should commence their duties at a period when their judgment is somewhat more ripe?—I think their faults are due to error of judgment I think it would be better from this point of view to take them at an older age, so as to help them to assess crime That is where they chiefly break down at the earliest age I do not think any one is afraid of their convicting wrongly Where they go wrong is precisely where the Native Magistrate goes wrong They do not apportion the penalties to crime That is inevitable, and every one must go through this whatever his age The young Civilian soon learns his work

307. You state you attribute the defect of the Native Magistrates to some extent to the fact that they have very little experience of life?—Yes

308. Is it not obvious that a Magistrate who commences his duties at twenty-seven would have had more experience than a Magistrate who now enters on his duties at twenty-three?—Yes I have admitted that the entrance age would certainly be better from this point of view at twenty-five than twenty-one But there are other considerations *per contra*

309. You appreciate highly the present system of State education which extends assistance to denominational schools, and you suggest that it would perhaps enable the Government to preserve the Native morality to a degree which it is said we do not preserve it now, under existing systems Do you think that in such a Haileybury as you have proposed it is probable that the parents of boys brought up principally in denominational schools—boys of all creeds and classes—would be willing to send their sons to the College you propose?—Yes, very soon, I think, they would

Sir *Charles Turner*—continued

Vol IV
Sec II
Bombay

W
Lee Warner,
Esq

310 You gave an instance of an Anglo-Oriental Mahomedan College?—At Aligarh, yes, and at Rajkote, which I prefer to cite

311 Are you aware that at Aligarh there are a considerable number of non-Mahomedans?—Yes, but have they not all opportunities of religious education?

312 It is not a purely Mahomedan institution?—No, but it recognizes the value of all religions, I believe

313 The scheme which you propose appears to run counter to the policy which was advocated and accepted by the Parliament of England in 1833, that no person by reason of birth should be held to be disqualified for any office?—Do you mean the second part of my scheme excluding Europeans?

313*a* Yes and so far as you adopt the existing system of competition for the Government service which is said practically to exclude Natives?—I do not admit that the first part of my scheme excludes any one who does not exclude himself I contemplate a fair field I do not exclude them from a fair field according to my view It would be against the Statute, as regards the second part, and Europeans would have a grievance

314 Do you think that Natives are at present under no disadvantages compared with Europeans in competing for the public service?—They are under great disadvantages, some of them of their own making To begin with, their social system now makes it very difficult for them to go home. It is new to them when they get there But the disadvantages are not such as the Legislature can cure

315 Do you agree with the evidence given us that they are under considerable disadvantages by reason of the present limit of age in having to commence at a mature age their study of the English language, without which they cannot study the subjects prescribed for the competition?—I think a great number of them learn English from their earliest age,—that is, of those that compete

316 Is it not one of the defects of the educational system in India, and a defect which probably operates to some extent to the prejudice of Natives in the open competition in England, that we have no good schools for the sons of what would be called in England the upper middle class?—They will not go to them, that is the difficulty

317 But have you not heard men of good birth and family excuse their omission to send their sons to educational institutions on the ground that they would there have to associate with boys of the lower classes of society?—I have heard that in other parts of India rather than here Some of the Jagirdars of Satara, who are the leading aristocracy of that district and of the Dekkan, send their sons to the high schools, and in the high schools they meet a great number of Brahman boys Sudras are not excluded, and the school is open to all There are a great

Sir *Charles Turner*—continued

number of Brahmans in the schools, and men of family are not ashamed to send their sons there. On the other hand, I have heard many Mahratta families complain of the degradation of the common school, but I suspect the real fact is they do not want to pay what it will cost The boys also do not wish to go, and the father in his indulgence does not send them

318 You say you know several instances in which you consider the administration of criminal justice by Native Magistrates is defective by reason of their inability to measure the proper punishment to be awarded for offences From the instances you gave I infer you were speaking of men who hold first and second class powers?—Yes, I include even men holding first class powers I have even seen some as District Magistrates in a Native State I rather think in the particular cases referred to there was a second class Magistrate in one case, and a first class in the other But I am not sure The "other cases" I refer to, the cases most in my mind now, are cases in which a Native District Magistrate showed great incapacity.

319. The Magistrate was of some standing in the service?—Yes, he was, in that service it was in a Native State

320 Were not the men you have mentioned recruited at a time when little educational qualifications were required in the Native Magistracy?—Some of them. But not the Magistrate I last mentioned or others in my view.

321. Amongst men who have been appointed since the educational test has been prescribed, do you find reason for the same complaint?—Generally my feeling is that they are not at home in a Criminal Court.

322. Can you recollect instances of men chosen since the superior educational test was introduced?—Yes, one officer I am thinking of now was the holder of a degree and a very bad Magistrate

323 You have seen the civil work of the Natives?—Yes.

324 In your opinion is it good?—Yes, I think very good

The *President*

325 What is the average age for passing the F A and B A examinations in this Presidency?—I cannot say with confidence what the average is I never contemplated the question, or I would have looked it up I should say a B A was twenty years of age usually.

326 Of your University graduates, do you think that the standard of education among them is such that any considerable numbers of them would have a chance of taking a successful place in the competition in England?—It is difficult to judge, because, unfortunately, our educational system has not gone along the lines that are laid down for the English service For instance, history The majority of well-educated Native gentlemen I have seen are profoundly ignorant of history Much too little attention is given to it That is why I would recommend the subjects of the competition being taught here. If we are to give scholarships there should be an examination in those subjects If we once tried that, I think we should find they stood a much better chance at the examination In my examinations of English history the teaching of it always struck me as very weak.

The *President*—continued

327 They are obliged to take up English History at one period in India at the University examinations are not the boys compelled to study it?—Yes

328. For the First Arts examination?—Yes, but the answers are a record of dates and bare facts There is no notion of the current of history, nothing like the high standard of historical study required for the competitive examination

329 Are there are no standard text-books in which the relative periods of history are properly treated?—I rather think there are at home now. In India it is very difficult to find any good history books for beginners. There is no demand for it at present

330 Can you tell me what is the cost of University education—what it costs a pupil from the time of matriculating to the time of taking his degree?—I am doubtful of the actual figures, and a guess would lay me open to correction I would not like to commit myself to an answer as to the average cost It is very small, however.

331 Taken as a whole, do the colleges pay, or involve considerable cost to Government, over and above the fees?—The cost is considerable both to Government and endowed funds, to which Government have largely subscribed

Mr *Stokes*

332 According to your scheme, Natives would be wholly excluded from competition in England, and you would exclude Europeans altogether from the superior public service recruited in India?—Only those Natives would be admitted who passed the English competition From the Indian superior service non-domiciled Europeans would be excluded.

333. You speak of that as a grievance, that is the word you use, it implies an infringement of a right Has he a right under the Statute of claiming to present himself for an appointment?—But we at present restrict his appointment, that is, under the Secretary of State's orders It is the old conflict between theoretical and practical rights

334 So that a European might possibly bring an action if he was refused?—I am aware that I am making an important concession to Natives in this proposal. My scheme must be taken as a whole

335. It would, you think, be fair to refuse to allow a Native to pass an examination in England if you refuse to admit Europeans here?—Yes, I am quite aware of that inequality in my scheme in favour of Natives, but I wish to give as much as possible to them

Mr *White*

336 I suppose you admit that it would be an advantage to the country if Europeans settled in it?—That is a very difficult question I think that the country derives as much benefit now from its contact with England in the way of commerce and what I may call the directive energy in commerce, and generally outside Government employ, as it would from a larger settlement of Europeans in the country

Mr. *White*—continued.

337 You have read the definition of the term "Natives of India" given in the Statute Is there anything in that definition to deter the European from settling in India and constituting his children Natives of India?—I would not like to answer that question without consulting the Advocate General

338 I mean a European settled in India and having children born in India?—If he is a resident in India and means to reside till death, I regard his children as Natives of India, and entitled to all the rights of Her Majesty's Indian subjects.

339. I admit that the previous Act says all natural-born subjects of Her Majesty should be admitted to the service, but it happens that Natives were not admitted under it to the higher appointments in the public service, and the Act of 1870, as you will allow, was to give specific relief to the Natives of India?—Yes.

340 Now as to an Indian Haileybury—do you not think that their being educated together in such an institution would bring about a very much better feeling between all classes of Her Majesty's subjects?—I think it would

341 And if also, as you say, you would have a resident body of pupils there, would it not create that very standard of honour which seemssome how defective in the country just now,—that is, would the European boys' association with the Native boys bring them up to their standard of honour, and would the Native boys perhaps learn the character of the European boys and be a little more gentlemanly?—That would be a matter of experience. It has not been tried yet, and would depend on proper supervision

342. As a matter of fact, do they not now work side by side in the most cordial manner in the Medical College?—The good boys of all classes would work and play together without friction Boys are more sensible than men to merit.

343. You know that in all Educational Departments of India there is a little difficulty with Europeans domiciled in India and Eurasians in regard to sending their children to Government schools?—Yes.

343. Do you not think that that cordial co-operation which exists among students of different nationalities in the Medical or Civil Engineering College arises from the fact that there is a definite object before the students?—Instead of the Grant Medical College I would take the Wadhwan Girassias School as an instance There is a European (a Statutory Native) as head of that college He has entirely won the hearts of all the young school-boys, who are boys of good family They play cricket together and, under his supervision, are as happy as any body of boys can be

344 In institutions such as the Medical College of Bombay, and the Medical College of Madras, are there not students of all nationalities?—They do not live together They only learn together, and therefore do not illustrate my point. The remarks I made had reference to boys of all classes living together

345 As to the difficulty of getting Eurasians and domiciled Europeans to enter the Native schools, I suppose it is the same here as it is in Madras —they do not take advantage of the Government system of education they want their own separate schools?—I do not know what it is on the Madras side. The European schools are distinct here from the ordinary Government schools. Government do not want European boys, who know only English when they enter the lower schools, in schools whose course is designed for Indians It would add much to the cost of Government schools if we had to arrange to let in boys who did not know the Vernacular to the middle school, and knew only English when admitted into the lower school.

Mr. *White*—continued.

346. If there was a definite object before the boys in special colleges like Haileybury, would it not be an incentive to good feeling? I mean if you were training them for the public service, and all knew they would go into the public service if they passed their examination, would not that common object lead them to work together?—I think competition at school will not necessarily produce harmony It seems to me that the spirit of co-operation is not to be gained by running for the same school prize, but by living together, and knowing each other, and finding that each class has its merits in games, debate, or other spheres of competition

347. Do you not think that if a college of that sort were established, and if these definite objects were put before the parents of students, there would be a very fair chance of that college becoming self-supporting?—I want the colleges below it to become self-supporting, rather than this college I look on this college as part of the State scheme for recruiting the service. Part of my scheme is that other preparatory schools for different classes should lead up to it. But the Haileybury College is like the probation arrangements at home. Government do not make the probation at home self-supporting. The boys who go into college are intended to fill some place, high or low, in the public service The schools below it, however,—its feeders—should be self-supporting with a grant-in-aid; but I am not much interested in making the actual Haileybury self-supporting.

348 Would not parents pay if their children had a good chance of getting into the public service afterwards?—Of course they would pay, they would be willing to pay even for the nomination for entrance.

Mr. *Ryland.*

349 The training at the proposed Haileybury is to be for possible candidates, I presume?—My scheme is that anybody who goes into this Haileybury shall afterwards be employed in the public service unless he disgraces himself The employment will be high or low according to the position he has attained among the boys of the same term when he passes out. I want to have a large number of boys in the college. I want some at first selected, eventually perhaps all might enter by competition As at Woolwich officers enter the Engineers or Artillery according to the place they have gained, so the boys in the final class of the college would receive a higher or lower appointment.

350 Would not this Haileybury be a great expense to the State, and would it not create candidates for the public service who could not all be gratified with public appointments? Would not there be the same outcry as at present from a surplus of educated persons?—I think it would be an expense much, if not all, of which would be met by reductions elsewhere. If you are going to have this college for the public service, the surplus of B A.'s may be left to find employment in private enterprise.

Mr *Ryland*—continued.

351 In excluding Europeans, as you have admitted, in opposition to the Statute, have you considered the fact that the number of Europeans (who have passed a large part of their lives in India, say, as Government servants or in private business, and who with difficulty can afford to send their sons to England) is largely increasing, and that it will become a matter of complaint, if opportunity is not given them of entering the public service?—Possibly they might wish to go home, possibly to remain As regards the latter, I have only to do with those who declare that they mean to reside here. I am aware the number is increasing I recognise fully your point of attack, but this is one of the unfortunate positions in which any one who has any views must place himself, of seeming to ignore the rights of one class. I am well aware that that class will feel it, and declare that they are unequally treated, but at present they can make the same complaint

352 What will become of them?—I do not know that the State is obliged to consider what will become of any particular class of the community. It must settle its patronage on broad grounds

353 Then you would exclude them?—Yes, I have the courage of my convictions in this part as well as in the other part of my scheme

Mr *Nulkar*

354 Who were those Magistrates to whom you referred?—Mamlatdars.

The *President*

355 Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Cap. 3, Section 6, or from all natural-born subjects of Her Majesty?—I think the Uncovenanted Service, except the Police, should be recruited only from Natives of India in the Statutory sense, provided that sufficient directive force is reserved for Englishmen in the Covenanted Civil Service If this condition is not fulfilled, the service had better be thrown open to all Her Majesty's subjects who choose to compete for it I have so fully developed this argument elsewhere that I need not repeat it But all Natives of India must be put on the same footing The preference shown in Bombay to one class of education—that of the University course—is unfair on classes for which a different educational course is prescribed, and detrimental to the expansion of education in the direction of technical or middle class practical education I think that the Anglo-Indian resident of India has very good reasons for complaint on this score so far as this Presidency is concerned. For the Police, qualifications are required which the educational system cannot develop or test There may be some other departments, such as the Salt Department, which it might be desirable to except Generally the rule must be that, where only slight supervision can be exercised, a wider latitude of nomination should be allowed

356 Should the recruitment be by competition, or by nomination, or by both systems combined, and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—I prefer competition ordinarily, although it is a confession of weakness But there must be certain

The *President*—continued

pre-requisite standards before competition is brought into play No great physical qualifications are required for a Judge or a schoolmaster, but a Deputy Collector must be able to ride and fond of exercise A varying standard of qualification for each department should be fixed, and competition between the men so qualified allowed But, even so, minorities or backward majorities must be protected It is good policy to represent all classes of the governed in the governing classes. On the whole, I prefer to impose a maximum of appointments for any particular class to reserving a special proportion of appointments for each class Such a restriction might, however, be temporary

357 Would you recruit provincially?—I would recruit provincially except for one or two departments, such as accounts which are imperial, and do not bring the holder into contact with men.

358 If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I have answered this question I would throw in all that could be spared from the Covenanted Service, the Statutory Service, and the higher grades of the Uncovenanted Civil Service, for the benefit of the people of India, into one large superior public service of India, on condition that the irreducible minimum of the Directive Service, or Covenanted Service, was kept for Englishmen

Mr *Stokes*

359 Or Natives who have passed the same competitive examination as Englishmen?—Yes, that is what I mean.

Mr *Ryland*

360 You say you would take away a number of appointments from the higher grades of the Uncovenanted Service and throw them into one service to be created as you have suggested?—Yes, I would throw them into hotch-potch

361. Would you not allow the Uncovenanted Service that remained, any opportunity of rising into this service Would you exclude men of tried merit and ability altogether from this upper service?—I am compelled to draw a hard line I wish to keep the Englishman who is not a Native of India from edging out the Natives of India. In a large field it is necessary, on my principles, that an irreducible minimum should be reserved for Englishmen The whole of my argument fails if you do not support that system I do not want to satisfy Englishmen in England, because to do so would reduce the number of appointments for Indians

Mr. *Stewart*

362 You say the preference shewn in Bombay to one class of education is unfair on classes for which a different educational course is prescribed, and detrimental to the expansion of education in the direction of technical or middle-class practical education Will you kindly explain that?—I think that is a very important matter.

Sir *Charles Turner.*

363 Do you think that Mahomedans are excluded simply because they have a preference for a line of education different to that which the State thinks best is that so?—I have spoken of

Sir *Charles Turner*—continued.

the Mahomedan difficulty as prospective; but the State has itself recognised the course of study they follow. If the question were asked with regard to Europeans, I would answer it at once in the negative.

364 I understood that Mahomedans would like a system of education that did not proceed on the lines of that which the State thinks better?—That is not quite the state of affairs. Mahomedans may, with the sanction of Government, follow a system of education in special classes of State schools, which system is not yet recognised as a door to the public service. This education is provided by the State in its schools. The system of education is not in harmony with the system the University is intended to develop.

365. Do you consider the system of education which your University curriculum is intended to foster, gives the most liberal education which Indian institutions can aspire to give?—I answer that by saying, if you mean by University education the B.A. education, about which we are now talking, that a large section of those responsible for the administration of the University are now pressing the University to adopt a different system, and to have a middle-class or final school examination as an alternative. The scheme is now before Government.

366. That is, an inferior education for a degree. Do you wish an inferior education for a degree to that now existing?—To me it appears a superior education to that of matriculation for the class it is intended for.

367 With regard to Englishmen and Eurasians. You say, they are driven away from University education. By what are they driven away?—First because the State has laid down a special syllabus of education, leading away from the University, for European scholars. We have not yet adopted it, but even now our European school standards are not recognised as carrying a certificate for public service.

368. You have not yet adopted that syllabus?—It is not yet adopted by us, but the one we have had in force for several years equally tends to exclusion, as it has nothing to correspond with an Anglo-vernacular standard which is one of our openings to public office The European school standards do not qualify for admission to the public service.

369. Is the Anglo-vernacular standard what is known as the middle-school standard?—Yes.

370. Are there institutions both in Bombay itself and in the *Mufasal* to which English and Eurasian boys may be sent to study in University classes?—There is no institution for the education of Europeans either in Bombay or up-country, which will get any grant-in-aid unless it follows the standards prescribed by the department, which lead it away from the Anglo-vernacular standard, and will shortly do so from the matriculation as well.

371. May not the sons of Europeans and Eurasians attend the Government colleges?—They may.

372. In these colleges they would receive instruction in the University classes?—There is a difficulty about their instruction in the schools, but in the colleges they could attend the University classes. It is rarely that they do so.

373. Then what I understand to be the difficulty is this, that the schools specially provided for

Sir *Charles Turner*—continued.

Europeans and Eurasians do not have University classes?—They are not allowed to have the same course as the Government Anglo-vernacular or High School course.

Vol. IV
Sec II
Bombay

W
Lee-Warner, Esq

374. Have they University classes?—As a matter of fact they can, in the large Bombay schools, matriculate their best boys, but that does not meet both my points. One point is that Anglo-vernacular Standard No. 5 leads into the public service, and that that is not represented in the standards of the European schools.

375 I want to know whether they are excluded from obtaining University education?—Not theoretically, but practically. The Government schools are not intended for Europeans, who know too much English at the start and too little vernacular. Practically, we should have to alter our class of masters if English boys attended the ordinary school. Now our ordinary school leads up to the University, but the special school does not.

376. Will you tell me whether Europeans and Eurasians, in any large numbers, attended the classes of the University in any of your colleges before the adoption of the system of education of which you have spoken?—The system of which I complain, and which is receiving further development under the latest orders of the Government of India, has been in force as long as I have been here.

377 As a matter of fact, do many Eurasians and Europeans study in the college classes? Do many pass the first examination of the University after matriculation?—There are hardly any except in the Engineering and Medical Colleges. In all the colleges of the Presidency, maintained by the department, the Europeans number thirty-two, of which hardly any are in Arts Colleges. In fact, I think the whole of those would be found in the Grant Medical and Engineering Colleges.

Mr *Stewart.*

378. Have you had any opportunity of observing the results of this system you object to, of exclusively reserving high administrative appointments for B.A.'s?—Yes.

379 How many years has it been in existence?—For many years to some extent, and in its full extent for some eight or nine years.

380 Do you know any Mamlatdars who entered the service with that qualification?—I have seen a sprinkling of them.

381. How do you compare the work done by graduate Mamlatdars with that of Mamlatdars promoted in the regular way?—I think that after a certain stage of public service, education tests passed at college should not settle promotion. My experience is that more good is done by promoting some deserving men from the office to be Mamlatdars than by assigning all the places to B.A.'s. I have been tempted myself to let the B A. Mamlatdar go through the work of examining accounts in English, and to do too much through him and too little by myself. He will answer your questions straight off in English, and then there is a practice of introducing English into Mamlatdars' offices—which the clerks do not understand—instead of using the vernacular. This is hard for English officers as well as for the Mamlatdar himself and his office. I also think that he dislikes the drudgery of detail.

382. Do you think they are sometimes above

Mr. *Stewart*—continued.

the work of a Mamlatdar?—They are decidedly so in some cases.

383. Do you think they take Mamlatdarships for the sake of further promotion?—All, of course, look to be Deputy Collectors. They are very pleasant and able men in some ways to deal with, but I do not think they are quite equal to the office drudge who has mastered all the details. That was a good quality in the old class of men promoted. Without taking B.A 's, you could get men who knew English perfectly well, who would do as well, and yet have served in the lower grades Take, for instance, the class of head clerks, who all talk English, and yet a good many of them are not B.A.'s.

384. Has this system of appointing University men to be Mamlatdars caused dissatisfaction?—It has completely disheartened the bulk of our officers; in fact, the whole of the subordinate public service on which we most rely. I have been applied to, wherever I have served, to represent their hardships.

385. You got the Government to break through the rules in favour of old servants?—I cannot say that I alone got them to do it. Several other officers shared my views.

386. You brought it to notice?—Yes, repeatedly, and officially.

Mr. *Crosthwaite.*

386 Will you define the duties of Mamlatdars?—A Mamlatdar is always a Magistrate in his division of a district, and in Revenue work he corresponds with a Tahsildar.

Sir *Charles Turner.*

388. Does he receive the revenue of the division?—He receives the revenue as a Collector, and accounts for it.

389 He has the same duties as a Tahsildar in the North-Western Provinces?—Yes, only more than a Tahsildar, as we have this ryotwary system with its vast number of payees.

Mr. *Crosthwaite.*

390. If there was a question of remitting revenue, he is the man that would enquire into it?—He would certainly enquire in the first instance. He would not be solely responsible. That is a sort of work that the Assistant Collector would have to supervise, but still he is the agent of the Assistant.

Mr. *Stewart.*

391. He initiates?—Yes.

Mr. *Ryland.*

392. Is the absence of Europeans and Eurasians from University classes due in any measure to their practical exclusion from the public service?—My acquaintance with the Eurasian classes has not been very large except when I have been down in Bombay. Up-country I have seen nothing of them, but I have been told, when Director of Public Instruction and otherwise brought in contact with the managers of these schools, that it was so due. They have frequently told me of

Mr. *Ryland*—continued

boys who would be willing to enter college and to work at home at special lessons, if an appointment could be guaranteed to them.

The Hon'ble Mr. *Quinton*

393. Have any Europeans been appointed Mamlatdars?—We used to have numbers of European Deputy Collectors, and there might have been some Mamlatdars in the old days. I remember one now There are certain places where, I think, you want them—places where there are large railway populations for instance, Igatpura Mr. Scott is the officer I alluded to.

394. Was he a European or Eurasian?—I mean European in the Statutory sense.

Sir *Charles Turner.*

395. Have you any scholarships for Eurasians and Europeans?—I have never heard of any scholarships for them specially.

396. With regard to Mamlatdars, I understand you to say you consider it preferable to fill that appointment from what you call the *Amla* or ministerial clerks in the office?—Yes, to a fair share; and I think you would get many B.A.'s in that way if you only adhere to your plan.

397. Have you ever heard of charges of corruption brought against Mamlatdars?—Yes, occasionally against some Mamlatdars.

398. Against men promoted from ministerial officers of the Court?—I have not heard of any late cases. I think the whole tone of the public service is improved, and corruption is not much feared now.

399. You say this service is largely recruited from B A.'s?—I do not attribute the improvement to the recruitment, but to the general progress of society, and administrative checks.

400. In other provinces we have received a good deal of opinion that ministerial officers furnish the larger number of Tahsildars who are corrupt. Your opinion does not bear that out?—No, not at all. Such cases are extremely rare.

401. Are the charges of corruption, that are brought against officials in the Revenue Courts, principally charges of taking small fees in different proceedings in the Courts?—Such charges are very rare here, and with good supervision of the Assistant Collector ought to be still rarer. I see very little opportunity for a Mamlatdar to make money out of his collections or otherwise, if you are constantly moving about. We are moving about to most of the villages during at least half of the year, and you would hear of this sort of thing at once.

402. Is any payment ever exacted for drawing up a receipt or anything of that sort?—Every revenue payer has a book of his own in which every payment is entered.

403. Have you ever heard it said that unauthorized fees are levied?—Of course I have heard such complaints, but they are very rare in our British districts.

404. You have not found any instances yourself?—I have heard some years ago of one or two such complaints of corruption, but they are very rare.

The *President.*

405. Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted Branches of the service according to the nationality of the officer, or on any other, and what, ground?—I take no account of the different standards of living. I propose each class should maintain the same standard, but home remittances, family expenses in India, doctors' bills, journeys to and from home, are expenses peculiar to the English Civilian, and his salary should be equalised by giving compensation for this so as to place him on an equality with the Native. I think the difference means 33 per cent. more to the Englishmen

406. On what principle should such distinction be regulated?—Solely on what is the difference in the differential cost. We must put both classes on an equality.

407. Would you make any difference in the Furlough rules?—The Furlough rules should be based on business calculations. The longer the experience of a British officer in India, the better service he will render. The object is to keep him efficient to the end of his service. Health must be assured, and the intellectual benefit of fresh contact with ever-moving English thought must not be ignored. I should like to see incapables, like incurables, cast—if I may use the expression—at an earlier age than the rules now allow. But the efficient class should be encouraged to take furlough, whether they are Covenanted or Uncovenanted. At the same time, the State may well make a difference between the superior and inferior service. As you descend it matters less, from a business point of view, whether you loose or keep your servant. Roughly speaking, therefore, the Covenanted Service representing the main directive posts, and the most important appointments in the Uncovenanted Service, constitute a class which should be liberally dealt with as a matter of economy. Natives of India would probably not benefit in health by a visit to England, and unless they were ordered to Europe by a doctor I would not give them the same furlough indulgences that the exotic Englishmen may require. I would treat the whole question in the cold-blooded manner that the Tramway Company treat their horses. The English Civilian requires different rules from the Indian Civilian. The higher and more efficient article, whether he be English or Indian, Covenanted or Uncovenanted, is worth more care than the less efficient article, and he should receive it. The pay of Statutory Civilians is not sufficient in the earlier stages of their career. The slow promotion disappoints them more than it does the Englishman. I do not think it necessary to deal more minutely with this question, because I have expressed the opinion that the Statutory Civil Service should be abolished, or rather transferred to the superior public service of India

Mr. *Stokes.*

408. Have you ever, in your experience, found it desirable to be able to pension your subordinates at an earlier age than is at present permissible?—I have thought it would be advantageous if Government could pension both my subordinates, and, sometimes, my superiors at an earlier age

Sir *Charles Turner.*

409. What do you propose as the general system of entry into the public service? Would you require any educational qualifications at all?—I have answered that If the Statutory Service is retained and appointments given as a reward to tried public servants, there should be no limitation to age, intellectual ability and capacity proved by results and moral qualifications would be easily determined by rules. The tests would be applied by several officers.

Sir. *Charles Turner*—continued.

410. Supposing you appointed to the Statutory Service men already in the Service, you would require no educational tests?—None. Their official work is the best test.

411. And a man not already in the service?—I would take the opinion of several tutors and others as to character If the Statutory Service is worked as at present, so as to attract men under twenty-five years of age of good family, the social test would be easily applied if Government meant to apply it There should be a special educational test, in which English History and Political Economy should be included, which would avoid making it exclusively like the matriculation or University education. I would try and make the examination more in the lines of public competition at home to test education and not cram.

412-13 For Mamlatdars, would you have any educational qualifications?—Certainly, by all means. I would get the best men of every educational system, but their school or University honours should not follow them about for ever afterwards, casting a shadow of failure for life over other men who did not obtain the same degree I would always have an educational test. It should be the best test provided by every variety of educational system recognised by the State, so that the European, for whom you prescribe no system of education, should not be excluded from patronage by your educational policy, nor the Mahomedan for whom a special system is provided, nor any one else who had had a practical secular education.

414. How would you appoint your Deputy Collectors?—I would continue to appoint them from the grade of Mamlatdars as a general rule.

415. Would it not be desirable to bring in men of higher education than that possessed by those who were originally brought in as Mamlatdars?—You would lose the special knowledge, without which a revenue officer had better be a schoolmaster.

416. What do you think of a system by which one-third of the persons appointed Tahsildars would be recruited by promotion, and one-third recruited by competition of nominated persons?—It would do much better than the present system.

417. Would it not be possible to apply the same system in filling the appointments of Deputy Collectors? I mean partly from Mamlatdars and partly from outside with probation?—Provided the Deputy Collector has had some preliminary training in accounts, I see no objection to variety of system. But a Deputy Collector is no good, however good his intellect may be, unless he has had some training in accounts and in revenue law.

418. Members of the Covenanted Civil Service become Assistant Collectors without any previous training in accounts?—Yes, they have to go through it in books, and also have charge of the Treasury and all that sort of apprenticeship.

419. They go into it without special training?—Oh, yes, so far as the first start, but they have no powers.

Sir *Charles Turner*—continued.

420. Could not Natives enter in the same way with probation?—Yes, if you could afford to be teaching recruits when you have men already trained to hand. You cannot keep a Deputy Collector two years to learn his work. At present every Mamlatdar who comes in knows his work.

421 Does it take a very long time to learn this system of accounts?—It is not only accounts he must master. Revenue practice and law and tenures are very technical works. Revenue work is *very* technical work, and requires trained men as much as the law. No Government would think of putting in a man as a District or even Subordinate Judge unless he had had special training.

422 European Assistant Collectors still come to that technical work without a special training?—No, the Assistant Collector has always had that training We can afford to teach him, as we recruit, so as to have supernumeraries. They do no responsible work at first, but study and watch the work of their seniors, with whom they often travel for the purpose.

423. How many European officers have you in each district?—They vary sometimes three, very rarely four, and sometimes only two.

424 As many as four?—Yes, I mean on the Revenue side, including supernumerary.

425. Are your districts larger or smaller than those in the North-West?—They vary · some have over one million population, some only 100,000; some are 8,000 square miles, others 5,000 in Guzerat they are small, but very fertile. The work depends on tenure, the habits of the population, &c. Satara has 5,000 square miles with a million souls. It has ordinarily two European Assistants besides the Collector. The fourth is the supernumerary, learning his work. It is a difficult district. It lies in the path of famine, and has at times serious dacoities.

The *President*.

426. Are there any appointments now reserved for the Covenanted Service which, considering the efficiency of the service, could be held by Natives; that is, such as the charge of districts so situated that they could be handed over to a Native instead of to a European officer?—I do not think that there is any material difference in the districts: for instance, take the district I regard as the smallest and least troublesome—Broach. It has been the scene of terrible riots several times in my service. Lately a British officer was murdered there in broad daylight by a gang of ruffians. A large district like Satara or Khandeish would present greater difficulties I cannot now mention any Native official who, in my opinion, could be guaranteed as equal to the physical and other strain of the charge of a district. District administration includes more than mere revenue or magisterial work.

427 Do you think as a rule that districts ought to be held by Europeans?—I think so. I think they must be held by Europeans. I do not know any Native servant of Government whom I would now recommend as the head of a district.

428 Coming to sub-divisions · you have a cadre of forty-one European sub-divisional appointments in 1881?—My scheme of adding to the superior service of India would be to look at

The *President*—continued.

districts with reference to the work in them, eliminating one of the assistants where it was possible. Your future Collector must serve as an Assistant Collector

429. You do not think there should be so many as three European officers in each district?—You may require them in some districts, in times of famine for instance. As a rule, two ought to be enough. But you have to think of the education of your future Collectors. They must go through a period of Assistant Collector. It is only by being better men at the work of administration that we are justified in holding districts, and to make a competent Collector a man must begin at the bottom. I am quite convinced that the Natives themselves admit the value of the foreign Collector and appreciate the energy of his work.

430. There are no Native High Court Judges; are there?—Yes, Mr. Nanabhai Harridass.

431. Among your District Judges, are there any Natives?—Yes, Mr. Tagore is one.

432. Is he a Statutory Civilian?—No, a Civilian by open competition.

433. Are there Sessions Judges?—Yes, there are Native Sessions Judges

Sir *Charles Turner*.

434. You said there would be a difficulty about the Criminal Jurisdiction. How could that be remedied? Would it be possible to separate the criminal from the civil work?—Very easily, I should think. I do not see any reason why it should not. Two or three districts might be incorporated, and you might have one Sessions Judge going on circuit.

435. It is rather difficult for European officers to travel during the hot weather, is it not?—They all travel in the hot weather in this Presidency. The monsoon would be the difficulty. The Revenue officers are out during the whole of the hot weather, and there is no difficulty whatever experienced in keeping them so.

436. Have you any district in which a Sessions Judge goes on circuit to a different district?—Yes, I think so. Ahmedabad and Kaira. Broach used to be part of Surat.

437. Were sessions held in each district in every month?—Yes, I fancy more frequently

438. Your District Judges here exercise supervisional powers over the Native judiciary of their districts?—Yes, I think so

439. Do you think that the presence of an English Judge in a district supports the independence of the Subordinate Courts, and has contributed to the high character which Native Courts have acquired?—I think you should never reserve certain districts or judgeships to be habitually held by Natives. You should vary the district.

440. Would it not tend to lower the estimate of the Civil Judicial Service in the eyes of the Native public if you assigned the whole of the judicial civil work of the country to Natives, placing the whole of the criminal work in the hands of Europeans?—I never contemplated resigning the whole to Natives. I do not think it would be possible to do it.

441. Would it have that effect if it was done in a large degree?—The real question, as I understand you to ask it, is whether handing over

Sir *Charles Turner*—continued.

certain appointments to Natives would tend to lower them in the public estimation. We have a large number of Native gentlemen in this Presidency who would not admit that European civilisation or work is superior to those of India.

442 Would there not be the danger that judicial offices would be regarded with less respect in the country?—I do not see why it should: I hope not. Every nation has certain natural aptitudes.

The *President.*

443. Is there anything else you would like to mention?—No.

WITNESS IV.—17th January 1887.

Examination of Maulvi MEHEDI HASSAN KHAN, Chief Justice, His Highness the Nizam's Court, Hyderabad, Deccan; of the Uncovenanted Service; services lent to the Hyderabad State, Chief Justice of the State.

Vol. IV. Sec II. Bombay.

Maulvi Mehedi Hassan Khan.

Sir *Charles Turner.*

444 You are a member of the Uncovenanted Civil Service of the North-West Provinces?—Yes.

445. You are by birth a member of an Oudh Taluqdari family?—Yes, I was the first or second person of this family who entered the service

446. In what grade did you enter the English service?—First I was sent as Tahsildar to learn the work: that was the highest executive position that could be given to Natives of the highest family in those days. After a short time I was appointed Extra Assistant Commissioner in Rai Bareilly. I was made a Tahsildar in Oudh first, and afterwards Extra Assistant Commissioner. When the Judicial Service was introduced, I was transferred from the Revenue line to the Judicial.

447 What office did you receive?—A Munsifship. Munsifs and Tahsildars were then equal in rank.

448 In what part of the country?—Rai Bareilly. In 1873, Sir Salar Jung asked for my services, and they were lent to the Hyderabad State. I am Chief Justice there, and have control over the whole of the Judicial Departments of the Government.

449 Have you formed any opinion respecting the Statutory Civil Service?—Yes, I myself, and, I think, the public, feel dissatisfied with it

450 What are the grounds upon which the dissatisfaction is based?—The Civilians now selected are not of the same standard as their colleagues, they do not command that respect which superior Civil Servants ought to have; they are inferior, intellectually and morally—I cannot say socially, as they are selected from high families

451 When you say "their colleagues," do you mean the Covenanted Servants or the Statutory?—The former, because they are supposed to be Covenanted Civilians The public do not regard them as anything more than members of the Uncovenanted Service. The public do not find any difference between a Statutory Civilian and a member of the Uncovenanted Service who holds the same post. They cannot hope for any other higher post.

452. You object to the system because it is a system that admits to posts, not to a regular service?—I am against this system simply because those selected are of a very inferior standard, morally and intellectually There is this objection also, that they cannot be recognised as members of that high Service called the Covenanted Service.

453 Have you met any of these men?—Yes, two of them are my friends, belonging to the same class as that to which I belong I believe if they were asked they would say the same.

454 Would you alter the Statute?—We all like the Statute There is only one objection which I entertain to it, that is in the preamble It runs "Whereas it is expedient that additional facilities should be given to the Natives of India of proved merit and ability" That is the declared

Sir *Charles Turner*—continued.

object of the provision; but the language of the provision itself is not sufficiently explicit to constrain the Government to appoint such persons in the sense in which I understand the term. I would insert in the Statutory power also the words "of proved merit and ability"

455. In what sense do you understand the words "of proved merit and ability?"—I should like to keep the Statute as it is, and in occasional cases I would give authority to the Government of India to select men of position from the Uncovenanted Service, who had proved their merit and ability in the ranks of that service, or from the professional classes. Supposing there were very able Barristers, very able Pleaders who would accept office, the Government of India should be empowered to select from them, and give them some of the posts reserved for the Covenanted Service, but should still call them members of the Uncovenanted Civil Service. I do not like to have another class called the Statutory Service. In Non-Regulation Provinces, both Uncovenanted Europeans and Covenanted Europeans were formerly appointed Deputy Commissioners That is the case no longer now Mr Cavanagh was a member of the Uncovenanted Service. he proved his ability: the Governor General appointed him a Deputy Commissioner, and he was subsequently appointed a Commissioner This same opening should be afforded to Natives, and in the case of any Native of proved merit and ability Government should have the power to appoint him. I would not call him a Statutory Civilian.

456-57. You do not think it is desirable to multiply the branches of the public service engaged in similar duties?—Exactly I would keep the Statute In exceptional cases I would give a power to the Government of India; but there should be only two branches, *viz.*, the executive and the judicial.

458 Would you alter the term "Native of India" at all?—Yes, that is a question on which I have thought well, and I am sorry to say I have come to the conclusion that if Mr. White's proposals about the Eurasians, which I have often read in his speeches, could have been carried out, I would have had no objection to include Eurasians as Natives of India, but unfortunately Eurasians are inclined to assert themselves to be Europeans whenever they think it to their interest. They claim the privileges which Europeans have, and, at the same time, those privileges which we have as Natives of India; and therefore I should think that the term "Native of India" should be restricted to Natives of India of purely Asiatic birth.

459. Would you make it compulsory on persons appointed to the Statutory Service to proceed to England to complete their training?—It must be understood I am entirely against the Statutory Civil Service, but if that Service is retained, I think it must be admitted that the present administration of India is, as a whole, the best that is possible in the existing state of Indian society. As there is

Sir *Charles Turner*—continued.

nothing in this world free from imperfection, so there are defects in this system also, which experience and time alone can help to remove. In the second place, it must also be admitted that this efficiency of administration can continue only so long as the British administration lasts. I use the term British administration in no narrow sense. I have in view the Government of India not exclusively by men of English race, but by men who by association have imbibed some of the characteristics of the English nature—honesty, diligence, sense of duty, firmness of temper, perseverance, sense of honour, and independence of thought. I do not say that our nation does not contain persons who possess some or all of these qualifications; but I have no hesitation in asserting that the qualities I have named have not become our national characteristics as yet, as long civilisation, education, custom, and the effect of an educated society have made them characteristics of the English people. For these reasons I consider it necessary that candidates appointed to the Statutory Civil Service should proceed to England for education. I must adduce the same reasons about the Covenanted Service.

Mr *White.*

460. You say that you would, under certain circumstances, exclude Eurasians from the definition of "Natives of India?"—Yes.

461. How would you decide, then, in this case. Supposing one Eurasian holds an opinion that he ought to coalesce with Native opinion, and that he has a strong objection to class himself with Europeans, and another Eurasian wishes to consider himself a European: would you apply the same law to both and exclude both?—You are perfectly right, and I am sorry for it; but the rule should be one We cannot say one Eurasian is a Native of India, because he acknowledges that he is so, and that another, who considers himself a European, is not. My objection—and I think the objection of my countrymen generally—is that if Eurasian gentlemen take an interest in Indian affairs, considering it as their own mother-country, as we all do, we, the Natives of India, who are composed of so many races, have not the slightest objection to include Eurasians among ourselves, but from my personal experience, I have found there are very few Eurasians who entertain the views we entertain. There is moreover this difficulty. Eurasians are often considered Europeans on account of the similarity of their domestic habits to those of the European, and they have generally freer access to those European officers who have control over the appointments, and the result, if they are to be considered Natives of India, will be, that all the places will be filled by them. We have no objection to their inclusion if they call themselves Natives of India, and take a common and interest with us in the affairs of the country. But that is not the case

Mr. *Ryland.*

462. You claim for Natives the right to be appointed here, or to go to England, there to compete for the Covenanted Civil Service. On what principle of equity do you so rigidly exclude Eurasians and Europeans who reside in this country, and have a large interest here, while the Act of Parliament and the Queen's Proclamation confer equal rights on subjects of all races?—The Act says, without distinction of birth, race, or colour. But we should make, in discussing this question, a

Mr. *Ryland*—continued.

little difference between the legal point of view and the practical point of view. This Proclamation was in existence long before, but practically it was never carried out Therefore we should speak of practical things at present. I am not now taking into consideration the Statute I am speaking practically Europeans have other careers which are closed to Natives of India.

463. When you say Europeans, are you speaking of domiciled Europeans or non-resident Europeans?—I do not mean the European who simply comes from England this month and goes to England next month with the intention of trying to get an appointment. I am speaking of the children of European public servants born here or in England—Europeans non-residents, not domiciled in India, they have many careers open to them. The military career is closed to us altogether we cannot be Commanding Officers, Captains, or Lieutenants. There are also certain other posts in which we have no share. There are other careers, also, which are open to Europeans, but closed to Natives.

464 We are now discussing only the judicial and executive administration of the country?—Europeans have special opportunities, and there should be exclusive opportunities for us If the Uncovenanted service be exclusively open for us, I do not think there would be any injustice As for the Statute, there is no doubt about it that it makes no distinction about any nationality at all It comes to this, that Natives of India who know the habits and manners of the population, and are intimately acquainted with their mode of living and mode of thought, are much more qualified to have immediate control over them, and therefore the Government generally appoint a Native of India as a Deputy Collector

Sir *Charles Turner*

465. You adopt these reasons, I suppose?—Yes.

466 Is there any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Yes, the Natives of India are labouring under disadvantages. First as regards age The limit of age which is prescribed is really very low Indian boys cannot complete their preliminary education at that age. Then in going from here to England great expense is incurred My views entirely agree on a good many points with those of Mr Lee-Warner there simply is this difference, that he is perhaps inclined to put all sorts of difficulties in the way of Natives competing in England, while I consider it just and necessary to give every facility to the Natives of India to qualify themselves to appear at the competitive examination in England; and not only that, but to receive their education there, to acquire those qualities which are required of members of the Covenanted Civil Service. I would not increase the difficulty of Natives going to England by retaining the low limit of age

467 Do you think it desirable in the interest of the Natives to increase the age?—Yes, to twenty-two. I think that would do, if Natives form their character in England Some suppose it better they should proceed to England at twenty-five years of age. I differ. At twenty-five men have already formed their habits of thoughts.

468. You consider it better that Native youths should go to England before, rather than after, they are admitted into the service?—Yes.

Sir *Charles Turner*—continued.

469. Would you make any change in the subjects of the examination?—Yes, that is very important. The great difficulty is with Latin and Greek, which have 800 marks, while Arabic and Sanskrit have only 500. I would raise the marks for those languages to the same level, and I would add Persian to the examination.

470. Do you think it desirable there should be an examination in India as well as in England?—I am entirely against holding an examination in India. I do not consider education in India, given to students of colleges, is such a moral, physical, and social education as is necessary to fit a man to hold high office.

471. You advocate an examination in England only because you wish to secure an English training, so far as possible?—Yes.

Mr. *Ramaswami Mudaliyar.*

472. Would not the difficulties you speak of be obviated by sending selected men to England?—There is, no doubt, some danger in sending Natives to England at too early an age, but we may take steps to afford sufficient protection to the youth who may proceed to England measures are already being taken by societies for this purpose.

473 Do you think the training in England is likely to estrange the Indian youth from their countrymen on their return to India?—I believe quite the reverse. I believe the more high the education is, the more the educated will possess feelings of patriotism and a love of their country and people I have seen by experience that it is only superficial education which isolates Native boys educated in England from their fellow-countrymen, but solid education produces no such result

474 You are speaking now of instances you have known?—Yes, certainly. I have found from my personal experience that the estrangement is very temporary. In the case of some of my own friends whom superficial education had at first estranged from their people, after a little time, when at the age of thirty, thirty-five, or forty, they regained their patriotism.

475. So that it is your experience, that when boys are sent young to England they do not necessarily lose their sympathy with the people on their return?—I do not know any Hindu who was aged of a tender age while he was sent to England and who returned after many years. I am not speaking of any other race than the Mahomedans. We believe the education that we give to our youths will have a very good effect on them.

476 That is only a matter of belief?—Yes.

477. And you have not considered the question from the point of view of Hindus?—Of Hindus I have no personal experience; but I know that many of my intimate friends, who were sent to England and remained there a long time, are still very patriotic.

Sir *Charles Turner.*

478. Do you think the Uncovenanted Service should be recruited only from Natives of India, or from all natural-born subjects of Her Majesty?—My view is the same as I have already expressed regarding the Statutory Service

479. In recruiting for this service would you prefer nomination or competition, or a combination of both systems?—I think that, in the present state of Indian society, there should be nomination and competition, both mixed.

Sir *Charles Turner*—continued.

480 Would you have your recruitment provincially, or from the whole of India?—Provincially.

481. If the existing Statutory system is abolished, what would you do with that proportion of the offices held by Covenanted Civilians which is now allotted to that Service? One-sixth of the appointments held by Covenanted Civilians are now reserved for the Statutory Service. What would you do with that one-sixth if you abolished the Statutory Service?—I would allot them to the Uncovenanted Service That would be consistent with my scheme.

482 Now, what is your scheme?—Whatever facilities may be given to the Natives of India for the English competition, such as increasing the age to twenty-two, establishing scholarships, &c, there will still be very few who will be successful. Education in India will remain as it is; and therefore my scheme is to take away some of the appointments now reserved for Covenanted Civilians, and amalgamate them with the Uncovenanted Service; make the Uncovenanted Service an enlarged service, and open it to the Natives of India. I then think the Natives of India will be quite contented for the present, and I would leave the competitive examination as it is The posts now assigned to Statutory Civilians would be conferred on the newly-organised Uncovenanted Service.

483. With regard to the ability of Natives to take charge of districts, have you had any experience of Natives who have had charge of the administration of districts?—I have seen Natives who have been in charge of part of a district, what is called a sub-division They have done very well and to the satisfaction of Government.

484. Is there any foundation for the rumours of corruption in the Tahsil establishments?—Yes, from my personal experience I believe they have some foundation, and supervision is required. I do not know about this Presidency, but in Oudh and the North-West Provinces the Tahsildars have a very lax standard of morality. I have always been opposed to giving promotion from the ministerial to the higher posts. I would always keep the ministerial from the administrative class. I would never appoint from a Tahsildar to an Extra Assistant Commissionership, as they used to do.

485. How long were you a Tahsildar?—I was only sent as a Tahsildar to learn the work.

486. How long were you an Extra Assistant Commissioner?—I do not remember exactly, but I believe for five or six years, until I became Munsif

487. Are you the son of a large landowner?—Yes, and I have my own property.

488. Had you succeeded to your own property before you became an official?—No, but my brother used to attend to our landed estate, and still does I prefer official life

489 Have you any experience of the ministerial staff of the Tahsil in your character of landowner?—Personally I never came in contact with those people. I left it all to my brother.

490 Is your knowledge of those officers confined to your official knowledge?—Yes, and from what I have heard from those who had been in contact with them, my brother and my relations

491. You know what takes place in Tahsil offices?—Yes, as well as if I myself were dealing with them.

Sir *Charles Turner*—continued.

492. Would you make any difference in pay accordingly as a post is held by a Covenanted or Uncovenanted officer, or by a member of the Statutory Civil Service?—I am entirely against the system of Statutory Civilians. If that Service is retained, my opinion is that the pay is very small indeed. This is a very general opinion, and the reasons are well founded. It is thought that when a European is appointed he should get better pay because he came from England; when a Native is appointed he is in his own country and should get less pay. This looks to be sound reasoning, but in reality it does not take account of the advance of education and the great changes in the way of living among Natives. Their contact with England, which is now the mother-country, is so close, and is becoming closer every day, that there is a change in their habits of life, and I do not see any great difference between the habits of educated Natives and Europeans; there is very little difference in the cost of living between an Indian and European in the present day. We all now desire to send our children to England for education · we consider it necessary, for their success in life; we cannot help it.

493. Do you send your children to be educated in England?—Yes, my cousin is going next year.

494. Is he the son of the head of your family?—Yes.

495 Those who can afford it wish to send their children to England to be educated?—Yes.

Sir *Charles Turner*—continued.

496. What do you think would be a reasonable salary for a Statutory Civilian?—I should think, perhaps, 25 per cent. less than that of a Covenanted Civilian.

The *President.*

497. The present salary is Rs. 200 to begin with, Rs. 250 on passing examination, and, after confirmation, 64 per cent. of the pay. Do you consider that sufficient?—That is very insufficient indeed. I do not think there should be any difference made in the junior ranks of the Service. In the higher grades you may have some distinction.

Mr. *Ryland.*

498. Would you make it Rs. 500?—An Assistant Commissioner receives Rs 400, let the Statutory commence on Rs. 400 also. If you take some of the posts from the Covenanted branch and amalgamate them with the Uncovenanted Service (which is my own personal view, I do not think my countrymen will agree with it), I would reduce to a certain extent the pay of some of the higher posts, and that would be another gain to economy.

The *President.*

499. Is there anything else you wish to add?—No, nothing.

WITNESS V.—14th January 1887.

Examination of Haji Khan Bahadur, GHULAM MAHOMED MUNSHI, Fellow of the Bombay University; founder of the Anjuman-i-Islam Society.

The *President.*

500. You are a teacher of languages, are you not?—I commenced my career in life at the early age of nineteen years, in 1841, by teaching Native languages to Europeans, chiefly Civilians and Military officers After eighteen years' experience in that profession I began to write books. About a quarter of a century ago I began to take an interest in education, especially that of my co-religionists I published essays on education in Hindustáni, and distributed them throughout the Presidency, and delivered lectures on education to Mahomedans in Gúzerát, Khándeish, and the Deccan I had the honour of founding the Mahomedan Society in Bombay called the Anjuman-i-Islám.

501. Do you now represent the Society before the Commission?—No: I give my evidence as an individual and not on behalf of the Society.

502 Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—It is not liked either by the public or by special classes of the Native community. Certain classes, especially those who are backward in education, such as the Maráthas, Mahomedans, and those who find it difficult to compete with others, such as Nobles, Jágírdárs, &c., like the Statutory system. I am, therefore, of opinion that the Statutory system must be retained, otherwise those classes which require special concessions as regards the Public Service will be totally left behind, which will not be at all advisable either from a social or political point of view.

503. What are the grounds of disapprobation?—I believe Hindus and Pársis, being well advanced in English education, do not like the Statutory system, mainly on the ground that, when they are able to compete for the Covenanted Civil Service examination, there is no reason why they should remain satisfied with the Statutory Service, where they cannot enjoy all the privileges of a Covenanted officer.

504. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—If the Statutory Service is retained, the selected candidates may be given the option of proceeding to England for training during the probationary period of their appointment; in other words, they may be encouraged to go.

Mr. *Ramaswami Mudaliyar.*

505. Do you prefer nomination or competition?—I prefer nomination with preliminary physical and educational tests. I would give appointments to those who fail in the competitive examination and some also by promotion from the Uncovenanted Service for merit and ability.

The *President.*

506. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Great dissatisfaction is felt regarding the undue restriction of age.

The *President*—continued.

507. Should any, and, if any, what, change be made in that system?—The limit of age should be raised to at least twenty-three years.

508. Do Natives of India labour under any, and if any, what, disadvantages in competing for employment in this branch of the service?—The Natives of India have many disadvantages in competing for the Covenanted Civil Service, *viz*:—

(*a*) The first thing that is looked upon as inconvenient is the sending of young men to study in England. Hindus as well as Mahomedans are equally obliged to neglect their religious restrictions; nay, they have to turn a deaf ear to the religious prohibitions. The former remain outcaste, or belong to the reformer class, which is considered excluded by the majority of orthodox Hindus on account of their being addicted to certain habits which they cannot avoid in England, and from which they cannot refrain in after-life. If the post in question is not obtainable without going to England, certainly the act of toleration provided in the Proclamation of 1858 is not observed.

(*b*) The pecuniary difficulty is another block in the way of Natives. The heavy expenses of the voyage and stay in England are looked upon as too heavy a burden.

(*c*) The inconveniences experienced in the long voyage are not of small measure, especially for the young men who are obliged to undertake the work before experiencing much travelling in their native land, and being, indeed, almost altogether ignorant of their own country.

(*d*) The physical structure of Natives of India is well suited for a hot climate, while they are obliged to subject their still growing structure to a severe cold climate never experienced before by them. This difficulty comes in the way of many, though not of all.

(*e*) The last, but most important, difficulty in the way of Natives who desire to study for the Covenanted Civil Service, is the low limit of age. It must be borne in mind that the Natives are quite at a disadvantage in having to conform to the same age limit as the English, who have neither to undergo the heavy expenses nor any of the aforesaid difficulties and inconveniences.

The Natives have an additional course of study, in the acquisition of a foreign (the English) language. It requires a period of five to seven years for a Native of India to acquire that primary knowledge of English which a European has on first entering a school Would it, under these circumstances, be unfair to fix the maximum age a little higher for Natives than for Europeans?

509. By what changes may those disadvantages be minimised or removed, *e.g.*—(*a*) by the establishment of scholarships and allowance of passage-money to native candidates; (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination, or by altering the maxima marks obtainable in certain subjects; (*d*) by holding

The *President*—continued.

simultaneously examinations in England and in India?—(*a*) The best way to remove the disadvantages under which the Natives are labouring while competing for the Covenanted posts, will be to hold simultaneous examinations in India as well as in England. (*b*) Raising the maximum limit of age is equally necessary even when the competition is held in India. When the examination is held in India, thea dditional difficulty of acquiring the primary knowledge of English will not be removed. Therefore it cannot be in any way unfair to allow the Natives of India to have a higher maximum limit of age than the Europeans. (*c*) The cost of the passage with the usual allowance may be given to those who can without objection undertake the journey to England after passing the competitive examination in India.

510. If an examination is held in India—(1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects?—If the competitive examination is held in India—(1) It must be identical with that held in England. (2) It must be held in each centre or province of India. (3) The fair thing I believe would be to have a fixed number of appointments in each province to be reserved for the successful local competitors, while the remaining appointments reserved for those who compete in England must be allotted to the English competitors in order of merit. (4) Out of the fixed number of appointments in each province reserved for successful local competitors, proportionate shares must be made between the members of the principal religious sects. Otherwise an important community, like that of the Mahomedans, now being neglected in education, will be equally left behind in the Public Service.

511. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—Although some training in England will be of no slight advantage to the successful competitors in India, yet I am not in favour of a clause that will require the successful candidate to proceed to England to complete his training. The only encouragement to visit England that I can suggest is that special provision should be made in the Leave Rules. In short, I mean the visit to England must be perfectly optional.

512. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—Under the existing system of the open competition in England only one Mahomedan in the whole of India, from Bombay, has been successful, though a few Muslims from different provinces have been to England for the purpose. I believe very few Natives can be obtained from this Presidency under the existing system. But if the open competition be established in India, there is no doubt many Natives, chiefly Bráhmans, will be forthcoming from various provinces

The *President*—continued.

513 Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Section 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service, in my opinion, had better be confined solely to Natives of India, including all foreigners who have acquired a domicile in India, and not from all natural-born subjects of Her Majesty.

514. Should the recruitment be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—The recruitment of the Uncovenanted Service must be only by nomination to be followed by a period of probation.

515. Whatever system be adopted, should the recruitment be made by the several administrations, only from persons resident in the territories under such administrations, respectively, or with, a preference for such residents?—Whatever system be adopted, the recruitment should be made by the several administrations only from persons resident under such administrations respectively.

516. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—If the existing Statutory Service be abolished, I propose that the proportion of offices now assigned to that service be given to the Uncovenanted Service.

I may be allowed to mention here that a question of great importance has not been taken notice of by the Commission, which I would put thus:—

Is there any special class, or are there any classes of the Native community in your province or presidency who require special concessions in regard to appointments to the Public Service? If so, why, and under what circumstances, and what steps would you suggest?

I would answer the question thus.—

I think there are two most influential classes of the Native community who stand in need of special concessions with regard to their admission into the Public Service Independent of self-interest, I can state that both these classes claim a larger share in the Public Service than any other class or classes of the Native community, while they both receive much less One of the two classes is the very important one of Mahomedans; the other is the not less important class of the Maratha and Guzerát Jághírdárs and Chiefs. Both of them have had their days of great prosperity and glory, and even now, if they are put on trial in suitable places in the Public Service under British rule, they will not fail to uphold the reputation of their ancestors by showing loyalty and gratitude for the appreciation they would receive at the hands of the most benign Government of Her Imperial Majesty. I now beg to suggest that even after establishing the Competitive examination in India for the Civil Service, the Statutory system must be retained and restricted to the backward classes of the Native community by nomination only, simply with a view to enable them to secure their due share in the Public Service.

Mahomedans labour under a disadvantage, not only in seeking admission to the Covenanted Civil Service, but also to the lower grade service. This disadvantage can only be removed if Government

Haji Ghulam Mahomed Munshi

The *President*—continued.

rule that every department must have a number of employés proportionate to the population of each section of the community, and as long as the number is not proportionate to the population, the backward classes must be given preference over all others.

Mr. *Stokes.*

517. Are not the Mahomedans now taking to educating their children?—The Mahomedans are just commencing to take to education, but only on a small scale; and not the wealthy Mahomedans. There are two classes, from Kutch and in Bombay, the Khojas and Memans, who do not care for education; though a few Khojas have taken degrees; no Memans have. They seem content with their trade and are wealthy. The other classes stand aloof from English education from poverty. I have travelled all over India, and, with the permission of Lord Reay, have commenced publishing lists of Mahomedan candidates for employment, and find they are too poor to get education. I also supply books to poor students. They are obliged to give up study if they do not get free books or have to pay fees. There were religious objections to English education formerly, but there are none now.

Mr. *Stokes*—continued.

Mr. *Nulkar.*

518. The Khojas and others do educate their children, do they not?—The Khojas and Memans, as a class, are generally merchants and do not aspire to Government service. There are a few high Mahomedan families in good circumstances who have been recommended for service, but have not been successful. It requires good recommendations; there is nothing in their way except that a Government officer recommends. I dare say they will get employment. I have myself recommended three.

I would like to suggest that Government should create scholarships for Mahomedans and provide them with books. If this be done, I dare say they will educate their children. They will be backward for some years till they qualify themselves, and therefore some employments should be reserved for them till they can qualify. When they qualify they will get their share.

WITNESS VI.—17th December 1886.

Examination of PÁNDURANG RÁMCHANDRA DESAI, ESQ., District Pleader, Thana.

The Hon'ble Mr. *Quinton.*

519. What is your position?—I have been about ten years in the Revenue Branch of the Government service. I am a Pleader and not a B.A. I was appointed as Assistant Accountant in the Department of Public Works in 1868; then transferred to Satara Collector's Office as Second Clerk, and acted as Head Clerk. Then I passed the Pleader's examination and gave up Government service. I have served as one of the Municipal Commissioners at Satara and have resigned, as I have removed to Thana.

520. What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—The prevalent feeling as regards the existing Statutory system in this Presidency is, as far as I am aware, one of dissatisfaction. It is general amongst all those sections of the community who take a keen interest in the welfare of this country.

521. What are the grounds upon which any such feeling is based?—The chief grounds upon which this feeling is based are, in my opinion, two: (1) Under the present system the mode of selection to the service is not by open competition but by patronage and favour, consequently the best men are not selected. (2) The very circumstance of a Native having been nominated by the favour of Government to a service composed of English youths who enter it by hard competition makes him (the Native) naturally look small in the eyes of the latter and in those of the public in general. The inequality of pay, though I consider it sufficient, is also a cause of dissatisfaction.

522. Do you consider that section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—If not, can you suggest any more complete or more satisfactory definition?—The term "Native of India" in section 6 of the Statute (33 Vic., Chapter 3,) should be so amended as to exclude therefrom the Eurasians or the East Indians residing in India.

523. Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel?—Yes.

524. If such a feeling exists, on what grounds is it based?—This feeling is based upon the fact that Statutory Civilians enter the service by favour and not by proved merits.

525. Do the general public take a different view of the status of Statutory Civilians and that of Uncovenanted Officers?—The general public make no great distinction between a Statutory Civilian and a member of the Uncovenanted Service.

526. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your province?—A system of appointment to the service by nomination will not meet with the approval of the influential sections of the Native community in this Presidency.

The Hon'ble Mr. *Quinton*—continued.

527. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—Supposing, however, that Government do determine to follow this system, the influential classes of the Native community will approve of appointment by nomination followed by a reasonable period of probation.

528. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—In such cases a condition of probation is likely to secure well-qualified persons.

529. Has experience actually shown such a system to secure well-qualified officers?—My general experience in Government service enables me to say that this is so.

530. Do you consider that nominations should be confined to persons of proved merit and ability?—If Government determine to follow the system of making appointments by nomination, then the system ought to be limited only to persons of proved merit and abilities.

531. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation?—I consider it necessary that there ought to be a period of probation after selection, whether by nomination or competition. The probationary period should not, in my opinion, exceed two years.

532. Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what manner?—The period of probation should be passed in the ranks of the Covenanted Service.

533. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—The persons appointed to the service, whether by nomination or competition, ought to undergo special training.

534. If so, should the special training be carried out in India or in England?—The special training should be carried out in India by placing the nominees under the orders of experienced district officers for employment, just in the same way as English Civilians coming out to India are now placed.

Mr. *White.*

535. On what grounds would you exclude Eurasians?—I would exclude Eurasians because the Statutory appointments are specially intended for pure Natives of India. I do not consider that Eurasians or East Indians, as they are called, can be, or were intended to be, included in section 6. Eurasians as a class do not like to be called Natives. This also I can say, that they are always averse to the Natives of India. I have read the Statute, and the definition there given is not wide

Mr. *White*—continued.

enough to include that class. But if there be a simultaneous examination in India for the Civil Service, then I would be the last to say that Eurasians should not be admitted to compete. (Mr. White reads section 6 to witness.) The last words, "habitual residents" of India, shows it was not intended to include these people. My opinion may be wrong, but that is my opinion. Experience leads me to say these appointments are secured by certain persons who have influence with Government officers. If, therefore, Eurasians are allowed to obtain these appointments, which are few, none will be left for Natives of India.

Mr. *Ryland.*

536. Have any Eurasians or Europeans been appointed hitherto?—No Europeans or Eurasians have been appointed under the Statute up to date, still I think hereafter they will monopolise the appointments. The Eurasians are practically shut out from Mamlatdarships, because they cannot hold their own in the examination.

Mr. *Nulkar.*

537. If there were open competition for the Statutory Service, would you allow domiciled Europeans and Eurasians to compete?—Yes.

The Hon'ble Mr. *Quinton.*

538. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India?—Competition of Natives in the examination in England is favourably looked upon by large and important classes in India I mean it is so looked upon by the educated classes who take an interest in the matter

539. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—All reasonable facilities should be given to Natives for proceeding to England for entering the service by the channel of the English competition.

540. What form or forms should such facilities take?—The chief facilities which ought to be given them are, in my opinion,—(1) Raising of the present limit of age for the examination from nineteen to twenty-two years. (2) Paying of passage money for proceeding to and returning from England. The age limit might even be raised to twenty-three Scholarships might be established in England to be competed for only by poor men, *i e*, those who cannot afford to pay for their maintenance.

541. What conditions, if any, should be attached to them?—No conditions should, in my opinion, be attached to any of these facilities But I am of opinion that in case of scholarships, the candidates holding them should refund if they fail That is the only condition I would attach. Refunds should be by instalments.

542. What class or classes of Natives in your province readily go to England?—In these days almost all classes of Natives in this Presidency readily proceed to England, provided there be sufficient inducement for so doing.

543. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—No objections are entertained by any classes of people to go to England.

Mr. *Stokes.*

544. Do you say no objections are entertained by any classes to going to England?—I mean no objections are entertained to going to England except by people of the old school. But now all Bráhmans, Parbhus, and orthodox families are taking to English education and losing their prejudices. Brahmans who have gone to England will, if they go into the interior among old-fashioned people, find themselves regarded as defiled and polluted. But if they stay in Bombay or Puna or Satara, no educated man will say anything against them. They will rather be respected. I have not known any specific instance; but a Parbhu who returned to Thana was very well received by a high and respectable Brahmin.

The Hon'ble Mr. *Quinton.*

545. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—I am decidedly of opinion that there should be but one examination both for English and Native candidates. The examination should be held in England. If a Native is desirous of taking an active part in the administration of the country, he will not be able to do so efficiently unless he gets his general education or training in England; and for his own good he must acquire this training as much as he can, and he must, therefore, go to England to study with his English brethren in order to mix with them; and if he be successful in open competition the race distinction will gradually die out.

546. Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination, and the conditions as to age and other matters, in any respect place Native candidates at a disadvantage as compared with English candidates?—The present limit of age for the examination, *viz*, nineteen years, places candidates from India at a great disadvantage as compared with English candidates. As regards the subjects and the standard of the examination there can be no reasonable objection. I think Persian should not be substituted for Latin. Latin should be encouraged, for successful candidates will find it useful in the Judicial service to study Roman law.

547. If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—If higher limits of age were fixed for Native than for European candidates, the latter might reasonably complain that they were placed at a disadvantage. It is for this reason that I propose that the limit of age should be fixed at twenty-two or twenty-three years for candidates, both Europeans and Natives.

548. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—The persons who graduate at the University in this Presidency are usually drawn from the Bráhmans and the Parsis. I mean from the higher classes

549. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I am of opinion that there should be no competitive examination in India for the Civil Service. The examination should be held in England.

550. Would an open competition in India be likely to give decided advantages to any particular

The Hon'ble Mr. *Quinton*—continued.

class or classes of the Native community over others?—An open competition in India is likely to give an advantage to the higher classes, the educated Brahmins and others, over all other uneducated lower classes.

551. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—I am not aware of any objection, on political or administrative grounds, to a competition in India if Government determine to have it; but it seems to me that to hold a competitive examination for the service simultaneously in England and in India would deprive Native candidates of the opportunity of winning places in open competition with their English brethren in one and the same examination and in one and the same country.

552 Would a system of provincial examinations be preferable to one examination for the whole of India?—Should it be determined to hold such an examination in this country, I think only one examination for the whole of India would be preferable.

553. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—A successful candidate under a system of open competition in India would, I am afraid, be regarded (by the general public at least) as occupying a position inferior to that of a person who enters the service through the open competition in England.

554. If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age, minimum educational attainments, and to moral, social, and physical fitness?—If an open competitive system were established in India, a candidate should be required to show (1) that his age is not less than nineteen but not more than twenty-two or twenty-three; (2) that he is a graduate of one of the Indian or English Universities; (3) that he is physically fit to serve efficiently in any part of the country. The very fact of the candidate being a graduate of any of the Universities ought to be a sufficient guarantee that he is a man of a good moral and social position. But if that be not considered a sufficient guarantee, the candidate might be required to produce certificates from respectable persons or heads of colleges.

555. Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment?—All successful candidates at the Indian competition should be required to pass through a reasonable period of probation before final appointment.

556. What shall be the duration of the probationary period?—I consider that the probationary period should not exceed two years.

557. How should it be passed—in the ranks of the Uncovenanted Service, or otherwise?—The period of probation should be passed in the ranks of the Covenanted Civil Service.

558. Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service?—I consider that no special provision should be made for the promotion to Covenanted posts of any member of the Uncovenanted Service, however deserving he may be. All persons, of whatever rank and position, must enter the Covenanted Service through the competitive channel in England. Discretionary power should be allowed to Local Governments or to the Government of India to provide for their most meritorious servants by appointing them to the Covenanted Civil Service; but this power should be limited to a certain period, say five years, and thereafter cease, because the deserving servants are few in number, and would be provided for within five years, and the shorter this exceptional period be the better.

The Hon'ble Mr. *Quinton*—continued.

559. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—The Uncovenanted Service should, I think, be open to all Indian subjects of Her Majesty who possess the necessary qualifications.

560. Is the rate of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient?—Assuming the Statutory system to be retained, the rate of pay now granted to Statutory Civilians is not, I consider, open to any reasonable objection. This is my opinion as far as pay under the present system is concerned. But if a simultaneous examination in India is held, successful Native candidates ought to get equal pay and allowances with English Civilians.

561. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England, and to persons holding Covenanted posts who do not enter through that channel?—Yes.

562. If so, what would you consider the fair rate of reduction to be made in the case of persons holding Covenanted posts who do not enter through the competitive channel in England?—The rate of pay granted to Statutory Civilians ought to hold good in the case of persons holding Covenanted posts without passing the examination in England. In exercise of the discretionary power, which I propose to give, if appointments be made within the grace period (five years) the rate of pay now granted to the Statutory Civilians should not hold good in their particular cases. The men promoted should get the salary of the grade to which they are appointed.

563. At what age should they be obliged to retire on pension?—Natives appointed to Covenanted posts otherwise than through the competitive channel in England (I mean under the existing Statutory system) should be obliged to retire on pension when they reach the age of fifty-five years.

564. After what length of service should they be obliged to retire on pension?—Such persons might retire on pension after completing twenty-five years' continuous service.

565. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—No.

566. Are the Natives who go to England from your province for purposes of education limited to the wealthier classes?—Yes.

567. Are they limited to any particular section of the community, or to any particular creed?—I think that they are limited to the Brâhmans, the Parbhus, the Parsis, and the Mahomedans.

568. If the Statutory system is discontinued, should special provision be made for the appoint-

The Hon'ble Mr. *Quinton*—continued.

ment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to and reside in England?—I am not aware of any sound reason why special provision should be made for the appointment to Covenanted posts of Natives who are unable or unwilling to take a journey to England for passing the competitive examination there.

569. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family, subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—To allow Government to reserve power to appoint to Covenanted posts persons of high rank or persons of merit and ability in Government service or in the exercise of any profession, without passing the required examination in England, is, in my opinion, open to many objections.

570. Should subjects of Native States be eligible for appointment to Covenanted posts in British India?—Subjects of all Native States (I mean Jaghirs like Phaltan, Bhor, Jath, and Sunth in the Satara Collectorate), in subordinate alliance with the British Government, should be held eligible for appointment to Covenanted posts in British India, provided they pass the examination.

571. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—The present system of making appointments to the Subordinate Executive Service and the Subordinate Judicial Service is (assuming that the former term is intended to include offices held by Deputy Collectors and Mamlatdars, and the latter to include those held by Judges of Provincial Small Cause Courts and Subordinate Judges of all grades), I think, generally regarded with satisfaction by all influential sections of the Native community in this part of the country.

572. To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judicial Services, respectively?—The persons who accept appointments in these services are, broadly speaking, the Bráhmans, the Parsis, the Parbhus, and the Eurasians.

The Hon'ble Mr. *Quinton*—continued.

573. Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—I am not aware of any particular instance, but I believe that a Native who goes to England for the purpose of passing the Civil Service Examination there, but fails, will, on his return to India, be quite willing to accept any appointment in these services.

574. Do members of the professional classes in your province readily accept employment in those services?—Members of the professional classes (I mean Barristers, Attorneys, and Pleaders) do not, I think, readily accept appointments of this nature if their gains are sufficient for them. I believe men of this class generally like to be independent if they can.

575. Whatever system or systems may at present be adopted for the purpose of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, are any class or classes of persons expressly or practically excluded from such appointments?—Under the present system adopted for making appointments in these services persons called Eurasians are practically excluded (chiefly from the Subordinate Judicial Service). This, I think, is mainly due to the simple fact that such persons generally fail to secure places amongst the successful candidates in the prescribed examination for such appointments.

576. Are you in favour of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions?—I am of opinion that high educational capacity should, as far as possible, be regarded as a qualification for making appointments to offices in these two branches of the public service.

WITNESS VII.—18th January 1887.

Examination of Khán Bahádúr PESTANJI JAHÁNGIR, C.I E., Taluqdar Settlement Officer, Guzerat, Ahmedabad

Mr. *Stewart.*

577. You are a Taluqdari Settlement Office at Guzerat?—I am.

578. And you were formerly in the Educational Department?—I was.

579. What posts have you held?—I entered the service in the Educational Department and have held the posts of Sub-Assistant Imám Commissioner and Settlement Officer of Alienations in the Baroda State, where I resided for about eight or nine years Since then I have been in my present appointment.

The *President*

580. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—It is not generally approved

581. What are the grounds of disapprohtion?—The disapproval is directed both against the Statute itself and against the rules framed under it. If the object of the Statute was to conciliate or encourage those classes or communities in the ancient aristocracy of the land, who, from the backward state of education among them, cannot pass any test of fitness for the public service, it cannot but fail, inasmuch as no artificial system of propping up birth without brains in the race of life can ever hope to succeed The result of such an experiment would be to bring the service into redicule and contempt. If the object was to afford to the Natives of India, generally, additional facilities for employment in the Covenanted Service, the experiment, as hitherto conducted, has not shown that facilities have been given for the employment of qualified persons on a right principle.

Speaking of the Bombay Presidency, the classes from which the selections have hitherto been generally made are those who would otherwise have entered the Uncovenanted Service in the usual manner. Those who have been admitted into the Statutory Service would have ordinarily commenced their career in the Uncovenanted Service in the usual course. The additional facilities which, in these circumstances, have been afforded appear to be that they have been admitted without any of those tests of fitness which would have been exacted from them if they had sought to enter the Uncovenanted Service.

The system has not had the effect of securing men who, in point of education or natural ability or social position, are superior to those who usually accept posts in the Uncovenanted Service. The general conditions in regard to pay, promotion, and retiring annuity under which Statutory Civilians hold their offices, and which are justifiable on many grounds, and the absence of membership in an organised body, are looked upon as lowering their status in public estimation Though ranked with the Covenanted Civilians, they are considered an inferior class Generally speaking, the adoption

The *President*—continued.

of two different systems of admission for two different classes of candidates into the same service and the attaching of more or less favourable conditions to one of them, must tend to place the one class in a position of inferiority to the other, to lower it in its own and the public estimation, and will not, in the long run, be conducive to an efficient administration

Thus the system has not resulted in conciliating or encouraging any particular class or interest, or in securing the services of men who can hold their own in ability or status with the Covenanted Civilians, or who in point of education or natural ability or social position are superior to the average of those who enter the Uncovenanted Service, and is looked upon as demoralising and invidious in its working

582. How would you remedy these defects?—My opinion is that the service should be abolished.

583 Would you amend the definition of the term "Natives of India" in any way?—I think the definition is sufficiently clear and comprehensive and requires no amendment

584. You are aware that it at present excludes the subjects of Native Feudatory States from the benefits of the Statute?—I would certainly amend the definition in that respect, as I consider they are British subjects.

Mr *Stewart*

585. You have the management of many estates and Taluqdaris in Gujerat?—Yes

586. Belonging to men of very old families?—Yes.

587 Have any members of these families been appointed to posts under the Statute?—Not to my knowledge.

588 Are they dissatisfied with the service?—I think they hardly concern themselves about it, not being at all qualified for posts under it.

Mr. *Crosthwaite*

589. Do you know any of the Statutory Civilians who have been appointed in this Presidency?—I know two of them personally and also officially

590. So that when you say that the system "has not had the effect of securing men who, in point of education, natural ability, or social position, are superior to those who usually accept posts in the upper Uncovenanted Service," your opinion is based upon your personal knowledge?—Yes

Mr. *Nulkar*

591 Do you personally know any member of a high family who would prefer to enter the Statutory Service rather than accept an appointment in the Uncovenanted Service?—I know that any of

Mr *Nulkar*—continued

them would prefer an appointment in the Statutory Service to a Deputy Collectorship, on account of the Statutory service being considered superior.

592. Would they be persons possessing the same qualifications as those selected by Government for Deputy Collectorships?—Not if the only qualification required in their appointment was that of family, but there are gentlemen of good family and well educated, who, if they entered the Statutory service, would compare favourably with members of the Uncovenanted Service

593 Are such men usually selected?—My experience of those selected is not sufficient to enable me to say.

594. Do you think the men who are attracted to this service are such as would have taken appointments in the Uncovenanted Service?—The men who go into the Statutory service would have readily accepted appointments in the Uncovenanted ranks, had there been no Statutory Service.

The *President*.

595 Is any dissatisfaction felt by any section of the Native community with the existing system of recruitment for the Covenanted Service?—Dissatisfaction is felt by the Native community with the existing system of recruitment for the Covenanted Civil Service so far as it affects Native candidates. The Natives of India labour under several disadvantages in competing for employment in this branch of the service. They have to pass a very severe examination in a foreign and difficult language the study of which they do not generally begin till the age of ten or twelve years The educational institutions available in India are at present not capable of giving that high class education which is necessary for the purpose. They have to undergo considerable expense and inconvenience and risks of one kind or another in residing for some years in a distant and foreign country for the purposes of study, and so on

It would not be possible, under any arrangement whatever, for Indian candidates to enjoy the same advantages or facilities as the English candidates. Some of the disadvantages under which they labour are unavoidable, and some must be borne for the sake of the advantages to themselves and to the public service generally, which a residence in England brings with it But the disadvantages might be reduced, as far as practicable, by a few changes—such as raising the minimum and maximum age to twenty and twenty-three years respectively, adding Persian as a classical language, and placing the Indian classical languages and European classics on the same footing as regards maxima marks in the open competition

Simultaneous examinations in England and India are not desirable for several reasons But, in view of the difficulties of Indian candidates, there would be no objection to such simultaneous examinations if the number of successful Indian candidates for admission into the service were limited, until some further experience shall have been gained, so as not to exceed a certain proportion of the total number of vacancies each year—say not less than one-third, and subject to the successful candidates going to England for two years for special preparation Persons who may gain the required number of marks in this examination, but fail to secure places in the Covenanted Service, should be appointed to the higher Uncovenanted Service. I do not advocate the grant of any pecuniary assistance from the Government in favour of Indian candidates for this purpose. But the scholarships lately re-established by the Government of India might be kept up and their number might even be increased, and any of the young men to whom these scholarships may be awarded might, if they like, study for the Indian Covenanted Civil Service in England instead of taking to any other line or profession

The *President*—continued.

In all other respects the Indian candidates should compete on the same terms and be placed on the same footing as regards pay, status, &c, as English candidates

These examinations should be open to English and Indian candidates in both countries, and the examination in India should be one for the whole of India.

Mr. *Stokes*.

596. Would you place Persian on a level with Sanscrit and Arabic?—Yes.

597. You say that if a simultaneous examination is held in India you would limit the number of appointments available for Natives?—Yes

598. Would you allow Europeans to compete in India?—Yes.

599. And would you limit the number of appointments available for them also?—No.

The Hon'ble Mr *Quinton*.

600 Why do you think a simultaneous examination in India and England would be undesirable?—My aim is to limit the number of Natives who would be eligible for the Covenanted Service until experience shall have shown how far they may be trusted in such appointments There is an opinion generally felt and expressed that the training which is available for the Indian youth is less fitted for the formation of character and so on than that which is to be had in England. Time, it may be expected, will remedy these defects in our educational system, but, until experience has shown how far this is the case, I should be disinclined to do more than I have said.

Mr *Crosthwaite*.

601. What class or classes do you think would be most successful in an examination held in India?—Hindus and Parsis, and generally those who have availed themselves of such educational advantages as they had. This would be the case at first, but in process of time we might expect a considerable accession from the ranks of those who, though now disinclined to avail themselves of those advantages, will be pretty certain to see the wisdom of doing so.

602 But for the first few years some classes would be altogether excluded?—Comparatively excluded; not altogether

603. What classes do you think would be excluded?—Mahomedans, Rajputs, and Mahrattas, perhaps

604. In fact, the classes generally supposed to be the most manly in India?—Yes

605. And the most fitted for administration?—If they possessed qualifications, besides mere physical strength, in a greater degree than they do at present.

Mr. *Crosthwaite*—continued.

606. And, besides those classes, do you think the provinces of India would have an equal chance?—Probably not.

607. Which province do you think would have the advantage?—Bengal, and some part of the Bombay Presidency.

608. Which part?—The Deccan.

609. And which class of Natives of the Deccan?—The Deccani Bráhmans. They have a peculiar aptitude for passing examinations and for preparing themselves for any test.

610. Have you visited Northern India at all?—No.

611. Do you think that Bengali and Kulin Bráhman officials would be acceptable to the Natives of Northern India?—Personally I cannot say I have heard, however, that they would not be acceptable.

612. Would Bengali officials be acceptable in the Deccan?—I think so

613. You think there would be no political objection to the appointment of a Bengali to a high post in the Deccan?—I do not think the people would object.

The *President.*

614. Suppose the majority of the appointments fell to Bengalis, how would that be regarded?—I think the people would not object. Bengalis would be looked upon by the Natives here as their own countrymen

Mr. *Crosthwaite.*

615. You say Natives do not, as a rule, begin to study English till they are ten and twelve years of age?—Yes

616. Is that commonly the case among the classes who give their sons an English education the Parsis, for instance?—Nine or ten is the average age at which they begin to study English.

Sir *Charles Turner.*

617. In what capacity were you in the service of the Baroda State?—I was in charge of the Settlement and Survey Departments I also had charge of the department which has the supervision of encumbered estates of Sardars and others.

618 I presume that in Baroda there were Native officers in charge of districts?—Yes.

619. Did you find them efficient?—Some were, some were not. As Natives they were not inefficient.

620. But as compared with European officers?—I suppose they were efficient.

621. You have served with and under European officers. Well, comparing their administration of a district and that of a good Native officer, which do you think was the more efficient?—In some cases the Native officer was quite equal to a European in administration.

622. Where were those Natives educated?—In the Bombay Presidency.

623 Have you any reason to think that in an open competition the educated Natives of this Presidency would not hold their own with those of Bengal and Madras?—I, personally, cannot say, but I have heard and read that Bengalis are generally considered to be superior as regards education. I have never met any Bengalis, and am therefore not in a position to make the comparison

Sir *Charles Turner*—continued.

624. Have you seen the magisterial work of a Native Magistrate?—No.

625 You have only seen account work in the Settlement Department?—Yes, and in the Revenue Department also.

626 Are Natives of this province freely admitted to the Survey Branch of the Revenue Department?—Not if you mean Natives of pure descent, but if you mean Statutory Natives, they have, to a certain extent, been admitted. I refer to the higher appointments of course, the surveyors and clerks are mostly Natives.

The Hon'ble *Mr Quinton.*

627. What is the highest grade to which a Native Officer can attain in the Survey Department?—I cannot say.

The *President.*

628. Is the standard of efficiency which is accepted in the administration of a district in the Baroda State as high as that required for the administration of a district in British territory?—No

629 But still, is it fairly high?—It was fairly high when I was there.

630 Do you consider that such efficiency was entirely the outcome of Native administration in Baroda, or that it was in any way the result of British administration in the territories surrounding, or the influence of British officers drafted into the Baroda service?—I attribute it to the influence of British officers who were drafted by the Government into the service of the Baroda State

Mr. *Ryland*

631. Was preference given to the Natives of the Baroda State over Natives of other parts of India?—They give preference to Mahrattas, that is, people not natives of the province, on the ground that the government is a Mahratta one.

The *President*

632. So that the administration is practically a foreign one?—Yes

Mr. *Ramaswami Mudaliyar.*

633. The administration of the Baroda State was greatly improved by Sir Madava Rao, was it not?—It certainly did improve under Sir Madava Rao. In his time it was somewhat more assimilated to British administration.

Sir *Charles Turner.*

634 Was any British administrator associated with him?—No; but he was under the general supervision of a British Political Agent.

Mr. *Nulkar.*

635. Under Sir Madava Rao's administration was there not more or less of an admixture of all classes of Natives in the service of the State?—Yes, When I spoke of Mahrattas being preferred,

Mr *Nulkar*—continued

I was not referring to the period of Sir Madava Rao's administration I was speaking generally of the administration of the State before his time, and perhaps as it is now.

636 Are you in favour of his policy being still continued in that respect?—The system which he introduced has not been and cannot be eradicated altogether.

The *President*

637 But still there is a tendency to employ Mahiattas?—Yes

Mr *Stewart*

638 Who holds Sir Madava Rao's appointment?—Mr Luksminarain Jugganath. He was formerly a Deputy Collector in the British service.

The *President.*

Would you recruit the Uncovenanted Services from all natural-born subjects of Her Majesty or only from Statutory Natives?

The Uncovenanted Service should be recruited only from Natives of India (including Natives of Native States in subordinate alliance with the British Government), as defined in Statute 33 Vic, Chap. 3, Sec. 6. The recruitments should be made by the several administrations from persons resident in the territories subordinate to such administrations The mode of recruitment for Mamlatdars, Deputy Collectorships, and Subordinate Judgeships adopted in the Bombay Presidency is good, and well suited to the circumstances of the Presidency, and requires no change

The different Local Governments may be allowed the power, subject to the confirmation of the Secretary of State, of promoting deserving Uncovenanted servants of all classes and creeds to the Covenanted Service, to the extent of one-twentieth of the total number of Covenanted appointments As such promotion would be given on the ground of proved merit and ability, a period of probation before confirmation is not necessary in such cases

As I have above proposed to restrict the number of the Natives of India for admission into the Covenanted Service to a certain proportion of the vacancies each year, I here propose to restrict the Uncovenanted Service to the Natives of India only.

Mr. *Stokes.*

639. Whom do you mean by Natives of India?—I include all those who are permanent residents.

Mr. *Ryland.*

640 Do you include the sons of British officers who have passed the greater part of their lives in the Government service, and Europeans who, in other ways, have acquired an interest in the country?—It is strictly a question of domicile

641. Do you consider Parsis and residents of allied Native States more within the terms of the Statute than the class I have referred to?—I think so

Mr. *Stewart*

642 You approve, you say, of the system under which Mamlatdarships are recruited at present How long has the system been in force?—Since Sir Richard Temple's time, I think.

Mr. *Stewart*—continued.

643 Have you had an opportunity of comparing the work of graduate Mamlatdars and Mamlatdars promoted from subordinate posts?—I have. In some respects the latter are better informed as regards details, but as a class they are deficient in breadth of view, intelligence, and in some other respects as compared with the graduate Mamlatdars

644 Has the system of appointing graduates to Mamlatdars caused much dissatisfaction among the existing subordinate establishment?—I think it has

645 Is there, do you think, any good ground for such dissatisfaction?—I do not think so.

Mr *Crosthwaite*

646 How would you restrict the admission of Natives to the Covenanted Service?—In this way: Suppose there were thirty vacancies to be filled up, and of the successful candidates fifteen were Natives and fifteen English, I would restrict the number of Natives eligible to ten, although they might be superior to their English competitors.

647. And suppose that there were ten appointments and there were no Natives among the first ten candidates who obtained the highest marks?—In that case they would not get any

Sir *Charles Turner.*

648 Have you formed any opinion of the respective merits on the score of official morality of the two classes of Mamlatdars?—I consider the Mamlatdars who have been appointed under the new system are superior in that respect

649. Generally, have you heard complaints made of want of official morality in the Mamlatdars of this province?—I have heard the old class complained of

650. Have such complaints been less frequent of recent years?—I should say there have been fewer of them

651. But there are still complaints?—Yes.

652. Affecting which class?—The older class.

The *President.*

653. Are you aware of the rule which requires the B.A. qualification for Mamlatdars, and are you aware that the curriculum of education which is prescribed for certain classes stops short of the B A degree?—I am not

654 And have you heard it complained that the rule has had the effect of excluding certain classes from Mamlatdars?—I have not.

655 Who is the next subordinate officer to a Mamlatdar?—The Head Clerk of his office.

656 Are there many Head Clerks who have obtained the B A degree?—Yes. The Mamlatdars are appointed from them They are first appointed as Treasurers, then as Head Clerks, and then as Mamlatdars after passing the departmental examination

657 Are the officials subordinate to Mamlatdars who are graduates numerous?—Not in Gujerat. I cannot speak with reference to the Deccan.

658 What distinction, if any, would you make as regards pay and furlough rules?—There should be a distinction made in the pay, &c, of offices reserved for the Covenanted Service, and of those allotted to the Uncovenanted Service.

The *President*—continued.

659. Now will you kindly let us hear your general scheme?—The general outlines of the scheme I have in view are as follow.

The whole-service to be divided into Covenanted and Uncovenanted. The latter again to be sub-divided into higher Uncovenanted and Lower Uncovenanted Service. The Covenanted Service to be, on the one hand, extended by including in it Political Agencies, Police Superintendentships, and appointments of a like nature where a preponderance of the European element may be considered necessary or desirable; and to be, on the other hand, reduced in such direction as may admit of reduction consistently with the above-mentioned consideration. This service to be recruited by open competition to be held in England and India simultaneously, subject to the condition above mentioned. The Indian candidates to be admitted to this competition on the same terms as English candidates. The minimum and maximum limits of age for admission to competition should be twenty and twenty-three years respectively, both for English and Indian candidates. The English and Indian Covenanted Civil Servants to be placed on the same footing as regards pay, status, &c

The appointment or promotion of Indian Covenanted Civil Servants to particular posts in the service to be left to the discretion of the Local Governments for the time being, no invidious distinction being fixed beforehand.

The number of successful Indian candidates to be appointed to the service should not exceed a certain proportion—not less than one third—of the number of vacancies each year I mean that it should not be less than a third, but should Government choose to fix the proportion higher it should be at liberty to do so Personally, I would keep it at one third.

The Indians admitted into the service to be required to select for service any other Presidency or province except their own

The appointments not included in the Covenanted Civil Service and going down to the lowest grade Mamlats or Subordinate Judgeships or corresponding offices under other names, to be formed by legal enactment into a service which may be called the higher Uncovenanted Service. This service to be open to all Statutory Natives and recruited provincially. The method of recruitment adopted in this Presidency is well suited for it.

All appointments not included in the Covenanted or the higher Uncovenanted Service to be thrown into a Service to be called the Lower Uncovenanted Service. This service to be recruited by a kind of inferior competitive examination to be held in different provinces and to be open to all "Statutory Natives."

The Local Governments to have the power to appoint deserving outsiders, being Statutory Natives of India, or to promote persons of proved merit and ability in the lower Uncovenanted Service to the higher Uncovenanted Service to the extent of one tenth of the total number of appointments in each province in the Revenue and Judicial branches respectively

Mr. *Nulkar*.

660 When you say the selected Indian candidate should be required to select for service any other Presidency or province except his own, do you mean that a Native of Bombay should be ineligible for service in Bombay?—Generally I would have him transferred to another Presidency.

Mr. *Nulkar*—continued.

661. You also say that the proportion of Indian candidates should be limited to one third?—Yes.

662 How do you reconcile these two restrictions with the Company's Charters of 1833 and 1853 and the Queen's Proclamation, which require an equal treatment of all Her Majesty's subjects without any distinction by reason of place of birth, descent, creed or colour?—I do not pretend to reconcile them. You cannot, in practical politics, proceed strictly on abstract considerations of justice You must consider administrative requirements also.

663. At present we are not concerned with abstract justice but with Statutory rights?—Yes, but, practically, it amounts more or less to the same thing I defend my position on practical grounds.

Mr *Ryland*

664. You would give Local Governments the power, subject to sanction by the Secretary of State, to promote deserving Uncovenanted servants to the Covenanted ranks to a certain extent, but if, as you say, you exclude Europeans, how would you give the Government power to appoint from all classes and creeds?—In saying that, I had regard to the fact that Europeans are not admitted to the Uncovenanted Service, and therefore no question of their appointment need arise

Mr. *Ramaswami Mudaliyar*

665. How long have you been in the Uncovenanted Service?—About thirty-three years

666 Why would you require successful candidates to choose some other Presidency than their own?—Generally, on the principle that no man is a prophet in his own country In a foreign Presidency he will be more respected and trusted by the masses than in one where it might be said that family and caste considerations exerted an undue influence over his actions

667 But would not the principle equally apply to the higher grades of the Uncovenanted Service?—No I confine the principle solely to the higher and more important administrative posts.

Mr *Crosthwaite*

668 Do you base your opinion on actual experience?—No I have had no sufficient data to enable me to do so There have been so few—only three, I think—Native Covenanted Civil Servants in the Bombay Presidency

669. Do you consider that social influences are apt to affect the official efficiency of Native officers?—I do not think it would be so with men who have passed into the Covenanted Civil Service I think the test they have undergone and the high qualifications required of them are sufficient guarantees that nothing of the kind would occur in their case On the other hand, I think that it would be more satisfactory to place them beyond even the mere suspicion of such influences.

Sir *Charles Turner*

670. Is it the practice in this Presidency, as far as possible, to appoint Judicial officers to other districts than those in which they were born or have property?—Not invariably.

The *President.*

671. You say you would place those who pass in by the local examinations on the same footing and status as regards pay, &c., as those who get in by competition in England You also state that the educational advantages attainable in this country are distinctly inferior to those attainable in England, you would therefore get, by your new system, two classes of distinctly different values. Why then would you place them on an equal

The *President*—continued.

footing ?—My belief is that for some time there would be very few successful candidates in the local examinations, or perhaps none at all In course of time, however, the defects in our educational system would be remedied and the cause of inferiority removed.

672 Is there any other point on which you desire to tender evidence ?—No.

WITNESS VIII.—18th January 1887.

Examination of A U FANSHAWE, Esq, Postmaster-General, Bombay.

Mr *Stewart.*

673. You are a member of the Bengal Civil Service?—Yes

674. What is your present appointment?—I am Postmaster-General of Bombay

675. What posts have you held previously?—I was Assistant Magistrate in the Central Provinces from 1871 to 1878, and afterwards Registrar of the Judicial Commissioner's Court there till 1879. I was Under-Secretary to the Bombay Government in 1880, and Officiating Secretary for three months in the same year. Since then I have been Postmaster-General here, except during the three months when I acted as Director-General of Post Offices at Calcutta and Simla.

The *President.*

676 Have you anything to say on the Statutory Civil Service?—The Statutory Civil Service, in my opinion, should not be retained With the present limit of age for the competitive examination it has practically, for some years past, been the only avenue for Natives of India to employment in the Civil Service, and has, therefore, had to stand in the fierce light of many aspirations and much jealousy. It is beyond doubt that in this Presidency it is regarded on the whole with keen dissatisfaction. The Statute contemplates the appointment of Natives of India of proved merit and ability to particular posts, but the appointments actually made have borne no stamp, that the public could recognise, that either merit or ability had been put to the test, and in selecting young and untried men as Statutory Civilians, it has been impossible to designate them as fit for particular appointments That a Statutory Civilian should be a B.A of an Indian University, or even that he should have failed for the Covenanted Civil Service in London, has not been recognised by the educated classes as any extraordinary qualification; while Natives of India, already in Government employ, have resented the sudden translation over their heads of men of the same class of life and of the same educational attainments, who have given no public guarantee of the possession of any of the qualities required for high office At the same time both these classes, while denying the fitness of the individual to take his place in the higher service, somewhat illogically, take it as a general slight that, as a Native of India, he should receive less pay, when once appointed, than the members of the Covenanted Service who have won their position in the open competition

If, as seems to be a view largely supported, and in which I concur, the number of appointments held by the Covenanted Civil Service is to be materially reduced, and another service created to be recruited entirely in India, then there must be no distinction either in pay or privileges between the members of the higher service Further, if this higher service must, as I believe it must, be English in its essentials, then no Statutory Civilian can have a place in that service unless he has proved his intellectual fitness in a manner

The *President*—continued.

that shall command public assent, and has further had some English training If this be admitted, then it follows that the Statutory Civilian must become merged in the Covenanted Civilian, and there is no longer any *raison d'être* for the system on its present lines

It has been suggested, however, that the Statute in itself is of very wide application, and that it might be worked as a means of promoting really tried and able men in the subordinate executive and judicial service to appointments now held by the Covenanted Service With the reduction of the appointments to be held in future by the Covenanted Service there will no longer be the same necessity for this, and the narrower the limits of that service the more difficult it will be to introduce men from the outside without grave injustice to the members of the service. Worked in whatever way, the Statutory system seems to me incapable of regular development as a system, and it should, therefore, be given up.

I know very little of the Statutory Civilians of this province or in the Central Provinces. I have heard, in discussing the question with my brother, the Junior Secretary of the Punjab Government, that there are many men in the Uncovenanted Service of good family who resent having persons of nearly the same family qualifications placed over their heads in the Statutory Service, and this feeling certainly exists in this Presidency, as my experience in the Post Office and my conversations with officials in the Uncovenanted ranks assure me, the fact that I am now outside the executive work of the province enabling me to discuss matters the more frankly with such persons.

677. If the Statutory Service is retained, would you make any alteration either in the Statute itself or in the mode of appointing under it?—The feeling is not against the Statute, but against its application by the present rules.

678 If the service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—I think it very important that they should be obliged to go,—that is, if they are to be on any equality with the members of the service of which they are to form a part, and are to have the same sentiments, friendship, and associations. I may add here that, as regards this Presidency, Native gentlemen have on various occasions informed me that gentlemen who have gone to England are looked upon as being more free from the influences of class and race than others who have not enjoyed that advantage

679 Have you anything to say on the present system of recruiting the Covenanted Service as it affects values?—On this subject I address my remarks mainly to the question of character and training in connection with competitive examinations as a means of selecting Natives of India for the higher ranks of the public service The necessity of adopting this test has been generally admitted, although on different

Vol IV
Sec II
Bombay

A U Fanshawe, Esq

The *President*—continued.

grounds. With some men the principle of competition has become a fetish, but the majority of those who accept it follow the system, not as a more excellent way, but as the easiest means of escape from the difficulties and jealousies that surround other modes of selection And with the general adoption of the principle, there seems to be some danger lest the essential difference in the application of the test to Englishmen and Natives of India should be overlooked It is not a mere question of the comparative value of certificates regarding moral character as produced by Englishmen or Natives of India, nor of the possibility of making equally effective enquiries regarding the previous education of the candidates of either race These are only surface matters The real difference is a difference of which the roots lie in the family life and school training of the two countries.

The fitness of the test has been frequently questioned in the case of Englishmen, and if the system of selection by competitive examination is now generally admitted to be satisfactory, by those who have any real knowledge of its working, it is not by reason of any inherent fitness in the system for obtaining men qualified for the public service in India, but mainly by reason of what is accidental to the system. It is found in practice that the men selected by competition in England are drawn from the classes which supply the liberal professions, and that they are, therefore, by training and by the acquired habit of life of those classes, likely to possess the qualities essential for men who are to make good administrators—energy, independence, honesty of purpose, and that fairness of mind which is characteristic of English gentlemen at their best

The same thing cannot be said of a competitive examination in the case of Natives of India. With them, as with Englishmen, it is a test of intellectual acuteness. With them, as with Englishmen, it is also, no doubt, a certain guarantee of moral worth so far as industry and application are concerned But with them it does not imply the possession of the qualities which are admittedly essential for administrative success This is largely due to the faulty system of education in the schools and colleges in India. There is teaching, there are lectures, but of training in its broadest sense there is none And unfortunately what the schools and colleges fail to supply cannot at present—and this I say on the authority of many Native gentlemen—be looked for in the home influences of the country

It seems to me essential that this distinction should be clearly recognised, not as any reason for excluding Natives of India from the competitive system, but as a justification for special rules in their case as regards training and probation. When once a Native of India who has been successful at the competitive examination has taken up his appointment in this country, he must be treated in every respect the same as his English brother civilian. But if it should be decided that an examination for the open competition should be held in India, then it may be necessary to require, not only that successful candidates should undergo a longer period of training in England than the candidates selected by examination in London, but also that Native candidates, before being allowed to appear, should produce proof of having been through some special course of training. This in no way conflicts with the free and impartial admission of Natives of India to offices, the duties of which they may be qualified by their

The *President*—continued.

education, ability, and integrity to discharge; and it should be unhesitatingly affirmed that whatever action may be deemed necessary in this direction may rightly and fitly be taken with the highest regard for justice and in the best interests of the country. The late changes introduced in the conditions governing the competition for the Civil Service were deliberately made with a view to secure a better training for the English candidates. It was believed that by lowering the age, more candidates would go up direct from public schools, and it was made incumbent on successful candidates that the period of probation in England should be passed at one of the Universities. What has always been looked to in the case of Englishmen must be not less an object of care, with due regard to the difference of conditions of life, in the case of Natives of India, and I believe that the importance of the question of training cannot be overrated

I have said that I concur in the view which, I understand, has been put forward from several quarters, that the best method of giving Natives of India a wider field of employment in the public service, with higher prizes, will be to reduce considerably the number of appointments held by the Covenanted Service, and make them over to an Indian Service to be recruited entirely in the country. This Indian Service would then hold the subordinate executive and judicial appointments, classified with the higher appointments taken away from the Covenanted Service, and Government might, it seems to me, reduce the pay of these latter appointments, to some reasonable extent, on grounds that would command general assent. The pay of appointments held by the Covenanted Service has been fixed on the assumption that they would be held by Englishmen of a certain class in life, and in giving them permanently to a service to be recruited in India, reduction of pay would be possible without invidious distinctions, while prospects of substantial promotion would still be secured. I am not in a position to define fully what have been called the paramount executive functions to be reserved for the higher controlling service, but I think that a certain number of Collectorships might be included, with due regard to local conditions, in the different Presidencies.

The higher service must remain, I believe, permanently English in the main. India is part of the British Empire and is governed on British methods, and not only in the interests of the security of the country, and of its development, moral and material, for which English influence and English capital are required, but also for the maintenance of the general confidence, where so many different creeds and races are concerned, the controlling body must be and remain, so far as it is at present a question of practical politics, in all its essentials, English. The service, however, must be, on principle, open to all British subjects, and Natives of India, as British subjects, must be allowed to compete at the open competition to be held in London as at present. In order to enable them to do this the standard of the age should be raised, and this I believe also to be necessary in the best interests of the service so far as Englishmen are concerned. Under the present conditions as to age, the training at public schools is frequently cut short just at the time when the most important period of school life as regards learning, responsibility, and development of character generally is beginning I think that it would also be an

The *President*—continued.

advantage that Civilians should come out a year or two older to this country than at present. I would raise the maximum age to twenty-one

The examination for this service must be held at the centre of the Empire. There can be neither justification nor necessity for holding it elsewhere The Native of India who wins his way into this service must have an English training, the importance of which I have already insisted on, and some practical acquaintance with English life In no other way can he stand on a real equality with his brother officials, or have any real kinship in sentiment and association with an English system. This will necessitate to some extent that he should come from the well-to-do classes, but already there are sons of Natives of India, professional men, Government servants and merchants, coming out to India after having been educated largely or even wholly in England, and for this service we require the best men that can be had

It has been said that this is to "denationalise" India, but it must never be forgotten that India is in a stage of transition. How religion, caste, and social life will ultimately be affected it is impossible to foresee, but it may be confidently predicted that, with the progress of English education, English methods and English views of life and training will more and more prevail This is the inevitable result of forces already at work I regard it as certain that just as the provincials went to Rome, so Natives of India will go to England in ever-increasing numbers, will take a share in the business and professional life there, and enter into the political world. Signs, indeed, are not wanting that a development of this kind, which ten years ago seemed hardly possible in this generation, is near at hand And with this inevitable progress towards a fuller understanding of what are the essentials of the English system, it will be more and more recognised that the sons of India who are to take a part in the higher administration of this country must represent in themselves the best English training and knowledge.

Mr. *Ryland.*

680. Would you admit all classes of Her Majesty's subjects to the service recruited in India?—I would not I would limit it to Natives of India, as the term is defined by Statute now or as it may be defined hereafter.

681 What classes do you include in that term?—I mean persons permanently domiciled I would exclude those men who come here merely to obtain employment, sons of English officers in the country or others I am aware that the Statute of William IV makes any person who is resident in this country eligible for any of the posts under Government. I am not quite certain what "resident" means, but if it means such persons as I have mentioned, I would certainly exclude them.

The *President.*

682 Does it not perhaps refer to a class which was also excluded under the Company's policy—those who had thrown in their lot with India?—I believe it does I would not exclude such men

Mr. *Ryland.*

683 Would you exclude those who have passed a severe examination?—I would. first, because

Mr *Ryland*—continued

the system of recruitment, which I propose for this service, must, having regard to the varieties of life and race in each province, be recruited partly by competition and partly by nomination and if, under such a system, nomination should be left open to the Europeans I have mentioned, it would cause considerable dissatisfaction to Natives of the country Practically, also, under my system of beginning from the lowest grades and working upward, such Europeans would be found unfit for appointments which would require in the holder a familiarity with vernacular languages which they would not have

684 You are possibly aware that we have in the country a large and increasing class of Europeans who are practically settled here, and who can neither afford to go to England themselves nor send their sons thither for education?—Yes, and so far as they are domiciled here I would admit them I have to deal with a department from which the Government of India, under orders from the Secretary of State, has excluded Europeans, but to which, in spite of those orders, large numbers of Europeans do in fact get admittance, and I find it in practice exceedingly difficult to say whether a man who applies for an appointment for his son is permanently domiciled here or not He says he is, but ten years afterwards he goes home and resides there, and much dissatisfaction is created among Natives

685. I simply want you to recognise that there is a very large class of Europeans who are practically domiciled in this country, although they are the sons of men who originally came here for temporary employment on railways and in other avocations of life?—If they have once for all thrown in their lot with this country I would admit them.

The *President*

686. Would you admit men who, though virtually permanent residents here, have not, as it were, given up all idea of possibly at some future time returning to England?—If I could satisfy myself that men would not change their minds in order to become Natives of India one day and Englishmen the next, I should be content to accept them But in practice this is the great difficulty, and has given rise to much resentment among Natives.

Mr *Ryland*

687 Setting their eligibility apart, is there not such a class growing up in India?—Yes, I believe it is very true.

Mr *Ramaswami Mudaliyar.*

688 You say you concur in the opinion that "the best method of giving Natives of India a wider field of employment in the public service, with higher prizes, will be to reduce considerably the number of appointments held by the Covenanted Service and make them over to an Indian Service to be recruited entirely in the country." Will you kindly state in a general way what posts in your opinion can be so transferred?—I should give them judicial posts largely, and also a certain proportion of Assistant Magistrateships, and, as I have said, under certain conditions, a certain proportion of Collectorships might be given. When we have had such men as Sir Madava Rao, it is impossible to say that, under certain conditions, men of that type might not yet be found, and I would not therefore say that they

Mr *Ramaswami Mudaliyar*—continued.

should be altogether excluded from important executive charges

689 You say the examination for the service must be held in England?—I was referring to the higher service

690. But practically the centre of the Empire is Calcutta · is it not?—Certainly not. There is but one centre of the Empire, which is in England.

691 Then, to be logical, you should have the same rule for the Colonies also?—I cannot see any parity of circumstances in their case. I would give the Local Indian Service entirely to India, as a Colonial Service belongs to the Colony

692. Accepting your statement as to the absolute necessity of a good English training for candidates for the higher service, do you see any serious objection to a system under which the preliminary examination would be held in India, and the selected candidates sent to England for special training?—I do not advocate a simultaneous examination in India; but there is one consideration I have been forced to accept, which is that, if you raise the age for admission to the Covenanted Service at home, you will have our successful Indian students at the local colleges going there to compete. In my own year there were three men from Calcutta who passed successfully out of the five Indian candidates who competed, but the training these gentlemen would have in England would not in any way be of the class I consider essential, and I admit that is a difficulty.

693. And therefore, would it not be better to select the men here and send them home for training?—I am not prepared to admit that, but in any case, if the selection were made out here, there would have to be a long training in England subsequently.

Mr *Stewart.*

694. Have you any graduates in your department? —We have a small number of B A 's

695. What pay do they usually accept?—I have lately appointed two on R30 each, with prospects of promotion in case they show ability,

696 Suppose the system of a simultaneous examination in India is favourably considered, as Postmaster-General, do you think there would be any technical difficulty in sending out the papers?—Certainly not

697 Could you guarantee that they would be delivered safely?—If you mean so far as the Post Office is concerned, certainly I see no insuperable objections to holding the examination in India on practical grounds.

Mr. *Crosthwaite.*

698 Under your scheme the Covenanted Civil Service would be largely reduced, and what you call the Indian Service would begin with Tahsildars?—Yes

699 And would include Judges and Collectors?—I say I would not exclude all possibility of Collectorships

700. You would have regular promotion in that service?—No. It would have to be largely a system of nomination, having regard to the peculiar circumstances of different provinces. I make a distinction between the judicial and executive lines. The judicial line should be recruited from

Mr. *Crosthwaite*—continued.

men who had passed an entrance examination, except that in each grade a third or some other proportion might be held by members of the Bar. The Bar should have an interest in the Bench If we would have the best men, and men who have proved their ability and standing, we must take them in later. A man who has been a Government pleader for years and has shown his ability and character, is the class of man we desire to get, and there should be some arrangement by which such a man could come in as a senior Subordinate Judge, or Sessions Judge if necessary. As regards the executive, we should have to consider the class of well-to-do families, the intellectual class, the Eurasians and Europeans domiciled here, and others As regards the well-to-do class, I would not absolutely require them to enter the service as Tahsildars There are Tahsildarships which some such men might be disposed to accept, but in other cases I would put them in as Extra Assistant Commissioners, or even higher.

701 But is not the great objection of the educated classes to the present Statutory system founded on the fact that it is a system of appointment by nomination?—Because it is nomination to the higher service, and practically without any public test or guarantee of fitness or worth, and the only entrance to that service. Had Natives of India been admitted to it by competition in some fair proportion during the last few years, there would not be half the feeling there is against the present system. I say it is not required under my system. I would put a man in a lower post and give him promotion hereafter.

702. But still you retain nomination?—Certainly.

703. Do you think that would content the educated class?—Yes; supposing that you honestly give them a larger share in the higher appointments; and in any case such a system is essentially necessary in backward provinces.

704 And in nominating would you take family race and caste into consideration?—Certainly, in provinces where such can be found, but always with some real standard of examination.

705. Would you nominate men to Tahsildarships in the first instance?—Not necessarily.

706. Could you without disadvantage have a young untrained man as a Tahsildar?—Not to my mind. I would let the nominated men come in rather higher in the grade, but I would not debar a Tahsildar who had shown his fitness for promotion in the ordinary course.

707. Then in that case you could hardly call it one service?—That, certainly, would be a practical difficulty.

708. You could hardly call it an organised service in the sense in which the Covenanted Service is now an organised service?—Not quite. The circumstances of many provinces are so utterly at variance that you must have differences.

709. I understand you to say you would exclude all Europeans, properly so called, from the Indian Service?—Certainly.

710. And at the same time you would largely reduce the number of posts held in the Covenanted Service?—Yes.

711. Which would result in a large reduction of the English element?—It would; but the controlling element would still be English.

Mr. *Crosthwaite*—continued

712. Would the reduction be so large as seriously to effect the efficiency of the service?—No. At present I would make the reduction tentative merely, with a prospect of still further reductions as time went on.

713 Would raising the limit of age make any appreciable difference in the number of Natives who would enter the service through the English competition?—I think it would make a difference of between three and four in each year. I judge largely by the fact that in my own year three passed when the limit of age was twenty-one Men are going home in larger and larger numbers to compete, and with an increase in the age limit more of the same class will succeed.

Sir *Charles Turner.*

714. Are you aware that of the Native candidates who succeeded when the limit of age was higher than it is now, the majority had undergone an English training from very early youth?—I was not aware of that.

715. Have you had experience of judicial work in a Non-Regulation Province?—No.

716. You propose to recruit the Judicial Service from men who have passed a certain examination, and you say you believe that is the system which is followed in this Presidency?—Yes.

717. Are you aware that of late a rule has been made which requires that the candidate shall have practised for a certain number of years at the Bar?—I am not aware of any such rule, and in practice, I believe, it has not been the case

718 Do you think it expedient to appoint as Judges men, who have had no training at the Bar?—No the rule you speak of may be a late alteration

719. With regard to Tahsildarships and Extra Assistant Commissionerships, have you considered whether it is desirable to introduce a system of limited competition for those posts; that is, competition amongst Government nominees?—I think that system is to a certain extent in force now It is a system I should be disposed to advocate We must have some educational test, and, in order to get men of good family, nominations also.

720 I understand you to object to men who have no previous experience being appointed as Tahsildars?—Yes.

721. And if a limited competition should be instituted for Tahsildarships, or some of them, you would desire that men should enter the service as Assistant Tahsildars in order to learn their duties?—Yes, or even earlier. I would allow a man already in the service to go up for examination.

722 Would it be expedient to combine with this limited competition a system of nomination so as to afford a chance of promotion to men who had long served as clerks, for instance, men in Tahsil offices?—The system in force in the Punjab appears to be this A certain number of Extra Assistant Commissionerships are given to Tahsildars of proved merit and ability, a certain proportion to men of proved merit and ability in professions, and a certain other proportion are allotted to be competed for among Government nominees, that is very much what I approve of

723 In your judgment might the same system be applied to Tahsildarships, with a condition that the successful candidate should first serve an apprenticeship, as it were, in the Tahsil office?—It would depend very much on the nature of the apprenticeship.

Sir *Charles Turner*—continued.

724. Such an apprenticeship as would familiarise a man with his duties?—In that case, yes The best practical Tahsildar is the man who has been a Kanungo, and has an intimate acquaintance with detail

725 You do not think it would be expedient to recruit Extra Assistant Commissionerships from Tahsildars entirely?—No.

726 And, in point of fact, you would have a service in which men with a certain educational qualification, entering a low grade, would be able to aspire to considerable promotion, combined with a service in which men with a higher educational qualification would enter at a higher grade and should also have an opportunity of promotion?—Yes

727 So that the Uncovenanted Service would be composed of a superior and a subordinate branch overlapping each other?—Yes.

The Hon'ble Mr. *Quinton.*

728. How long is it since you were engaged in district work?—Seven or eight years.

729. Where?—In the Central Provinces

730. Have they Naib Tahsildars there?—Yes

731. And the appointments to Tahsildarships were mostly made from them?—Yes.

732. How were the Naib Tahsildars appointed?—Largely from the clerks and sheristadars I don't know whether that system is still maintained.

Mr. *Crosthwaite*

733 At what age, approximately, do men generally become Tahsildars?—They were distinctly older men where I had my practical experience.

734. You do not think it would be possible to work the system with young men?—A Tahsildar must have undergone a long probation, and possess an intimate knowledge of Revenue procedure as well as tact and knowledge, qualities which can only come of long experience.

Sir *Charles Turner.*

735. A European Assistant Collector has to supervise the Tahsildar's work, has he not?—The supervision is of a very uncertain kind. I mean to say that in a large number of details the Tahsildar has to proceed on his own responsibility.

736 But is it not the European Assistant Collector's duty to supervise his work?—To a certain extent.

737 How long does it take a Covenanted European of intelligence to acquire sufficient familiarity with the work of a Tahsildar to be able to exercise competent supervision over it?—I should say two or three years.

The Hon'ble Mr. *Quinton.*

738 Have you ever had charge of a district yourself?—No As I say, the supervision is uncertain. It is not of a direct or extensive kind. You get a large class of reports in matters connected with schools, revenue work, and so on, and you are supposed to go out and examine the various items.

The Hon'ble Mr. *Quinton*—continued.

739. How soon does the Assistant Commissioner begin to exercise this supervision?—Probably, in a Non-Regulation Province, after two years.

740 As a rule, does he supervise the collection of revenue?—No, he has nothing to do with that.

Mr. *Crosthwaite.*

741 Has the Assistant Commissioner anything to do with the magisterial work of the Tahsildar?—Not necessarily, unless he happens to be a Civil Appellate Judge.

742. Which he would not be for some years?—No

743 So, practically, the Tahsildar is subordinate to the Deputy Commissioner and not to the Assistant Commissioner?—Yes.

Sir *Charles Turner.*

744. Is it customary in the Central Provinces for the Deputy Commissioner to put his Assistant in charge of Tahsils?—He may be in charge in two different senses He may be Supervisional officer, or he may merely have charge, as every Assistant has, of one or two Tahsils, in which case all reports go through him to the Collector

745. What part of the Tahsildar's work would pass through his hands under these circumstances?—A large class of miscellaneous work, questions about schools, trees, &c.

746. Collection of revenue?—No.

747. I understand you to say that the number of European British subjects at present residing in India apparently permanently is increasing?—Yes

748. Is there not a large class of Europeans now in India who are unable to make up their minds definitely whether they will be in a position to return to England at the close of their service? I am speaking of men who have come out under contracts to serve either Government or railway companies for a term of years?—Yes, there may be such in connection with railways.

749. And you say you would not allow the sons of such men to be candidates for appointments in the provincial services because of the discontent it would occasion among the Natives of the provinces?—From what I have seen, discontent would be caused by the appointment of the sons of men in employment here who are brought out in order to get employment. The rule should be made to keep out that class

750. Am I right in supposing that the reason you gave why Natives would be discontented would not apply to the appointment of the sons of such Europeans as I have referred to?—Certainly.

751. Then you would not exclude persons of that class?—Not if you could frame any rule for admitting them without admitting the others

752. Would it not be a better system to make the test one of fitness and not of race?—If you could exclude the men I refer to

753. Then you wish only to exclude the class of men who are brought out in order to get appointments?—Yes

754. You do not wish to exclude Europeans who are sons of officials for all intents and purposes settled here?—No, I do not, and, from what I know, I do not think the appointment of such men will cause any dissatisfaction among Natives.

Sir *Charles Turner*—continued.

755. Have you considered whether Europeans in the army and public services in this country do or do not stand at a disadvantage, as compared with Englishmen who remain at home, in obtaining openings in life for their sons? For instance, do you not think that a man who comes to this country and spends most of his days here, loses a connection in England which is extremely valuable in obtaining employment for his son either in the public service or in a profession?—He may, but I do not see where it would come in practically.

756. Take the case of a man who goes to the Bar. If he lives in England, he may form the acquaintance of a number of solicitors who would be disposed to allow his son an opportunity for showing his ability, if the son followed the profession of the father?—The fact of his being out here would not alter that; but I admit that there might be a difficulty in that sense

757. Does not Her Majesty reserve a certain number of Commissions in the army for the sons of Indian officers specially?—Yes

758. Is not the principle which regulates that patronage thus that men who have served in the army in this country are entitled to special consideration?—I do not know

759. Is not the proper test for all public employment the fitness of the person to be appointed to the post?—Of course.

760 Can you not, by making regulations for testing fitness, for instance a language-test, make such regulations as will practically exclude Europeans who are unfit by reason of their ignorance of the vernacular tongue?—If you admit a system of nomination, which I consider essential when you have to deal with India, there is the danger of its being abused in favour of Europeans.

761. If you supplemented the nomination by a competitive test, do you think Englishmen would get in?—I think they would be able to qualify; and if you offered them the possibility of rising to Judge and Deputy Collectorships, it would be an object with them to get in.

762 Are you aware that the number of European officers is so small in the Central Provinces that considerable difficulty is felt in getting European officers for the charge of districts in the leave season?—I believe that is the case sometimes.

763. Is it desirable?—Certainly not.

764 Would it, in your judgment, be possible to reduce the European staff in the Central Provinces?—From what I know, certainly not.

The *President.*

765. You admit that your proposed exclusion of Europeans is practically irreconcilable with the Statute 33 Vic?—I believe that Statute to have been intended as an enabling Statute for the removal of disqualifications under which Natives of India lay

766 But at the same time it laid down the broad principle that, in giving appointments, fitness, and not race, religion, or creed, was to be considered. You admitted that there was, at any rate, some degree of divergence in your scheme from the principle of that Statute You also thought it possible to exclude Europeans by the test of language,

The *President*—continued.

but you said you preferred the plan of excluding them altogether. Why do you prefer a system of exclusion which is contrary to the Statute to a system of exclusion by the test of fitness?—I put it that our main object is to obtain larger employment for Natives of India, and therefore that it was better and more straightforward to say at once, that for such and such a class of appointment a European was not so well fitted as a Native

767. Is there any other point on which you desire to tender evidence?—No.

WITNESS IX.—18th January 1887.

EXAMINATION OF Khán Sáheb A'BBÁS ALI BEG MIRZA, B.A., Kárbhári of the Janjira State, and Government Inspector of Schools, Cavalla.

Mr. *Stewart.*

Vol IV Sec II Bombay.

Khan Saheb A'bbás Ali Beg Mirza

768. You are at present in the Educational Department as Government Inspector of Schools at Cavalla?—Yes.

The *President.*

769. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The existing Statutory system is viewed with disfavour by some sections of the community, but the Mahomedans do not, generally, share this feeling.

770 Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic, Chapter 3, Section 6), or is it directed against the rules framed thereunder?—Against the rules mainly.

771 What amendments do you advocate in Section 6 of the Statute?—The words "or of any Native Prince in subordinate alliance with the Crown" might be inserted after the words "any person born and domiciled within the dominions of Her Majesty in India"

772. How would you amend the rules?—After the words "sanctioned in any year" I would have "plus the number of Natives of India who may enter the Civil Service by competition in England, shall not exceed one fourth of the total number of European Civilians appointed by Her Majesty's Secretary of State to the said Service in such year, provided that not less than one third of such nominations shall be of deserving members of the Uncovenanted Service."

773 If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—A few scholarships may be awarded to Natives of India, who, at a suitable age, take a high place in one or more of the University examinations in each Presidency, and who offer to proceed to England to compete for the Civil Service.

Mr. *Crosthwaite*

774 Have you known any of the Statutory Civilians who have been appointed in this Presidency?—I have known one or two personally, not officially.

775. Can you speak as to their educational qualifications?—No

776 Are they members of influential classes?—Some of them are and some are not.

777. Do you think the people of the districts in which they serve have confidence in them?—I cannot say. I have had no actual acquaintance with their work

778. Would you retain the Statute?—Yes.

779 Are the members of the Uncovenanted Service dissatisfied with the Statute?—Not with the Statute but with the mode of selection

780. They would be satisfied if the selections were made from their own ranks?—Yes

Mr. *Crosthwaite*—continued.

781 Have any selections been made from their ranks?—I am not aware of any.

782. Would they have the selections from their own ranks made by nomination or by competition?—They would prefer a combination of both.

Mr. *Stokes.*

783. Why do the Mahomedans approve of the Statutory system?—The Mahomedans approve of the Statutory system on the following grounds of political and administrative expediency —

(*a*) That it safeguards the interests of all sections of the community by checking the undue preponderance of any one caste in the public service.

(*b*) That aptitude to pass a competitive examination is not necessarily an exhaustive test of fitness for the public service.

(*c*) That some of those sections of the Indian community who have developed a peculiar aptitude for passing examinations have not, to any considerable extent, given proofs of such high qualities as breadth and liberality of view, force and firmness of character, freedom from caste prejudices and social restraints, moral and physical courage, &c, which are requisite in filling with efficiency and impartiality high administrative posts.

(*d*) That if the discretion of Government be fairly exercised, the existing system provides for the selection of the fittest persons of all nationalities.

(*e*) That experience would lead the Mahomedans to view with distrust and alarm any scheme of recruitment for the Covenanted Civil Service calculated to give unfair advantages to any particular sections of the community, so long as conflicting interests and caste prejudices continue to exist in India, and that in the interests of equal justice to all races and creeds it is desirable and politic to impose adequate checks on the monopoly of the civil administration of the country by any one section of British subjects.

Mr. *White.*

784. Do you think that the nominations which have hitherto been made have been in the spirit of the Act,—that is, have, as far as possible, all classes of Her Majesty's subjects been nominated?—I think Eurasians, with an exception, have not been appointed, but then they are so few.

785. Have any Native Christians been appointed?—I am not aware of any—a fact which I attribute to the same reason.

786 Then up to the present time the appointments have not been distributed among all classes of Her Majesty's subjects?—I think they have been distributed fairly on the whole.

787. Although Eurasians and Native Christians have been excluded?—They are comparatively unimportant classes

Mr. *Ryland.*

788. Have they not equal rights with Her Majesty's other subjects?—They have.

789. Then why do you consider them unimportant?—I mean numerically unimportant

Mr. *Stewart.*

790. Would you admit subjects of Native feudatory States to that service?—Yes.

Mr. *Crosthwaite.*

791. What are your reasons for wishing to add after the words "sanctioned in any year" in rule 2 of the rules made under the Statute 33 Vic., Chapter 3, Section 6, the following "plus the number of Natives of India who may enter the Civil Service by competition in England, *shall not exceed one fourth of the total number of European Civilians* appointed by Her Majesty's Secretary of State to the said service in such year, provided that not less than one third of such nominations shall be of deserving members of the Uncovenanted Service"?—I desire to widen the scope of Native aspirations. The present proportion is one fifth.

792 But you have put in the word "European" Civilian, and the rule is that Government may nominate under the Statute in any one year any number not exceeding one fifth of the total number of Civilians appointed by Her Majesty's Secretary of State. The whole of the successful competitors in England might be Natives of India and still the Government of India could, under the rule, nominate one fifth?—I think if Natives get one fourth of the appointments, they will not complain. I do not mean to limit them to one fourth.

793. Do you not think you should strike out the word "European" so as to make your meaning clearer?—No, I would keep it as it is. I understand that it is a restriction.

794. How are the Statutory Civilians looked upon by the Natives of India as regards position?—They are supposed to hold an inferior position to Covenanted Civilians, who get in by the door of competition.

795. Do you mean an inferior social position?—I mean an inferior position in the service.

796. Do they hold a higher position than members of the Uncovenanted Service?—Yes.

797. In social estimation?—Yes.

The *President.*

798. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Service?—Yes.

799. What are the grounds of dissatisfaction?—The present limitation of age, the obligation to go to England, and the subjects of examination I would raise the age to twenty-one or twenty-two As regards the subjects of examination, my views are that Natives of India cannot be expected to compete on equal terms with their English compeers for the 600 marks in English composition and English literature, nor for the 2,800 marks in European classical and modern languages. In the same manner English candidates are placed at a disadvantage in regard to the 1,000 marks in Arabic and Sanskrit. Considering all the circumstances, however, a Native of India is considerably handicapped in competing with his English competitors for the marks allotted to proficiency in

The *President*—continued.

the latter's mother-tongue and in some other languages, akin to it in some respects, which in the aggregate carry no less than 3,400 marks against 1,000 marks in Indian classics.

To equalise the chances of success as far as possible, with due regard to the utility of the subjects of examination, I would suggest the following changes and modifications. 300 marks may be allotted for proficiency in the candidate's mother-tongue and 300 more for one of the leading Indian vernaculars. The marks for French and German may be reduced from 500 to 300, and Italian may be struck off the list of subjects for examination. The marks for Greek, Latin, Sanskrit, and Arabic may be brought to the same level, either by raising the marks obtainable for proficiency in the Indian classics or by reducing those for Greek and Latin. The final examination of selected candidates may be made to include some subjects of greater practical utility (such as Indian Agriculture, Indian Revenue systems, &c.).

800. Would you by scholarships and allowances of passage money encourage Natives to go to England and compete?—Yes.

801. Would you have simultaneous examinations in England and India?—No, except under certain conditions.

802. In case simultaneous examinations are held, should they be identical?—Yes.

803. And held at one or more centres?—At one centre only, unless practical difficulties should make it inconvenient

804. Would you have one general list?—As far as possible, yes.

Mr. *Stewart.*

805. Would you make any apportionment of the appointments given in India among provinces?—I would not lay down a hard-and-fast rule to that effect, but would give due weight to local considerations, deciding each case on its own merits.

806. If an examination is held in India, would you make it obligatory on the successful candidates to proceed to England for training?—I would not do violence to the feelings of those who object to go on religious grounds.

807. Is there much objection of that kind?—Among the higher classes of the Hindu community there is, but it is dying out gradually.

808. You expect to see it disappear in a very short time?—Not in a very short time.

809. Do you know any of the young Natives who have passed in England?—I know some of them.

810. Are they the best as regards character and capacity that could be obtained under any system?—I cannot give any general answer to that question.

Mr. *Crosthwaite.*

811. What classes would succeed in an open competition in India?—The clerical classes, I think, —that is to say, those classes whose social and religious restraints compel them to resort to clerical employment for their livelihood. Those classes would have the advantage of others who in other respects might possess abilities of a higher order

Mr *Crosthwaite*—continued

812 Is there any large class who would be excluded for the most part?—Yes, I think Mahomedans, Rajputs, Mahrattas, and Sikhs would be excluded

813 When you say Mahrattas you of course do not mean Mahratta Bráhmans?—No, I mean Mahrattas by race

814 Do you think the residents of one province would be more successful than those of another?—Yes, possibly residents of Bengal would be so more even than men from Bombay, that is my general impression.

815 Do you think any objection on political grounds could be taken to the class of men who would succeed?—Yes

816 Your own opinion is that the examination should be held in England?—Yes, but I do not strongly object to the examination in India.

Mr *Ryland.*

817. You are an officer of the Janjira State In the administration of that State is any preference given to any particular class?—No.

818. Are all classes admitted to the public service indiscriminately?—Yes.

819. Of what classes does the majority of officials consist?—The majority of those in the clerical service are Parbhus and Bráhmans

820. But in the administrative posts?—The majority are Mahomedans and Hindus.

821. Which class predominates?—The Hindus, as forming the great majority of the population.

The *President.*

822 Would you recruit for the Uncovenanted Service only from Natives of India, or from all natural-born subjects of Her Majesty?—From all natural-born subjects of Her Majesty, with a preference for Natives of India, as defined in the Statute

823 How would you recruit for Mamlatdars, Deputy Collectors, and Subordinate Judges?—By competition and nomination combined, for the executive posts, and for judicial posts I would give a preference to members of the Bar

824 Would you have a system of nomination and competition combined for Mamlatdars as well as Deputy Collectors?—Yes.

825 Do you approve of the system in this Presidency which gives a preference to graduates in recruiting for Mamlatdars?—I think it is desirable to give a preference to graduates, provided non-graduates are not altogether excluded

826 Would it not be disastrous to the prospects of non-graduate subordinates who are expecting promotion?—I am not in favour of any stringent rule. I would relax it so as to admit non-graduates of proved merit and ability.

827 Would you have your recruitment provincial?—Local considerations should have due weight given them, but I would not have it exclusively provincial or local.

828 If the existing Statutory system is abolished, should the proportion of offices assigned to that Service be allotted to the Uncovenanted Service or reabsorbed in the Covenanted ranks?—I have no objection to either course, but I should prefer to see them allotted to the Uncovenanted Service

The *President*—continued.

829 Should any distinction be made in the salaries attached to posts usually reserved for the Covenanted Civil Service according as they are held by members of that branch of the Service or by members of the Statutory or Uncovenanted branches?—I think a distinction of that kind is invidious, and as far as practicable I would have no distinction made.

830 And in the Furlough rules?—No, unless it was to give encouragement to Natives of India to go to England Those who did so might be allowed furlough to a greater extent than others, but no considerations of nationality should be regarded.

831 Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service, suitable to Natives obtaining office under the Statutory rules?—I have not studied the subject particularly, my general impression is that they are suitable.

Mr *Crosthwaite.*

832 To what section of the community do the Native officials in the Uncovenanted Service of this Presidency generally belong?—Mostly to Bráhmans There is a very large proportion of them in the Mamlats, probably 90 per cent

833 Are there any Mahomedans among the Mamlatdars?—There is only one Mahomedan Mamlatdar in the whole Presidency, formerly there were two, but one has recently been promoted

834 And among the Deputy Collectors?—There are a few Europeans, Eurasians, and one Mahomedan, excluding Sind

835. And in the ministerial classes, clerks in offices?—Bráhmans predominate in the same proportion more or less.

836 Do they hang together very much?—Very much

837 Has that state of things long existed here?—It has

838. Do you think that a system of competition would perpetuate it?—I should think so, at least until education becomes more general

839 Are there any Mahomedan gentlemen of education who would accept service in the Uncovenanted ranks?—I should say there are many I should add that there is no Mahomedan in the subordinate judicial service of this Presidency, excluding Sind.

840 To what do you attribute this practical exclusion of Mahomedans?—To the educational system, which does not quite fit in with their requirements, being intended for the general state of society, and to the fact that certain classes have special facilities for availing themselves of it, which certain other classes, including Mahomedans, have not.

841. Do many Mahomedans take the B A. degree?—I think that in all about fifteen have done so

842. You approve of the present rule which gives preference to B A 's in appointments made to Mamlatdars and Deputy Collectorships?—Yes, with this reservation, that others be not excluded by any hard and-fast rule

843 Do you not think that the rule is greatly responsible for this exclusion of Mahomedans?—No, I think that if it did not exist, the Mahomedans would be in exactly the same position.

Mr. *Crosthwaite*—continued.

844 Where were you educated?—In Bombay.

845. Have not all Mahomedans the same educational facilities as you have had?—I do not think so.

846. Are similar facilities given out of Bombay?—No, but of late facilities are being given by the establishment of special schools for Mahomedans

847 Do Mahomedans freely resort to schools which are attended by Hindu boys?—They have certain objections to doing so they are not treated the same. Most of the teachers are Bráhmans, and between them and the Mahomedan scholars there is a lack of sympathy.

The Hon'ble Mr *Quinton.*

848 Have you any idea of the proportion which Bráhmans form to the population of this Presidency?—I think they form a small fraction, less than twenty, possibly about thirteen, per cent.

Sir *Charles Turner*

849. Can you say whether the classes which at present hold subordinate executive and judicial appointments in British territory are the same as those which hold the like appointments in Native States?—It depends upon local circumstances, so far as Janjira is concerned, I think they are the same.

Vol. IV Sec II Bombay.

Khan Saheb Abbas Ali Beg Mirza

850. In Hyderabad the administration is mainly in the hands of foreign Mahomedans. Was it with a view to improve the administration that Sir Salar Jung thought it necessary to import a large number of Mahomedans from the North-West, where they are better educated?—Yes

851. Do you know anything of Canara and the officials there?—Yes In North Canara, which is in the Bombay Presidency, Bráhmans hold the majority of the ministerial and subordinate executive posts. I know nothing of South Canara

WITNESS X.—18th January 1887.

Examination of MANCHERJI BHÁVNAGRÍ, Esq., C.I.E., Agent in Bombay to His Highness the Thákúr of Bhávnagar.

Vol IV Sec II Bombay

Mr *Mancherji Bhávnagri*

Mr. *Stewart.*

852. You are Agent to the Thákúr of Bhávnagar?—Yes.

853 And a Member of the Indian Reform and other Political Associations?—Yes

854. Where were you educated?—At University College, London.

855. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—No. The disapproval is universal throughout India and among all classes of people, save perhaps a solitary class or coterie here and there, which, owing to the backward state of its youth, or in the belief that it is especially favoured by local Governments or their officers, considers that the system should be the only one available to its members for admission to the higher Civil Service of the country.

856. What are the grounds of dissatisfaction?—The grounds of disapprobation are, among others, that—

(1) The selection under the system is far too restricted.

(2) The mode of selection is open to the imputation that a good deal of favouritism may be exercised.

(3) The number of nominations are too few, and that both in regard to number and quality it provides an utterly inadequate compensation for the difficulties in the way of the Natives entering the Civil Service by competition, which at present are practically an effectual bar to their entrance to that service.

With regard to the first and second grounds, I may explain that a general impression exists that the Statutory Service is established for the purpose of admitting to the higher appointments, now reserved for the Covenanted Service, men belonging to what are called high families and sons of favourite servants of Government without any material regard to fitness or qualifications. The feeling prevalent about it is a sort of "none need apply" except those who belong or believe themselves to belong to high families and sons or nephews of influential officers of Government This notion has taken such deep root in the minds of the people, that although I do not know of any appointment under the Statutory system which can be looked upon as having been knowingly made simply on those grounds, I am aware that the nominees, of whom I am prepared to grant some are in every way qualified for the service to which they are admitted, are supposed to have been appointed simply through influence or out of deference to the wishes of an individual or a class. I observe that the object of section 6 of the Statute (33 Vic, Cap 3,) is to provide additional facilities for the employment in the Civil Service of Natives of India *of proved merit and ability* But the impression regarding the nominations made under the Statute is that "*proved merit and ability*" have so far had very little to do with them, and I for one do not see how, in making the nominations in the way they are known to be made, the fulfilment of that condition has been, or in future can be, secured.

Mr. *Stewart*—continued.

857 Is the objection against the rules or the Statute?—Against the Statute Personally, I am in favour of the competitive system, and would, therefore, have the Statute repealed

858. Are the defects of the existing system susceptible of remedy either by an amendment of the rules or by an amendment of the Statutory provisions in that behalf?—I do not believe the defects of the existing system are susceptible of remedy. The principle of making a number of appointments by selection only in a service, the main entrance to which is by competition, is fundamentally wrong.

If, however, it be deemed essential to retain the Statutory Service, the nominations to which would be made by selection, I would widen the scope of the selection by allowing local Governments to accept the candidature of all persons who in their opinion, or according to rules laid down for their guidance, may be eligible for entrance to the Civil Service, and then finally appoint by examination But in this case,—that is, of retaining the Statutory Service as the only means of admission to the Civil Service in India for Natives,—I would raise the proportion of Statutory appointments from one fifth to one third of the total number of Civilians appointed by Her Majesty's Secretary of State in each year.

I would take leave, however, to repeat my conviction that the principle of the Statutory Service, or rather the popular impression about it that it is created to afford employment to cadets of old noble houses and to the youth of communities which have hitherto neglected to avail themselves of the educational means placed at their command for years, is mischievous and should be corrected without delay. In the first place, the preference which the selection must imply of the scions of one or two or half-a-dozen houses every year, or of the youth of one or more particular communities over the rest, creates an amount of heartburning Secondly, in respect of families, it is difficult to determine which are really noble in the sense of having been related to old royal houses or achieved greatness by noble deeds. During my residence in England I frequently received enquiries about Indian youths, Parsi, Hindu, and Mahomedan alike, who represented themselves to respectable people there as having descended from the line of the Shah of Persia, or as being grand-cousins of the Peishwa or of a Mogul Emperor. The number of grandsons and grand-nephews of defunct Mogul Emperors, who succeeded in being accepted as such by well-intentioned people, was simply astounding, and their best title to that distinction was exhibited in a long gold *kinkob* toga and tinsel cap, with which, it appears, they had furnished themselves for the purpose. I mention this matter to show how erroneous in practice, as mischievous in principle, the intention of the Statutory Service is apt to be. But more than this, the system of appointment

Mr. *Stewart*—continued.

under it may bye-and-bye become a grave cause of discontent For I do not think anything can be more fatal to the prestige of the service, and consequently to the reputation for efficiency, zeal, and fair play of the British administration in India, than any such impression that a number of appointments in it are given away either to revive the fallen greatness of old houses, to appease the craving of dissatisfied communities, or out of any other consideration save that of securing the fittest men for the service. I would rather have the whole of the Natives of India excluded from the service than even a single one of them admitted to it, who was not absolutely qualified and fit to be so admitted, merely in order to pacify the national clamour. Much less do I consider it politic or fair that a number of appointments in the highest service in the land should be every year filled by persons who would shrink from competing for them in the open field, and whose best claim for being placed in them is that they or their community as a whole are backward in the race for education To all such backward communities, to all scions of decayed houses with a claim to long ancestry, I would allow scholarships and other special facilities to enable them to start in the race of public competition. Let this be done at national cost if you please. But to think of dropping them into posts for which they are admittedly backward educationally, and therefore really unfit, is to hold out a premium to indolence and sluggishness. And when it is remembered that the posts to which they may be thus appointed embrace functions of the highest importance, on the due and competent discharge of which depend the security of lives and the well-being and comfort of whole communities and provinces, it is appalling to think what the ultimate results might be of the policy of appointing to them men in whose capacity people can have no faith or trust

859. If the provisions of the Statute are not repealed nor substantially amended, so as to take away the power conferred on the local administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised, or in respect of the sanction required for appointments made hereunder?—In case of the Statute (33 Vic., Chapter 3,) being continued, the term "Natives of India" should be defined with greater precision than it is defined there That term, according to the wording in the Statute, includes "any person born and domiciled within the dominions of Her Majesty in India and not established there for temporary purposes only." Now the words "domiciled" and "habitually resident" are very elastic, and do not convey the precise conditions on which a person may claim to be so "domiciled" and his parents to be "habitually resident" in India I believe that it would answer the spirit of the definition if the "habitual residence" of the parents extended to twenty years with intention to settle in the country, and the proof of the "domicile" depended on the fact that the son was mainly educated in India.

860 If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—The selected candidates should by all means be required to proceed to England for training Their training in England should extend, if possible, over a period of three years, and they should be required to pass into the service on the same conditions and after the same examinations as the candidates passed in the English competitive examinations

The Hon'ble Mr. *Quinton*.

861 Have you ever resided elsewhere in India than in the Bombay Presidency?—No.

Vol IV
Sec II
Bombay

Mr *Stewart*

Mr *Mancherj Bhávnagr*

862 Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Yes It is felt that the limit of age up to which the candidates are allowed to go in for the competition is much too low. Consequently, their instruction and training proceed at too rapid a pace, and the great disadvantage of the low limit of age becomes apparent in the case of successful candidates even after they have passed their examination. I can speak from experience and say that in some cases while they are going through their probational course they fail to realise to what important sphere they have been admitted, and it is fair to assume that even for some time after they arrive in India they may not be impressed with the full importance of the great career on which they have entered Another reason for which dissatisfaction is felt with the existing system of recruitment for the Covenanted Civil Service is that the fresh Civilian from England is absolutely given no opportunity of becoming acquainted with the character, modes of thought, and the customs of the people over whom he has to rule and among whom he has to live all through his active life From the first day of his putting foot on Indian soil, he enjoys an insolation which is ill-calculated to make up for this want of knowledge of the people, and it is not until he has finished half his service, and in some cases not even then, that he learns enough of their feelings and thoughts to establish a healthy understanding between his own views and theirs. They do not understand one another for many years, and it is to this circumstance could be often traced the unpopularity of many officers and the discontent of people in many cases. If it be not out of place here, I should like to express a view which I have formed and entertained for many years past, and which many competent persons whom I have consulted on the subject are agreed with me in thinking would furnish a remedy for this complaint My proposal is that candidates selected at the entrance examination in England should be required to go through their probationary training in India At present the subjects in which they are examined during their term of probation are:—

(1) Law
(2) Classical languages of India.
  Sanskrit.
  Arabic.
  Persian.
(3) Vernacular languages of India.
(4) The History and Geography of India.
(5) Political Economy

Among these subjects there is not one which cannot be learned as well in India as in England, and, on the other hand, there are decidedly superior means for mastering the subjects numbered 2, 3, and 4 in India than in England. The term of probation is now by a recent arrangement spent at Oxford, Cambridge, or London, where in some of the colleges special arrangements have been made for the teaching of the subjects above enumerated In each of the Presidencies in India there is one college at least which may safely be regarded as capable of teaching these subjects to the selected candidates, either by general or special arrangement. So that there

Mr. *Stewart*—continued.

being adequate provision so far as the teaching of the necessary subjects is concerned, there may be claimed for the proposal I make the advantage of the selected candidates having time and scope for becoming acquainted with this country and its various communities as those should be who are expected to live and conduct the highest functions of administration among the people. It is no secret that officers, as such, find the utmost difficulty in arriving at an accurate knowledge of the wants, aspirations, and inclinations of the people from their subordinates, who are in many cases the only source from which the officers in question can get such information If, however, the proposal I suggest should ever be put into practice, the experience acquired during the probationary period of two years, partly spent at an Indian college, and the friendships which may possibly be formed with some of the advanced students or Native Fellows and Professors there, would serve to impart all such knowledge, which would be of incalculable benefit both to the governing and the governed classes in after life.

863 Is that the only ground of disapprobation?—The expense it imposes on the candidate who goes to England is another ground.

864. Is there any other ground of dissatisfaction?—I do not think so.

865 Would you raise the age limit?—Natives of India at present labour under serious disadvantages of age and expense in having to go to England to compete for employment in the Covenanted Civil Service The age, no doubt, operates equally in the case of English and Native candidates, but when it is remembered that the Native has to learn English as one learns a foreign tongue, which of course the English candidate has not to learn under the same difficulties, the equality of age becomes a hardship to the Native such as it is not to the English. In spite of this fact, however, I would not make any difference between the ages of the English and the Indian candidates if the limit of age were substantially increased,—that is, to twenty-three or at least twenty-two. Experience has shown that the Natives of India can by diligent study acquire fair command over English easily, and considering that their general instruction at a certain stage proceeds in that language, I am of opinion that if a sufficient allowance of age were made at the start, the Indian would have the necessary opportunities meanwhile to make up for any time specially spent in learning the language, as compared with the English competitor And as it is desirable to make even, as far as possible, the conditions of the competition between the English and the Indian candidates, I would not claim any difference of age. Again, another reason for advancing the limit of age is that the present low maximum allows only one chance usually to the Indian candidate, who is not generally sent until, by brilliant success at the entrance examination of the University, he gives promise of being able to compete at such a difficult test as that for the Civil Service. He thus already starts on the competition at a more advanced age than the English candidate.

Expense also, as I have already said, is a great difficulty in the way of the Indian student As I advocate the simultaneous holding of examinations in England and in India, I would not treat of this difficulty at length, but would suggest, in case it is resolved not to hold an examination in India, that a number of scholarships and passage-money

Mr. *Stewart*—continued.

should be allowed under certain conditions, which as a matter of detail may be left to the several Governments to define.

866. Would you provide scholarships and passage-money in order to obviate some of the hardships of having to go to England and compete?—I would.

867 Would you add to the subjects of examination?—I would have the marks given for Sanskrit and Arabic equalised with those given for Latin and Greek, and would add Persian as one of the subjects, with the same marks as French and German.

868. Would you hold simultaneous examinations in England and India?—I consider that that would be the best and most effectual mode of removing the disadvantages under which the Indian candidate labours at present.

869 Should the examinations be identical?—Yes.

870. And held at one or more centres?—It should be held at one centre only. This would lessen the difficulty of holding an examination in India simultaneously and identical with the one in England, and also prove to some extent, however small, the willingness of the Indian student to leave his home.

871 Would you have open competition both in England and in England and in India for all classes?—Yes, the candidates in England and India should compete with one another and be selected in order of merit The apportionment of a certain number of appointments for competition at the respective examinations in favour of the Native candidates would possibly carry with it the element of a humiliating distinction of the nature complained of with regard to the Statutory Service Supposing the examinations being identical, the candidate who obtained, say, 1,500 marks in the examination in England, fell short of the number of successful competitors there, while a candidate who got only, say, 1,200 marks in the examination in India succeeded in coming within the number of successful competitors at his centre, it would be an act of injustice in itself to exclude from the service the candidate who has at the identical examination secured a higher number of marks while the less able candidate gets into the service And very naturally it would again give rise to a distinction between the standard of examination of the English and Indian Civilians.

872. Would you make any apportionment to provinces?—I would rather not. I should prefer it as between English and Native candidates. I am aware that this apportionment would have to proceed on a basis similar to that to which I have just objected But what as an indulgence in the case of the Native is likely to prove prejudicial and therefore open to objection, is in the case of the dominant race justifiable on the score of necessity or expediency. As a foreign power exercising paramount control over the administration of India, it is but just and expedient, if not absolutely necessary, that an adequate proportion of the highest appointments should be reserved to the English I am therefore in favour of the reservation of one half, or at the very least of one third, of the Covenanted appointments being secured to purely English candidates every year, even though the result of the competition gave a different proportion. Although this last-named contingency is very remote, and may

Mr. *Stewart*—continued.

never arise, still until the time comes when the interests of England and India are so intertwined and commingled as to destroy all distinction, socially and politically, between the two races, I would cheerfully yield this concession in favour of the English candidates. But I should deprecate any apportionment of nominations or appointments either on the basis of residence or on that of religion. Such apportionment would be more or less arbitrary, and would only cause dissatisfaction. There are according to the census of 1881, of Hindus 18 crores and 79 lakhs, of Mahomedans 5 crores and 1 lakh, of Buddhists 34 lakhs, of Sikhs 18 lakhs, of Christians 18 lakhs (including Europeans 1 lakh and 40 thousand, and Eurasians 62 thousand), of Jains 12 lakhs, of Parsis 85 thousand, and of Jews 12 thousand, besides some other minor races and castes Now, a division proportionate to these statistics would be eminently unfair, and the various sects among Hindus, some of which are almost as distinct from others in their character as the Jew is from the Christian, would scarcely regard any apportionment among the castes as equitable. Such an apportionment would please very few and displease a good many.

873 Would you have the candidates selected in India sent to England for training?—If the examination is held in India, it should be made obligatory on the successful candidates to proceed to England for training

874. How long would this probationary training last?—Three years. I am so far persuaded of the necessity of a thorough training in England that I would regard with favour the extension of the probationary term in the case of candidates passed in India to three years. This would place the Indian candidates twelve months behind those passed in England in the same year, but it is a sacrifice worth making for the benefit that would eventually accrue. The fact should not be lost sight of that the administrator in India on the British system has certain social obligations to fulfil. The discharge of these obligations is of the highest importance too, as having a bearing on the moral and domestic advancement of the nation, and I believe there is no school in the world to compare with England for teaching a man his domestic and social duties and obligations.

875. Would you insist on the selected candidates spending the period of training at a University?—I would.

876. Do you know any of the young men who have come out after competition in England?—No; but I have met them in London.

877. Are you prepared to give any opinion as to their qualification for appointments to the higher Covenanted Service?—Generally speaking, I have found them very intelligent and clever at their work; but, owing to their very low age no doubt, they could not realise the responsible character of the functions to which they were going to be admitted. I was in England for four years.

878 Were they living in general society or very much by themselves?—Most of them were living by themselves in the neighbourhood of Mr Wren's establishment in Powys Square, and, in the case of two or three, the complaint was that they could not be persuaded to go out for so much as a daily walk, and that it was only by dint of such perseverance and industry that they were able to get through their examination

Mr. *Stokes*.

879 You say Natives of this country have great difficulty in learning English?—No, I only say they necesarily have to devote an amount of time to it which English boys have not.

880 Is it a fact that the study of English is spreading among Natives?—It has certainly a very strong tendency to spread, and I am of opinion that one result of female education will be that English will become the language of many of our families.

881. You say you would apportion these appointments between English and Native candidates. Suppose the English candidates took the majority of the appointments in a competition, would you allow them to keep them?—Certainly. The proportion is a minimum for the English candidates

Mr *Stewart*.

882. Should the Uncovenanted Service be recruited only from Natives of India as described in the Statute, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service should be recruited from Natives of India, including Statutory Natives. I consider any encouragement which can be offered, without positive disparagement to the Natives of India or militating against the birthright of Natives proper as such, to domiciled Englishmen and Eurasians, should by all means be extended to them They will form a most important agency in the blending of the interests of England and India, and I consider nothing more important to the permanent engrafting of the system of British administration on Indian soil, and consequently to the welfare of India, as the indissoluble identity of interests of the children of both countries.

The recruitment should be made solely by means of competition.

The recruitment should be made as a rule by the several administrations from persons resident in the territories under such administrations respectively. For the duties of Tahsildars, Mamlatdars, and Munsifs are, I believe, of a character which require an intimate knowledge of the people and province among whom and in which their work lies. I would, however, reserve power to the several administrations to appoint men from other provinces in cases where it may be desirable to employ outsiders.

883. How would you recruit your Mamlatdars, Deputy Collectors, and Subordinate Judges?—By competition simply, saving, of course, the rights of the present employés.

884 And would you have competition for all classes of offices?—Yes, but only for first appointment. Subsequent appointments would be according to seniority.

885. If the Statutory system is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I do not see any reason for reserving to the Uncovenanted Service the proportion of offices at present assigned to the Statutory Service, in case of the abolition of the latter and the institution of an examination in India as advocated above.

Mr. *Ryland*.

886. Would you not allot a specified proportion to the Uncovenanted Service to which members of that service might become eligible?—Not if we

Mr *Manchersji Bhavnagri*

Mr *Ryland*—continued

had a competitive service in India;—I mean, not if the competitive system is to be extended to India. Otherwise I would.

Mr *Stewart.*

887. Will you give us your views regarding pay and furlough?—I am in favour of a distinction being made in the salaries attached to posts reserved for the Covenanted Civil Service, but on a different basis to the one suggested in the question. My answers to the questions so far point against the posts allotted to the Covenanted Service being given either to Statutory or Uncovenanted Civilians I repeat that I am for reserving them exclusively to the Covenanted Service. But the salaries of the Indian incumbents of these posts may be reduced by one third; that is, it may be two thirds of the present salary, except perhaps to that stage up to which the present salaries are considered too low to permit of such reduction without causing dissatisfaction. My reasons for this distinction are two-fold The first, which may be called special or personal, is that the Indian Civilian having his home in India is at a certain advantage in respect of expense over his English colleague Then again he does not feel called upon, from considerations of climate, family ties and the like, as does the English Civilian, to send his wife and family to England and to educate his children there. Then, ultimately, on retirement from the service, he looks forward to, or at all events ought to look forward to, spend his pensioned days in India, which is a cheaper country as far as living goes than England My second reason, which has a general and public character, is that even for Europeans the scale of salaries of the Covenanted Civil Service is very high, resulting in a greater burden on the country than it can well bear But if it be not practicable at present to effect a general reduction in the whole of them, that is no reason why a reduction should not be made in the salaries of a portion of the appointments, the incumbency of which by Natives of India deprives the reduction of any such injurious effect as it is alleged to have in the case of Europeans. As regards the sentiment that a distinction in the amount of salary acts prejudicially to the prestige of the recipient of the reduced pay, I consider it vague and unimportant. The examination test of the Indian being equalised or made identical with that of the Englishman will sufficiently safeguard the prestige of the former. And remembering that one material consideration all along urged in favour of the Civil Service appointments being given to Natives is that that system would lead up to an economical administration of the country, it would be contending against this very argument to insist that, for the sake of a sentiment, Natives should consent to no reduction in the salary of appointments admittedly highly paid, simply because it does not seem practicable to effect such reduction in the case of English incumbents.

Mr. *Stewart*—continued.

888. Have you formed any opinion about the Furlough rules?—As these questions assume the retention of the Statutory Civil Service, to which I am entirely opposed, I see no necessity for answering them. If, however, the questions related to English and Indian Civil Servants (Covenanted), my opinion is that the Furlough and Leave rules and allowances should be identical for both. True it is, the Native Civil Servant does not require to go to Europe to return to his home. But as an inducement to him to visit Europe and renew his experience of English life, it would be advisable to allow him the same privileges under this head as his English colleague enjoys

A reduction proportionate to that in his pay may be made in the retiring annuity of the Indian Civil Servant. Barring this distinction in the pay and annuity, I am clearly of opinion that all the other conditions of office should be made entirely identical in the case of the English and the Indian incumbent.

Mr. *Crosthwaite.*

889. Do you think an open competition would lead to the preponderance of certain classes in the service?—Possibly, in the present state of education in the country but I am clearly not opposed to such a preponderance, because I think that those who have not taken advantage of the educational facilities offered them have only themselves to thank for their exclusion. There is absolutely no reason why a system which is suited to one class of Indians is not suited to other classes; and to my mind the objections taken to the system of education, as reasons for not taking advantage of it, are certainly frivolous.

890 Have you looked at the matter from the provincial point of view, and considered whether it would be wise to place Bengalis or Madrasis in charge of Punjab districts, for instance?—Certainly, and, moreover, it will have a very salutary effect on India by awaking all classes to the benefits of education and disabusing their minds of the idea that the Government is prepared to accord them certain privileges to which they have no fair claim.

The *President*

891 The practical exclusion of large classes of the people from public employment would naturally cause some discontent would it not?—It would, but so would any system which did not allot a certain proportion of appointments to every community.

892 Do you see any political danger in creating or maintaining this cause of discontent?—No

893. Is there any other point on which you desire to give evidence?—No.

WITNESS XI.—18th January 1887.

Examination of MR F. C BREWIN, Superintendent, Accountant-General's Office, Bombay, and Representative of the Eurasian and Anglo-Indian Association of Western India

Mr. *Stewart.*

894 You are Superintendent of the Accountant-General's Office?—Yes

895. And you represent the Eurasian and Anglo-Indian Association of Western India?—Yes

896. How many years have you been in the Uncovenanted Service?—Fifteen years I was appointed by patronage No other system exists at present for the Uncovenanted Service

897. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service is not approved Complaints are heard on every side against the present system, and the Press, European and Native, have almost universally condemned it. The Eurasian community, though it forms an important section of the community of India, have special grounds for being dissatisfied with the system, as not one from amongst that community, in any part of India, has been admitted into the ranks of that service The memorial addressed to the Government of India by the Eurasian and Anglo-Indian Association of Western India, dated 1st October 1886, is sufficient evidence of the feeling with which the present system is regarded on this side of India by the community represented by this Association.

898. What are the grounds of disapprobation?—The chief reasons why the present system of appointing members to the Statutory Civil Service does not meet with approval may be stated as follows:—

(*a*) Whenever patronage is dispensed by selection, experience has proved that the power entrusted to persons with whom the selection rests has not been fairly used, and in many cases grossly misused, such a system has always been open to the charge of jobbery. The system of selection and the system of limited competition have both been strongly condemned after lengthened trial by both Houses of Parliament, and the open competitive system introduced in their place to fill the ranks of the Indian Civil Service, the highest administrative service in the world, and it has been found necessary to extend it to the English Civil Service By the system of selection, appointments are likely to be given only to those persons who may happen to be able to influence the *personnel* of the Government; and if the list of persons appointed to the Statutory Civil Service be examined, it will be found that the persons appointed owe their nomination to the fact that their friends were able to command the influence of the Government of the day

(*b*) That men of the best available talent are not obtained under the present system, because there is no competition, and no attempt is made to discover the best material,—the selections being, under the terms of the Resolution of the Government of India in the Home, Revenue and

Mr *Stewart*—continued.

Agricultural Department, No $\frac{69}{2324-29}$ (Public), dated 24th December 1879, confined to "young men of good family and social position," thus debarring the rising talent in the middle and lower classes from having a share in the government of the country, and even from trying to reach a higher social status

(*c*) That, generally speaking, the class of persons appointed have not the confidence of persons over whom they have been appointed, and have not that sympathy for the people which it is desirable they should have, as they are usually of castes which do not form the mass of the people, and which from time immemorial have had their class interests bound up in their own caste

(*d*) That the present system has operated against the interests of certain sections of the community.

(1) The Eurasians, who have already, in the memorial referred to, drawn attention to their exclusion. This community does not number amongst it families who can lay claim to the dignity of birth arising from lapse of time, nor has the interval been long enough to permit the growth of a class who have stored up wealth, owing to the fact that it has but recently sprung into existence. The fitness of the members of the community to fill appointments in the Statutory Civil Service is not to be measured by these standards, but by standards other than birth and wealth, and it would be strange indeed if the community which has distinguished itself so remarkably in the Uncovenanted Service should not be found to possess the qualifications necessary for the Covenanted Service If the Government of India were to examine the list of its Uncovenanted Servants they would doubtless discover that many men of European descent and settled in the country have done honourable and meritorious service to the State

If other evidence of the fitness of this community to fill appointments in the Statutory Service be wanting, the Association would quote the opinion of an eminent Bengal Civil Servant, Mr George Campbell, who says: "Persons of European descent, born in the country, have a very fair claim, as Natives, to a full share of appointments The class is one which has occupied rather a despised and unfortunate position, and I think much might be made of it, and that, with proper encouragement, men might be found or formed combining something of our habits and feelings, with such knowledge of the Native as no European can attain" That the community possesses members fitted to fill the highest appointments in the State cannot be questioned; and that the framers of the Act 24 and 25 Victoria, Chapter 54, had in view the admission into the higher branches of the

Mr. *Stewart*—continued.

Civil Service of the members of this community, is evident from the Parliamentary reports In the debates in the Houses of Parliament on that Act, it was distinctly stated that one of the chief objects of the Act was to enable the Governor General to admit into the Covenanted Civil Service, "without regard to the qualifications, conditions, and restrictions recited in Section 56 of Act 33 George III, Chapter 52," persons of European and mixed descent settled in India. The feelings of the community at their total exclusion from the Statutory Service cannot be better expressed than in the words of Lord Stanley, speaking in 1861 "The feelings of the Natives, and still more the feelings of the European residents, was such as to render the maintenance of an exclusive Civil Service impossible It was not so much that an individual felt aggrieved at his own personal exclusion, but that the feeling of each was that he belonged to a class which, by the law of India, was not allowed to aspire to the conduct of the higher offices of the State; that was a position in which the Europeans, at least, would never acquiesce." It is, therefore, with the deepest regret that the Association had to make a special representation to the Government of India, pointing out that the community which, in the language of Lord Dufferin, deserved, for many reasons, special consideration at the hands of Government, had been excluded from any share in the higher branches of the Civil Service of the country, though it numbers over 100,000 persons throughout India.

(2) The Agricultural Classes Amongst the persons nominated, no attempt has been made to represent this class, though it forms more than three-fourths of the population of the country.

(3) The Kanarese Population No nominee has been chosen to represent this class, which numbers, in the Bombay Presidency alone, over 2,600,000, composing the major portion of the population of four Collectorates, including amongst them families of ancient lineage and men of wealth, though other sections are more than represented, there being two Pársis in Bombay out of a total population of this class of 85,000, whilst in the Madras Presidency three Bráhmans have been nominated out of a Bráhman population which is only the one-thirtieth part of the population of that Presidency.

(*e*) Under the present system of recruiting the Statutory Civil Service, the persons selected are considered to have an inferior status compared to the Covenanted Civil Service When it is remembered that the pay and allowances, the furlough and leave rules, and the retiring pensions granted to the Statutory Civilians, are on an inferior scale, and that offices of high responsibility have not been bestowed on them, it is not surprising that the Service is not held in the same estimation by the public as the Covenanted Civil Service is.

899. Are the defects of the existing system (if any) susceptible of remedy—(*a*) by amendment of the rules, (*b*) by an amendment of the Statutory provisions in that behalf?—The Association is of opinion that, in order to remedy the defects of the existing system and in order to create confidence, it is necessary to amend both the rules and the provisions of the Statute.

Mr. *Stewart*—continued.

(*a*) The rules framed under the Statute 33 Victoria, Chapter 3, Section 6, as interpreted by the Government of India in their Resolution in the Home, Revenue and Agricultural Department, No. $\frac{59}{4426-29}$ (Public), dated 24th December 1879, have defeated the object for which the Statute was enacted, and have had the effect of practically shutting out many important classes and grades of Her Majesty's Indian subjects. In the opinion of the Association, the time has arrived when the system of arbitrary selection from families should be abandoned; and the recruitment of the Statutory Civil Service should be confined to persons of "proved ability and merit" in the Uncovenanted Service, as was intended by the Statute In the opinion of the Association, all future appointments to the Statutory Civil Service should take the form of promotions from the Uncovenanted ranks. To prevent the admission into the service of persons who may have but a temporary interest in the country, and in order to guard against the abuse of the power of promotion of persons entering the Uncovenanted Service merely to obtain admission into the Covenanted Service, a seven years' residence in India should, as in the case of appointments under Statute 24 and 25 Victoria, Chapter 54, Section 3, be insisted upon. Under this scheme, no probation would be necessary, as the persons to be promoted would have proved their ability and merit, and would have acquired the experience needed in the discharge of the duties which the higher offices would demand from them. For the same reason, it would not be necessary to appoint persons to the lower grades of the Covenanted Service before they were permitted to rise to the higher appointments. Transfers to the Statutory Service being intended to be a reward in recognition of past services, the persons transferred should obtain higher emoluments than they would receive had they been retained in the Uncovenanted Service. If the system now advocated be adopted, the promotion to the Statutory Service would have to be made by nomination, but this system of nomination would not be subject to the disadvantages under which the existing system labours, for though, in making the nominations, Local Governments will have a wide choice, they must, in the words of Lord Macaulay in his speech in the House of Commons on the Act of 1853, "choose from among a certain set of instruments which they find prepared to their hands." And very little room, if any, will be left for the abuse of patronage. The nominations, when made by Local Governments, should be subject to confirmation by the Government of India As the exercise of patronage would be hedged in by these many considerations, the discretion of the Local Government, in determining in what particular instances merit and ability have been proved, should be left unfettered. The Association admits that such a change in the system may not bring about an equal representation of classes; yet it cannot be assailed on the ground of partiality, as any community which feels aggrieved will have every opportunity of restoring the equilibrium by fitting its members to obtain a more equal share of the appointments. The rules under Statute 33 Victoria, Chapter 3, published in Government of India Notification No. 1534

Mr. *Stewart*—continued.

(Public), Home, Revenue and Agricultural Department, dated 22nd August 1879, amended in such a way as to give effect to the suggestions put forward, would stand as follow:—

Rule 1.—Each Local Government may nominate persons who are Natives of India within the meaning of the said Act, for employment in Her Majesty's Covenanted Civil Service in India within the territories subordinate to such Government. Such nomination shall be made as the necessity for it arises, and shall be confined to persons who, by merit and ability proved in the Uncovenanted Service of Government, have shown themselves deserving of such nomination.

Rule 2.—Nominations under the foregoing rule shall, if approved by the Governor General in Council, be sanctioned by him. The total number of nominations so sanctioned by him shall not at any time exceed one fifth of the number of Civilians appointed by Her Majesty's Secretary of State, and borne on the active list. The nominee shall be required to pass such examinations as may from time to time be prescribed by the Local Government, unless he has been specially exempted by the Governor General in Council, or has already passed such examinations whilst in the Uncovenanted Service. The Governor General in Council may, in particular cases, provisionally sanction the nominations, and may withhold the final confirmation, subject to any report which may be required from the Local Government.

Rules 3 and 4 need no alteration.

(*b*) The only amendment of the Statutory provisions necessary is in the way of guaranteeing a minimum number of appointments for the promotion of persons from the Uncovenanted to the Statutory Service; and the minimum number of appointments to be guaranteed should, in the opinion of the Association, be not less than one fifth of the total number of appointments in the Covenanted Civil Service.

900. If the provisions of the Statute 33 Vic., Chapter 3, Section 6, are not repealed, nor substantially amended, so as to take away the power conferred on the local administrations, should they be amended in respect of the description of the persons on whose behalf such powers may be exercised, and in respect of the sanction required for appointments made thereunder?—*Primâ facie*, the Eurasian community do not think it necessary that any special provision should be made in their behalf, or in the behalf of any community, as, under the system advocated in these answers, each section of the population will be provided with opportunities to assert itself. If special provision were made, it would be prejudicial to the interests of Government, because it would tend to concentrate power in that community on whose behalf any special provision might be made. If it is desired to make provision for different classes, appointments might be apportioned by consideration of race, caste, and social position; but in making the distribution, insuperable practical difficulties would be encountered. For instance, races which are numerically very weak, but which may possess force of character, energy, and capacity for Government, and whom, therefore, it would be important to keep in the administration of the country, would be shut out. Anglo-Indians and Eurasians, who possess these characteristics in a remarkable

Mr. *Stewart*—continued.

degree, form but $\frac{1}{2000}$th part of the inhabitants of British India; and assuming that there were 1,000 appointments in the Covenanted Service, of which one fifth or 200 appointments are reserved for Statutory Civilians, this class could obtain only the one tenth share of one appointment. If appointments were to be distributed according to castes, the apportionment would not only be practically impossible, but positively injurious to the interests of certain castes, whilst it would tend to perpetuate a social evil which has been universally condemned. Distribution of appointments according to social position could not be justified, as it would exclude a large and influential portion of Her Majesty's subjects, and would be maintaining a system which has been condemned by the British nation. The scheme of making special provision in favour of particular communities would also be open to the objection that it would operate to check self-improvement on the part of the different communities, whom it would deprive of the benefits which accrue from friendly rivalry to excel. But if the Commission come to the conclusion that special provision should be made in favour of certain sections of the public, then the Association press for the recognition of its claims, for the special reasons stated in the memorial above referred to.

Vol IV
Sec II
Bombay.

Mr
F C
Brewin.

901. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—If the Statutory Service is remodelled on the lines sketched in these answers, it will not be necessary to require candidates to proceed to England, except in particular cases, to acquire technical knowledge, nor should they be encouraged to do so, because the men selected will have given evidence of their capacity. There will always be men of English experience in the Covenanted ranks to supply all that is required from an intimate knowledge of English administration. Western modes of administration have been so engrafted in India, and have so far assimilated the system of government in England and in India, as to make it less and less necessary to send to England persons of the standing from whom the selections will be made To require these men to visit England would be to put the State to unnecessary expense—a burden which at all times it is inadvisable to impose on the finances of the country. If, however, the Commission comes to the conclusion that the Statutory Civil Service should be recruited from young men, then the Association thinks that the youths chosen should not only be encouraged, but required to go to England, the passage-money and adequate stipends during their stay in England being paid.

Mr *Stokes.*

902. You say the recruitment for the Statutory Service should be confined to persons of proved merit and ability in the Uncovenanted Service, as, you say, the framers of the Statute intended it should be. The Statute says nothing about the Uncovenanted Service, but what I want to ask you is whether it is not desirable that some appointments should be made to judicial posts from the Bar?—When I come to the Uncovenanted Service I shall mention the provisions I suggest for admission to that Service of men possessed of technical knowledge, if they qualify for such admission, but I do not advocate their direct admission even to District Judgeships.

Mr. *Stokes*—continued.

903. And yet you would take men from the Uncovenanted Service and put them into high posts in the Covenanted Service?—Yes.

904. You say you would require seven years' residence in India as a qualification for entering into the Covenanted Service, why?—To prevent men from entering the Uncovenanted Service with a view to secure subsequent admission to the Covenanted Service. My idea was that, in the course of that period of seven years, any personal influence a man might have with men in power would be considerably reduced, because it very seldom happens that the head of a department remains in charge of that department for seven years.

905. The sons of European officers in this country are usually here for five or six years before they are sent to England would you include that period in your seven years?—No.

906 And you would appoint men to high posts of the Covenanted Service over the heads of men already in that Service Do you not think that to do so would affect the promotion of all officers below the men so put in, and would you have no objection to supersede those persons?—No, because a person entering the Covenanted ranks would know the conditions under which he entered. He would know that a certain number of appointments were reserved for men outside of his own class.

907. And suppose you put an Uncovenanted man into a lower grade of the Covenanted Service, you would not hesitate to stop *his* promotion by putting another man in over his head?—No.

Mr. *Ryland.*

908. In short, you would abolish the Statute and allow persons to be appointed by promotion from the Uncovenanted to the Covenanted Service, subject to the provisions and safeguards, which you lay down?—It all depends upon the way in which you read the Statute. If you read it as authorising the admission of persons not in the service of Government,—that is, men whose ability and merit have not been proved by service,—then I advocate a revision of the Statute, but if you read it in the way I read it, and in the way in which from the debates in Parliament it appears to have been intended to be read, then the Statute does not need revision at all.

The *President.*

909. In fact, the revision of the Statute would be more to meet the present rules than to meet your scheme?—Yes.

910. You say one of the objections against the present system is that the agricultural and Kanarese population are not admitted under it. Supposing your system of removing these objections is adopted, are there many members of these classes in the Uncovenanted Service who are likely to be promoted?—There are a great many Deputy Collectors in the Kanarese districts who would be promoted. I am not speaking from personal knowledge, but from reports from that part of the country, according to which there are men both in the Judicial and Executive branches of the Service, of proved merit and ability, who, if the alterations I propose are made, will have a chance of admission.

911. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—The Association thinks that the present system of open competition is the best for obtaining men for the Covenanted Civil Service, and that it is, in the words of Lord Macaulay, "the only way by which this Service may be made to consist entirely of picked men, of superior men, taken from the flower of the youth of the country;" and as no dissatisfaction has been expressed regarding the system itself, it ought not to be changed. Under a system of open competition, than which experience has shown that a better cannot be devised, and which in itself is the most righteous, there is no ground for the apprehension that it would have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service. This class has innumerable facilities (facilities which rank and wealth command), and hardly any of the disadvantages to which persons in the lower ranks of society are subject in preparing for this competition. There does not, therefore, appear to be any reason why cadets of leading families should be deterred from entering into the competition; and if they are the flower of the youth of the country, they have better chances of success than others. Though there is an established order of nobles in England, and though that order has always retained those qualities which have placed them in the fore-front of the nation, yet no special provision has been made in their favour in England; and the Association does not understand why it should be deemed necessary to provide specially for men of good family and social position in this country. Even on grounds of policy no special encouragement need be given, as the discontent with the present system has been shown hitherto by the middle and lower classes who have been educated, rather than by men of this class. Nor is there any ground to fear that the moral tone of the service will be lowered by no special provision being made in their favour, as this class does not possess a "monopoly of right feeling and delicate moral perceptions." But since complaints have been made regarding the way in which the open competitive system has been worked, the Association is of opinion that the grounds of complaint should be removed.

The *President*—continued.

912. Should any, and, if any, what, change be made in that system?—The open competition system should be retained, but the age limit should be raised, and the subjects for the examination should be such as are practically required in Indian administration The range of knowledge required in the subjects chosen should be defined as nearly as possible, and certain subjects should be made compulsory. The five following subjects should be made compulsory: English Literature, Pure Mathematics, Political Economy, and the History and Geography of India.

913. Do Natives of India labour under any, and if any, what, disadvantages in competing for employment in this branch of the service?—The Statutory Native of India does labour under disadvantages in competing for this service. The chief disadvantage arises from the low limit of age fixed. The low limit operates to prevent young men from preparing for the competition, as the time is much too short to enable them to proceed to England, after completing their education in this country as far as possible, before placing themselves under the special tuition required to fit them to take any place on the list of successful candidates. Another disadvantage is that in sending boys to England to prepare for the examination

The *President*—continued.

they are removed from the restraints and discipline of their parents or guardians at a time when such restraints and discipline play a most important part in moulding their future moral character, and the necessity of a good moral character in the young men entering the service can never be over-estimated.

914. By what changes may those disadvantages be minimised or removed, *e g.*—

(*a*) By the establishment of scholarships and allowances of passage-money to Native candidates?

(*b*) By altering the limit of age?

(*c*) By adding to the subjects of examination, or by altering the maxima marks obtainable in certain subjects?

(*d*) By holding simultaneously examinations in England and in India?—It is not necessary to establish scholarships or allow passage-money to candidates wishing to compete in England The State should not undertake obligations which the people should be ready to undertake themselves. If means are not supplied by the State to enable candidates to prepare for the examination, the service will only be recruited from men of some social status. It is difficult to understand the glaring inconsistency of enabling poor boys to enter the Covenanted Service, though it is the avowed policy of Government to fill the Statutory Service from men of high family. Besides, if the candidates to whom scholarships had been awarded should finally fail, the money spent by the State would have been thrown away. Scholarships are not provided in England or America for the express purpose of enabling young men to enter the State service—scholarships being only intended to advance education.

(*b*) The limit of age should, in the opinion of the Association, be twenty-one, neither above it nor below it. By fixing the limit at this age sufficient facilities will be afforded to persons of Indian birth, while the flower of the youth alone will enter the service. At the present limit of nineteen, the mind, except in very rare instances, is not sufficiently formed, and the mind at that age, therefore, does not furnish sufficient evidence of its future capacity. When the age limit was twenty-three, nine persons of Indian birth obtained admission; while since the age limit was reduced to nineteen, three persons have obtained admission, notwithstanding the very great diffusion of education, which has in a great measure removed the prejudice to cross the seas. If the age limit be fixed at twenty-one, sufficient provision will have been made to enable men of Indian birth to obtain a due share of the higher administrative offices.

(*c*) The Association has no suggestion to make as regards additions to the subjects of examination, or to the alteration of the maxima marks obtainable in any subject.

(*d*) The examination should be held simultaneously in England and in India.

915. If an examination is held in India—

(1) Should it be identical with that held in England?

(2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition of the candidates at the respective examinations?

(3) If such an apportionment is made, on what principle is it to be regulated?

The *President*—continued.

(4) Should there be any apportionment between the residents in the territories of the several administrations respectively, or between the members of the principal religious sects?

(1) The Association thinks that the examination to be held in India should be identical with that held in England If the examination were not the same, the difference would create jealousy, lower the prestige of the service, and be the means of supplying the State with an inferior class of servants, though in after life the emoluments of persons chosen in England and in India would be the same. The examiners, however, should all be appointed from the best obtainable men in England, all the answers of candidates being sent from India to England

(2) Unless any practical difficulties intervene, the examination should, in the opinion of the Association, be held at the seats of the several Local Governments,—*viz*, Bombay, Calcutta, Madras, Rangoon, Lahore, Allahabad, Nagpur, and Shillong The candidates in England and in India should compete with one another, and be selected in order of merit.

(3) No apportionment should be made, as such apportionment would lead to the evils mentioned in (1).

(4) Considering the great variety of religious sects in India, it would be both impracticable and inexpedient to make an apportionment according to religious sects. There are grave objections to an apportionment of appointments between the residents in the territories of the several administrations Such an apportionment can be justified only on the ground that the backward provinces would not otherwise be sufficiently represented in the Covenanted Civil Service. Such provinces would need, most of all, rulers of the most progressive type obtainable, and should not be left to the mercy of incompetent rulers The Indian Covenanted Service should be viewed as one service. Any provincialization of apportionments is inadvisable, and would lead to injustice.

916. If an examination is held in India, should the successful candidates be required as a condition obligatory to proceed to England to complete their training?—The Association is of opinion that the successful candidates in India should be compelled to complete their training in England The Association quite agrees with the opinion of Lord Macaulay's Committee of 1854, "that the best, the most liberal, and the most finished education to be procured" should be "a necessary qualification for admission to the Civil Service." Since 1854, Universities have been established, colleges founded, and such a great stimulus given to higher education that the educational institutions of the country do "supply an education of the standard obtainable in England, and exacted from candidates for the Covenanted Civil Service." This opinion is borne out by the authority of General Chesney, at present Military Member of the Viceregal Council, who in his "Indian Polity," page 239, says that "Indian Universities send out every year several candidates in honours, of attainments sufficient to place them easily in the list of successful candidates." It is very difficult to pronounce an opinion as to whether educational institutions in India develop force of character. Force of character is a quality which is inherited, and which education may shape, but cannot create. No one has ventured to deny that Eurasians do possess force of character, and the schools which they attend, in

Mr
F C
Brewn

The *President*—continued.

the opinion of the Association, do strengthen force of character.

917. Are the young Natives obtained under the existing system of open competition in England the best as regards character and capacity who could be obtained under this system?—There is no reason to suppose that the existing system of open competition in England has not secured the best men obtainable as regards character and capacity.

Mr. *Stokes.*

918. What do you mean when you say the limit of age should be twenty-one "neither above it nor below it"?—I mean that the maximum limit should not be below twenty-one nor above twenty-one.

The *President.*

919. You say the subjects of examination should be such as are practically required for Indian administration. Do you think that if those subjects were substituted for the present one the standard recommended by Mr. Macaulay would be maintained?—I think it could be

920 You are aware that the successful candidates undergo two years' training in these subjects after passing the competitive examination for first admission to the service Do you not think that the standard of general education would be impaired if the examination were altered in the way you suggest?—No, because the time thus saved could be applied to other branches of useful knowledge.

921 If it is your opinion that the present schools in India supply an education of the standard obtainable in England and exacted from candidates for the Covenanted Civil Service, what would be the object of compelling selected candidates to go to England?—For the reason pointed out by Dr. Leitner that it is absolutely necessary for young men born and bred in India to be in the centre of the British Empire that they may gain a better idea than they would acquire, if they remained here, of the power of England and of her excellence in arts and manufactures and everything else which makes civilization what it is.

922 Would not a year spent in travel have the same effect?—They would gain by travel a certain amount of knowledge useful in forming their character and widening their views, but they would not gain an adequate idea of the vastness and strength of the British Empire?

923. Not if they went to Canada and wherever the British flag flies?—Not in the same degree, I think

924. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Victoria, Chapter 3, Section 6, or from all natural-born subjects of Her Majesty?—In the opinion of the Association, the Uncovenanted Service should be open to all natural-born subjects of Her Majesty. It is very essential that the field of recruitment should be as wide as possible, because it is only in this way that the best persons may be secured. All natural-born subjects of Her Majesty have a right to serve in any part of Her Majesty's dominions, and the exclusion of any would prejudice the interests of the empire as a whole Subjects of Native States and Foreign Governments should be excluded, as they are aliens, and have not, therefore, any permanent interest in the country.

The *President*—continued.

925. Should the admission be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—With the exception of the Political Department, where there should be a combination of nomination and competition, or what is generally called limited competition, all appointments in every branch of the Uncovenanted Service should be recruited by open competition, so that the future system of recruiting the Uncovenanted Service will be assimilated to the system obtaining in England. In connection with this question, the remarks of Lord Macaulay, in speaking of the Covenanted Service, are peculiarly apposite · "My firm opinion is that the day the Covenanted Civil Service ceases to be a close service will be the beginning of an age of jobbing, the most monstrous, the most extensive, and most perilous system of abuse in the distribution of patronage that we have ever witnessed. The consequence of keeping the service close is that, though the Governor General has a wide choice, he must choose from among a certain set of instruments, which he finds prepared to his hands. It is in the highest degree improbable that any one going out as Governor General should find many relations or friends in the Civil Service; and it more generally happens that he has not one, and the consequence is that the most unscrupulous Governor General would dispose of his patronage, under the present system (open competition), more properly than an upright Governor General under a system by which he should be at liberty to appoint any one."

The Political Department should be recruited in the same way as the Foreign Department in England A sufficient number of candidates possessing certain preliminary qualifications should be nominated by the several Local Governments to secure an efficient competition. The competitive examination for the Political Department should be one for the whole of India.

The Uncovenanted Service should, if recruited by open competition, be divided into two classes, upper and lower, the upper class holding appointments of Rs. 100 and above, and the lower class all other appointments in the superior service, as defined in the Civil Pension Code, below Rs. 100. The dividing line has been fixed at Rs. 100, as, practically, a salary of Rs. 100, with prospects of unrestricted promotion according to deserts, has been found sufficiently attractive to induce men of fairly good educational attainments to enter the Service. If any higher limit were fixed as the initial pay, it would be necessary to hold out higher inducements as the persons advance in service and in usefulness than if the initial pay were fixed at Rs 100; and, having regard to the finances of the country, it is impolitic to impose heavier burdens than are absolutely necessary.

The entrance tests for each class should vary in degree, but the men entering the lower class should have the option of competing for the higher class at any time in their service. In Departments where technical knowledge is required,—for example, the Judicial, the Forest, the Financial, the Telegraph, the Public Works, &c,—a competition in such technical subjects as are required in those departments should be insisted upon. But the entrance educational test for the upper ranks of the Uncovenanted Service should not be so high as that required for the Covenanted Civil Service; whilst that for the lower ranks,

again, should be lower than that required for the upper ranks of the Uncovenanted Service At this stage it is not possible to state what particular degree and range of knowledge should be required in each case, but this broad line should be observed in fixing the subjects. The knowledge required should be tested by competitive examinations specially held for the purpose, and not by University degrees Persons who have failed to pass the examination for the Covenanted Civil Service, though they may have taken a high place, should not be allowed to enter the Uncovenanted Service except by passing the examination for the Uncovenanted Service in competition with others.

All first appointments to the service should be on the initial salary, future promotions being regulated by ability and merit To prevent the new rules causing any hardship to persons at present in the Uncovenanted Service, they should be allowed all the privileges to which the new conditions of service may entitle future incumbents of appointments, and should not be subjected to restrictions from which they would have been exempt had they entered the service under the new rules.

If the system of competitive examination for the recruitment of the Uncovenanted Service is adopted, in order that the system may be permanent, and not liable to any changes with changes in the *personnel* of the Government, the Association thinks it should be guaranteed by Statute framed on the lines of Act 16 and 17 Victoria, Chapter 95, a provision being introduced, as in Act 24 and 25 Victoria, Chapter 54, enabling the Government, in special instances, to bring in persons of technical or other professional attainments whom it may, in the interests of the State, be necessary to appoint otherwise than by competition.

The present system of recruiting the service has operated harshly against the interests of many classes, and chiefly the Eurasian and Anglo-Indian. Under a system by which appointments are bestowed, not in recognition of merit or ability, but by favour, there is a natural tendency in those in whose hands the patronage practically rests to bring in persons of their own class, and considering that, under the present system, the majority of appointments are held by Natives, the result has been that Eurasians have not been able to secure as many appointments as they might otherwise have obtained. To point to one particular instance by which the present system operates to the disadvantage of Eurasians, it may be stated that, under the terms of the notification of the Government of Bombay, No. 6505, published in the *Bombay Government Gazette* dated 19th December 1878, all the appointments of Head Kárkúns, Mahálkaris, Mámlatdárs, and Deputy Collectors were wholly reserved for graduates of the University of Bombay The Association cannot understand why University degrees should be made a *sine quâ non* for these appointments. Assuming that a certain amount of general training and technical knowledge are indispensably necessary in the candidates aspiring to the posts, that particular degree of knowledge might have been insisted on; but to require that every candidate should have obtained a University degree is to require what no other country in the world does, excepting perhaps China. There are many causes which prevent persons of ability from obtaining University degrees; and to require such a preliminary qualification is, practically, to exclude such persons from

the service. In England, University degrees are not considered indispensable for State employment, and a condition which the enlightened policy of English statesmen has not found it necessary to impose should not, the Association thinks, be demanded in Bombay The grievances of the Anglo-Indian and Eurasian communities have been represented to the Government of Bombay in the memorial, dated 28th October 1885, of the managers and head masters of schools for Europeans in Bombay, and of others interested in the welfare of the European and Eurasian community in Bombay The Association fully endorses those views, and begs to refer the Commission to that memorial for further information on this point.

926. Whatever system be adopted, should the recruitment be made by the several administrations only from persons resident in the territories under such administrations respectively, or with a preference for such residents?—The examination for recruiting the ranks of the upper branch of the Uncovenanted Service should be held only at the headquarters of each administration, but the examination for the lower class may be held at such places as may be found convenient. The examination for each local administration should be distinct, so that there will be as many competitions as there are administrations. Any candidate successful at the competition of one administration should not be appointed to any post under any other administration, it being understood that a person successful in the competitive examination of an administration is to get an appointment only in that administration. This provincialization of the examinations is a sufficient check against persons from other administrations displacing the residents of any particular administration. It is, however, quite unnecessary to require a residence in the administration in which the appointment is to be obtained, nor should any special preference be given to residents Furthermore, if residence in the particular administration in which the appointment is to be obtained is insisted upon, unnecessary hardship might be caused to persons who, though born and resident in one administration, may desire or be peculiarly fitted to serve in another administration. The subjects for examination should be the same all over India, except in the vernacular languages, the acquirement of which by a stranger would necessarily place him at a disadvantage with the resident.

927. If the existing Statutory Service is abolished, should the portion of offices assigned to that Service be allotted to the Uncovenanted Service?—The Statutory Service as understood at present should be abolished, and the Statutory Service of the future should consist only of persons promoted from the Uncovenanted Service on account of proved merit and ability. There is a consensus of opinion that, in respect of the higher offices under Government, the Uncovenanted Service has been unfairly treated Sir Charles Wood, the then Secretary of State for India, in introducing the East India Civil Service Bill of 1861, approvingly quotes the words of Mr. Ricketts, a Covenanted Civil Servant, who was appointed to enquire into the manner in which appointments reserved for the Covenanted Service under Statute 33, Geo III, Chapter 52, had been bestowed on men of the Uncovenanted Service. "It will be observed that in the list given there are no offices embracing executive control, but I would under each Government have a few such offices open to Natives and East Indians. If each Government

The *President*—continued.

were permitted to appoint three Uncovenanted Collectors, three Uncovenanted Judges, and three Uncovenanted Magistrates, on Natives or East Indians thoroughly qualified for the offices presenting themselves, choosing of course such districts as were best suited to the experiments, these classes would be provided with a further opportunity of showing their fitness in such positions. I can see many advantages from such a partial opening of executive offices, and no possible disadvantage, unless the advance of our Native subjects towards fitness for offices of high responsibility is considered disadvantageous" Lord Stanley, speaking in the House of Commons in the debate on the Bill of 1861, said: "Again, it was impossible to say to members of the Uncovenanted Service that, however useful and efficient they might be, there should be a limit beyond which they might not pass." Sir Charles Wood, speaking for himself, said "There was no intention to lower the Covenanted Service, but I think there are exceptions in which a positive bar against the admission of Uncovenanted officers to office was a positive evil The members of the Uncovenanted Service felt it to be a degradation and a stigma, and it was not fair to call upon them to perform laborious and onerous duties without any prospect of promotion. If they were not fit, let them be excluded without scruple, but let them not be excluded by law from the possibility of rising in accordance with their merits." It is, therefore, absolutely necessary that the Statutory Civil Service as sketched in these answers, and only as sketched in these answers, should be retained.

Mr. *Ryland.*

928. You mention one instance in which an order of the Government of Bombay operated to the disadvantage of Eurasians. Can you recall any other special instructions or orders under which the class you represent have been practically excluded from the Subordinate Executive and Judicial Service in this Presidency?—I am not aware of any others.

929. Are there Europeans and Eurasians in all these departments?—There are, but they were appointed long before these rules came into operation in 1878, since which date no appointments from these classes have been made.

930. Can you say if that exclusion has had the effect of discouraging Europeans and Eurasians from qualifying their children in any way for the public service? I mean to say is it the case that, owing to that policy of exclusion, they have not specially devoted their attention to securing for their sons these necessary qualifications?—The community, so far as I have been able to learn, have not considered it expedient to expend the money necessary in educating their children up to the degree standard.

931. You advocate open competition for the Uncovenanted Service? Do you consider that in a country like India, composed of many classes and nationalities, that system is the one best calculated to secure the men most qualified in all respects?—I have already quoted eminent authorities who take the view that you get the best men by open competition.

932. They refer to England, I think, do they not?—Well, we cannot possibly carry on the administration of the country with Europeans only, and therefore we must take the instruments which we have ready to our hand. You cannot say that a Native lacks this or that quality until you have tried him, and the best way of deciding that question is open competition.

Mr. *Ryland*—continued.

The *President.*

933. In the present circumstances of India, is open competition the best way of getting the best Natives?—I think so.

934. Do you entertain any apprehension with regard to limited competition?—There is one particular department (which is not now within the scope of the Commission) in which that system obtains, and from which members of our community are excluded.

935. And you mean to say that what occurs in one department might occur in another?—Yes.

936 But why not apply the rules and safeguards you propose for the Statutory Service to this Service also?—I do not think that any system of nomination by patronage could possibly secure the best men.

937. Not even with those safeguards which you propose for the Statutory Service?—No.

938. Are you aware that, in the case of the English appointments to the Civil Service, the system of competition has been found not to be an unqualified success?—I have not seen any such views expressed, and I cannot conceive how they possibly could be, when I consider that this system was introduced in 1853, deliberately confirmed in 1858, and as deliberately reaffirmed in 1871. If the system after fifty years has been deliberately approved by persons well qualified to pass an opinion, I say any opinion which goes in the face of that approval must be received with the greatest caution.

Sir *Charles Turner.*

939 Do any considerable proportion of the Eurasian and Anglo-Indian population enter on a University course of study?—So far as I have been able to gather—and I have taken some trouble to find out—very little attempt has yet been made in the direction of higher education in our community The managers of schools in this Presidency have paid great attention to the excellence of their schools, but they have never yet made any effort to see that the boys, after their school career is closed, enter on a University course.

940. Have you any colleges for Eurasians and Anglo-Indians in this Presidency?—None except the St. Xavier's College, which is now a mixed college, although originally founded for the benefit of Eurasians.

941. Is there any rule or restriction which prevents Eurasians and Anglo-Indians attending the Presidency College?—No.

942. Why do they not attend that college?—The reasons are many · one is that people find it expensive to keep their children at college; another is that the same facilities which have been given to Natives have not been given to our community. For instance, there are twelve University scholarships given by the Bombay Government, but the distribution of these scholarships is confined to students who have been educated at a Government school. Now, speaking generally, no Eurasian or Anglo-Indian is ever educated at a Government institution.

Sir *Charles Turner*—continued.

943. Are there no special scholarships in this Presidency for Anglo-Indians and Eurasians?—No.

944. Are the scholarships you mentioned awarded according to merit?—They are given to the highest successful candidates at matriculation examinations who have been educated at Government schools, students at aided institutions are excluded from competition.

945 Is it not the case that Eurasians and Anglo-Indians generally withdraw their boys from school at the age of about sixteen?—They are obliged to do so, because at that age their boys have obtained the maximum standard of education which the schools afford and must look out for employment.

946 Do Anglo-Indians and Eurasians make such sacrifices for the education of their children as some Natives do?—I could mention many families who have made greater sacrifices.

947. Are there any Eurasians and Europeans in this town in receipt of salaries from R60 to R150 a month who can afford to place their boys in the Presidency College?—I do not think there are, because the style of living with them is very much more expensive than it is with Natives. I have made the calculation, and I cannot see how it would be possible for them to keep a boy at college, pay his fees and for his books, for less than R30 a month. There are, of course, many exceptions; but as a rule the boys belong to what the Education Commission called the "struggling middle class." I know for a fact that a Bráhman boy can live on R4 a month. He would pay for his school fees R10 a month, for his clothes not more than R2, and for his lodging perhaps R1.

948 And you think a Native youth can obtain an education at a college affiliated to a University for about R15 a month?—Certainly, and the scholarship he obtains more than recoups the outlay.

949. And you say that it costs a Eurasian at the lowest about R30?—Yes.

The *President*.

950. Why would you not have open competition for the Political Department?—Because the authorities in England, for reasons of their own, have found it undesirable.

951 You say that the educational test on entrance to the upper ranks of the Uncovenanted Service should not be so high as the test which is required for the Covenanted Service. Would it be an altogether inferior standard?—Not necessarily

952. Then you would have the two standards approximate to each other; only that for the Uncovenanted Service being somewhat lower than the other?—Yes.

953. Would you get men of such attainments to commence on Rs. 100 a month?—Yes, we find it the case now.

954. You say, with regard to the provincial examinations, that the successful candidates at the competition of one administration should not be appointed to a post under any other administration; but you would place no restriction on their choice of the place of examination?—Of course not; but there would always be a limit of age operating.

The *President*—continued.

955. Would you exclude a boy who had failed in Bombay from competing again at Madras?—No.

956. Are you quite sure that the Bombay University scholarships are not open to the pupils of aided schools?—I am quite certain of it. I know that it is contrary to the rule which obtains in all other provinces; but the Educational Department here have repeatedly insisted on it. I suppose their reason is, that it is so much easier to award scholarships to boys who have been educated in institutions where education is uniform.

957. But whatever the reason, it is a fact?—It is. I know, of course, that it is always open to Eurasians and Anglo-Indians to attend Government schools

958. But is it not the policy of this province to encourage aided institutions rather than Government institutions?—Apparently not

959. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service, according as the posts are held by members of that branch of the Service or by members of the Statutory or Uncovenanted Services?—Salaries should be fixed according to the nature of the duties attached to the post, and, whether the posts are held by members of the Covenanted Service or the Statutory Service or the Uncovenanted Service, the persons holding the posts should obtain the pay of the posts The question of salary should, in the opinion of the Association, be viewed purely as an economical one, and salaries should be determined with reference to the requirements expected from the holder of the post, and not with reference to their nationality, or to the market value of labour of particular classes. The Government of India pays for a certain quality of labour; and whether the labour is performed by European, Anglo-Indian, Eurasian, or Native subjects of Her Majesty, it should be paid alike. The Association does not see any force in the argument that a "higher rate of pay is considered to be necessary to secure the services of persons of tested qualifications in a country far from their homes," and there are grave objections to making any difference in the pay of appointments when they are held by British-born or Indian-born subjects of Her Majesty; and any such distinction in a country where, in the words of General Chesney, "salary is clearly the most suitable gauge of the comparative responsibility and importance of the various offices," would have the effect of lowering the status of persons to whom the lower rate of pay is given in public estimation. In an age of improved means of communication, and in which sanitation has removed the evils attending residence in tropical climates, the disadvantages to which persons of European birth serving in this country were subjected have been very much reduced, if not entirely removed. The aim of the Government of India in wishing to know whether a lower rate of salary would be acceptable to persons of Indian birth seems to be to reduce the cost of the machinery of Government. The true way of economising would be not to make any invidious distinctions in salaries, but to substitute, as far as possible, local talent for imported and costly labour In this way, and by reducing the number of lower appointments reserved for the Covenanted Civil Service and the value of all the higher Uncovenanted appointments, a large saving of expenditure may be counted upon. It will be quite sufficient to keep such a number of the lower appointments reserved for the Covenanted Civil Service as will be required

Mr.
F C.
Brewin.

The *President*—continued.

to fit the junior members of that service to qualify for the higher posts

960. Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted branches of the service, according to the nationality of the officer, or on any other, and what, ground?—For the reasons stated in answer to question 959, the furlough rules applicable to the members of the Statutory and Uncovenanted Service of whatever nationality should be the same

961. Are the privileges in regard to pay, promotion, and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service, suitable to Natives obtaining office under Statutory rules?—The privileges regarding pay, promotion, and general conditions of office should be the same for both the Covenanted Civil Service and persons promoted from the Uncovenanted Service to be Statutory Civilians; but as regards retiring annuity, the Uncovenanted officer promoted to be Statutory Civilian should only obtain that admissible under the rules for the Uncovenanted Service.

The *President*—continued.

962. Is there any other point which you would like to bring to our notice?—Just one, which is, that though I advocate the admission of all natural-born subjects of the Queen, it is only in case there is competition for the appointments, because in the other case there would be danger of abuse of patronage in favour of certain classes.

WITNESS XII.—19th January 1887.

Examination of the Hon'ble Ráo Báhádur MAHÁDEV VÁSADEV BÁRVÉ, C I E, J.P, Member of the Legislative Council, Bombay; Fellow of the Bombay University.

The *President.*

963. Will you tell the Commission the nature of your service and position?—I am a Member of the Bombay Legislative Council and a Fellow of the University of Bombay. I was for some time in Government service as a Deputy Collector, and was also the Dewan of Kolhapore.

964 Is the existing Statutory system approved?—It is generally disapproved

965 On what ground?—Because the appointments are made by nomination without any educational test being applied, and consequently those nominated do not command the respect of the people.

966 Are the objections capable of removal?—I would rather do away with the Statutory system altogether, because it does not give satisfaction to the general public, and it does no good to the administration. It only serves to complicate the matters

967. Supposing Government retained the Statutory system, what would you do?—I would have the appointments thrown open to open competition.

968. Do you think that in the results of an open competition all classes will be satisfied that they are fairly represented?—It would be better to have broad rules laid down and put in men who have qualified themselves.

969. Would you alter the Statute?—No.

970. Would you compel candidates in the Statutory service to go to England for their training?—I think it ought to be one of the essential conditions.

971 Would the members of any class or caste object to go to England?—Those objections are dying out now. I am a Bráhman, and have no objection to go to England, if my health would permit me.

972. Are there in your caste any rules to create difficulties in the case of those of its members who proceed to England?—No hard-and-fast rules

Mr. *Nulkar.*

973 You are aware that the Mahomedan community in this Presidency is considered a backward class from an educational point of view?—I don't think so.

974. You were brought up in the Elphinstone College?—Yes.

975. Do you think the Mahomedans are labouring under any educational disadvantages which Government can remove?—I don't think they are labouring under any educational disadvantages.

976. Can you account for their comparatively backward condition?—Nowadays they are coming forward.

Mr. *Ramaswami Mudaliyar.*

977. If the Statute is retained, would you not rather have the service recruited from the Uncovenanted Service?—I am for abolishing the Statutory Service. If it is retained I would appoint men possessing academical distinctions.

Mr. *Stewart.*

978. Do you know any of the gentlemen appointed to the Statutory Service?—I know three. They are occupying junior positions at present I don't think people have had occasion to find fault with them on any specific grounds; but I don't think they command respect.

979. How do they compare with the members of the Uncovenanted Service? Are they looked upon as superior?—I think some members of the Uncovenanted Service are even better.

980. Are they men of very high family or good social position?—Two of them are.

981. Do you think that the Statutory Service has, in the Bombay Presidency, fulfilled its aims?—It has in a way.

982. In Kolhapore a great many British officers are employed?—They have from time to time been taken in, owing to the exigencies of the service.

Sir *Charles Turner.*

983. Can you tell me why we find so few Mahomedans in the Revenue Service?—I have known of Mahomedans being in that service. We had some fifteen years ago, there were five or six in it then.

984 What is the language of the agricultural classes in this presidency?—Guzerati, Kanarese, and Mahrati.

985. Do Mahomedans study any of those languages?—They study Mahrati.

986. Among the labouring classes are there many Mahomedans?—There are.

The *President.*

987. Now as to the Covenanted Service: is any dissatisfaction felt with the recruitment for that service, and, if so, what changes should be made?—The age limit is the great disadvantage.

988 Is there any other?—I don't think so.

989. To what limit would you raise the age?—To twenty-two or twenty-three years.

990. Is there no other ground of dissatisfaction you can think of?—No.

991. Would you advocate a simultaneous examination in India?—I approve of a longer residence in England, and, on the whole, would prefer competition in England to the holding of a simultaneous examination in India.

The Hon'ble Mr *Quinton.*

992. What are your reasons for advocating a longer stay in England?—Because the candidates

The Hon'ble Ráo Báhádur *Mahádev Vásadev Bárvé,*

The Hon'ble Mr. *Quinton*—continued.

would be better qualified for the duties expected of them hereafter

Mr *Stewart.*

993. You prefer the examination in England, you say. If the competition is held in London only, would you advocate scholarships?—No. If one is prepared to compete, he should defray his own expenses. If the examination were held in India, I would require a period of probation in England lasting two or three years.

Mr. *Crosthwaite.*

994. Supposing the examination were held in India, would you recommend that it should be thrown entirely open to all?—Quite so

Sir *Charles Turner.*

995. Do you think that more Native students would be successful if the examination was held in India? Supposing a simultaneous examination was held and only one list prepared, do you think Natives would succeed in larger numbers than at present?—I don't know the present state of education in England.

996. Do you know any students who have gone to England and have succeeded?—I know three or four.

997. Are there many young men of equal ability who would be able to compete but for the want of means?—It is not want of means, but the age limit which is the great barrier.

998 Do you consider that under the present system we get the best possible Native candidates?—No, if the age were raised, we should get better men, or as good, at least.

999. Would the inhabitants of this Presidency object to a Bengali Collector.—Not at all; there are no such race prejudices.

Mr. *Nulkar.*

1000. At what age do you think an Indian youth should go to England?—The proper age would be twenty, after studying here.

The *President.*

1001. Should the Uncovenanted Service be recruited from Natives as described in the Statute, or from all natural-born subjects of Her Majesty?—From all.

1002 Would you recruit it by competition?—By open competition.

1003. What is your object?—By competition you open the door to everybody.

1004. Supposing the Statutory system was abolished, what would you do with those officers already appointed under it?—The present men, I think, might be brought into the Uncovenanted Service.

Mr. *Ramaswami Mudaliyar.*

1005. A gentleman told us yesterday that scholarships given by Government were exclusively confined to students from the Government Colleges. is that so?—I don't think that is the case, but I am not prepared to answer that question.

Mr. *Stewart*

1006. Would you recruit Mamlatdars by competition?—I think the present system answers well. A graduate is appointed after probation in a Collector's office.

1007. With regard to Mamlatdars, have you heard any dissatisfaction expressed amongst the non-graduates that that post is given only to graduates?—Graduates, I should say, are more qualified for it.

1008 Have you had any experience of a graduate Mamlatdar?—Yes, I have had some. It is a new institution existing only for the last four or five years

1009. Have you heard that they consider themselves to be above their work?—The majority, I think, work honestly.

Sir *Charles Turner.*

1010 On what pay did the Mamlatdars appointed under the old system enter the service?—On ₹10. They commenced even on ₹5 in the olden times.

1011. Were these men educated?—They made good clerks.

1012. As a class they were distinctly inferior in ability to the graduate class?—Quite so.

1013. How long did they remain on ten rupees?—If a man in ten years became a Mamlatdar, he would consider himself fortunate. The Mamlatdars' salaries have now been raised, and the salary of the lowest grade is ₹150 per month.

1014. Have you heard any complaints of corruption against the Mamlatdars?—I cannot say that there are no complaints. I think the new men—the graduates—bring about an improvement in this respect

The *President.*

1015. Have you anything to say on the subject of pay?—If Natives compete with Englishmen, they should have the same pay.

1016. Would you make any difference in the furlough rules?—I think they should be the same as now.

Mr. *Nulkar*

1017. You are aware that the Subordinate Judicial Service has greatly improved. Is it not open to public competition?—Yes

1018 The whole character of the Subordinate Judicial Service as regards honesty and such qualities has improved?—It has

1019 Then, by that analogy, what would you expect if the Executive or Revenue Service were thrown open to graduates?—I should expect the same result.

1020. What is the difference in the educational tests of graduates appointed to the Revenue and of those appointed to the Judicial branch?—An LL B. has to study longer. A B A. would have to serve two years under a Mamlatdar before he himself became a Mamlatdar.

Sir *Charles Turner.*

1021 Do you know what salaries are paid to officers in Native States?—They are somewhat lower than those paid in British India.

1022. What pay is given to Judges?—Latterly, some of the States have been employing *LL B.s*, but others get rather raw students.

Sir *Charles Turner*—continued

1023 What do they give their raw students?—₹100 per month to commence with, rising to ₹500.

1024. What are the Appellate Court Judges paid?—They are not so well paid, and the highest they get is ₹250.

1025 Have these Courts criminal powers?—Yes; but sentences of death are subject to confirmation by the highest authority.

Mr. *Crosthwaite.*

1026. Do you consider the pay of a Statutory Civilian sufficient at the first start?—I think it is sufficient if that service is to be retained.

Mr *Stokes.*

1027. Do you think ₹200 sufficient to keep a man honest and above temptation?—I think a great deal depends on the man.

Mr. *Stewart.*

1028. In many Native States a Mamlatdar gets ₹40. Does he not pay *nuzzur* to get that appointment?—I should not like to answer that question.

WITNESS XIII.—19th January 1887.

Examination of Dr THEODORE COOKE, M.A., LL.D, Principal of the College of Science, Poona.

Vol. IV. Sec. II. Bombay.

Dr *Theodore Cooke.*

Mr. *Stewart.*

1029. You are Principal of the College of Science, Puna?—Yes, I first came out to this country as Engineer for the Bombay, Baroda and Central India Railway. I have had experience in Guzerat, Bassein, and the Deccan.

1030 Do you know any Statutory Civilians?—I don't know any of them.

1031. Is the Statutory system approved or disapproved?—It is disapproved of.

1032 On what grounds?—It is considered that the appointments should be made by competition.

1033 Do they disapprove of the definition given in the Statute of a Native of India?—I believe it is disapproved of. Graduates believe that the benefits of the Statute should be confined to pure Natives of India.

1034. Do you approve of the Statutory Service yourself?—I am not in a position to state.

1035. Would you have young men go to England for training?—Most certainly.

Mr. *White.*

1036 If the Statutory Service is retained, would you not approve of the appointment to it of Uncovenanted servants?—I think it would be a proper reward for those who have distinguished themselves.

The Hon'ble *Mr Quinton.*

1037. In your college have you men of different classes?—I have young men of almost all classes.

Mr. *Stewart.*

1038. Your college teaches up to the degree of Bachelor of Science?—Yes

1039. Have you spoken frequently to Natives about the competitive examination in England?—I have occasionally done so.

1040. Is the limit of age approved of?—It is constantly objected to.

1041. What is the limit of age they seem to approve of?—Twenty-two or twenty-three.

1042 What is your own opinion about it?—The limit of age should not be under twenty-one.

1043. Do they complain of having to undertake a long journey to compete?—Not in any marked degree.

1044. Do they advocate a simultaneous examination in India and in England?—Yes, but I am not in favour of it.

1045. What are your reasons for objecting to it?—There is a great want of breadth of idea in a man who has lived only in his own village for a considerable period of his life.

Mr. *Stewart*—continued

1046. Have any of your college students been to England?—Of my passed students several have been. One of them is in England at present.

1047 Do you speak from your own experience when your refer to the narrow-mindedness of a man who has spent all his life in India?—Yes, most certainly.

1048 Would you alter the number of marks for any of the subjects?—I do not think any change is necessary, excepting as regards the Oriental languages.

1049. What would you propose?—I would increase the marks for Sanskrit and any similar languages.

1050. Supposing a simultaneous examination were held in India, what probation would you have the candidates undergo in England?—Two years at the least.

Mr. *Nulkar.*

1051. At what age would you recommend the young men to be sent to England?—From the age of seventeen.

1051*a*. Do you think a young man could be safely trusted at the age of seventeen?—Yes.

Mr. *Ramaswami Mudaliyar.*

1052. I suppose you don't know any of the vernaculars?—I know Hindustani, and have passed in it I don't know any of the other vernaculars.

Mr. *Nulkar*

1053. There seems to be an impression that in India there is no good moral training to be had. Do you endorse that view?—The young men are certainly under discipline, and I think they are amenable to punishment if they transgress the rules. I don't know that there is any particular want of moral training, but it is difficult to understand exactly what you mean.

The Hon'ble Mr. *Quinton*

1054. You say you would not go beyond the age of twenty-one as the limit: why?—Men who go to England at a later age have their characters already formed, and they are less able to assimilate new ideas.

Mr. *Crosthwaite.*

1055. You object to holding an examination in India?—Yes. My reason is that the examination in England is a limited examination; that is to say, that it is limited to persons who can afford to pay £1,000 or so for their sons. If you have the examination in this country, you will perhaps have men in the service whose fathers have been *puttawallas* or menial servants. If men go to England their ideas will be expanded.

Sir *Charles Turner.*

1056. Where did you receive your education?—At a public school, and afterwards at the University of London.

1057. At what age did you go to the University?—At the age of eighteen.

1058. I presume the University was a good distance from your home?—About one hundred and fifty miles.

1059. In this country do young Natives, say at the age of eighteen, live under their fathers' control?—Not when they are at college

Mr. *Stewart*

1060. Are you of opinion that the Uncovenanted Service should be recruited from the Natives of India only, or from all natural-born subjects of Her Majesty?—All natural-born subjects.

1061. Would you make any changes in the present pay and furlough rules?—I have formed no opinion on the subject.

Mr. *Ramaswami Mudaliyar*

1062. Are scholarships confined to Government students?—University scholarships are open to all students.

The *President.*

1063 Does Government give these scholarships to enable students to study after matriculation?—No, there are no such scholarships.

Mr. *Stokes.*

1064. Have you had any European or Eurasian students who came out first on the list?—I have never had any. A European came out third out of a list of twenty

Mr. *Nulkar.*

1065. Have you ever had any Bengali students?—Yes, I have some now.

1066 Have you ever had any Mahomedans?—Yes, one of the best students I ever had was a Mahomedan, and I have a Mahomedan in the college now.

1067. How would the case stand if Government followed the policy of gradually withdrawing from institutions for higher education at present managed by them?—I think it would lead to the deterioration of those institutions.

WITNESS XIV.—19th January 1887.

Examination of SATYENDRANÁTH TÁGORE, Esq, District and Sessions Judge of Sholapur.

Vol. IV Sec II Bombay

Satyendranáth Tágore, Esq

Mr. *Stewart.*

1068. You belong to the Covenanted Civil Service?—Yes, I was the first Native who entered the service by competition.

The *President.*

1069. Did you encounter any social or religious difficulties on your return from England?—No.

Mr. *Stewart.*

1070. Had you any relations in England at the time?—Yes, a cousin.

1071. Is the present Statutory system approved of?—It is generally disapproved of by all classes. All those with whom I have conversed on the subject disapprove of it.

1072. Among any particular class have you heard dissatisfaction expressed?—In my own class especially.

1073. For what reasons?—Because no educational test is imposed. It is considered to be a system that admits favouritism.

1074. Have you known any Statutory Civilians in this Presidency or in Bengal?—I know two who are in my own district.

1075. Are they of good family?—Yes.

1076. Have you had any appeals from their decisions?—One or two.

1077. Do you advocate any change in the definition of the words "Natives of India" in the Statute, or would you extend the meaning to the subjects of Native States?—I would only change it so as to include the subjects of Native States.

1078. If the Statutory system is retained, do you think a training in England is necessary?—Yes.

1079. For how long?—For two years at the least.

Mr. *Stokes.*

1080. Are you in favour of retaining the Statutory system?—Yes, if the rules are so revised as to provide for the admission only of men of approved merit in the Uncovenanted Service.

Mr. *Nulkar.*

1081. Do you think that any of those who have been appointed under the Statutory system would have taken a Deputy Collectorship?—I think they would have been glad to do so.

Mr *Stewart.*

1082. Have you heard any dissatisfaction expressed regarding the rules for recruiting the Covenanted Service?—Yes. In the first place, the limit of age is too low, and then there is the expense incurred of sending young boys to England on the bare chance of success.

Mr. *Stewart*—continued.

1083. At what age should they go home?—I should say at the age of twenty-three.

1084. Would you have a simultaneous examination in India and in London?—I am in favour of a simultaneous examination open to all Europeans and Natives of India. In order to place the Natives of India on an equal footing with the Europeans, I would raise Sanskrit and Arabic to the same level as Latin and Greek.

1085. What place did you take in the list when you passed for the service?—I do not remember now, but it was below forty.

Mr. *Crosthwaite.*

1086. In what year was that?—In 1863.

Mr. *Stewart.*

1087. Would you have one list for the simultaneous examination?—Yes, one list.

1088. Do you think any dissatisfaction would be felt in this Presidency if a large number of Natives came into office from the other provinces?—I do not think that any dissatisfaction would be felt.

1089. Should the examination held in India be identical in all respects with that held in England?—Yes.

1090. Would you have only one centre for examination?—Only one centre, and Government should have the right of distributing the passed candidates over the several provinces as they think best.

1091. Do you think a special training in England is necessary?—Yes, in one of the Universities.

1092. Do you know any of the young men who have been appointed by competition?—I do.

Mr. *Ryland.*

1093. If you had an examination in India, would you have those who have passed proceed to England?—If it was made compulsory it might give rise to some dissatisfaction. Some concession ought to be made for those who do go. Those who do not go ought to receive two-thirds of the pay, as the Statutory Civilians receive at present.

Mr. *Nulkar.*

1094. Does not the present system make it compulsory that you should go to England?—Yes, as regards the competitive examination.

1095. If the competition were to be held in India, would there not be a danger that all candidates would not go to England?—I think if sufficient encouragement was held out to them they would go.

Mr. *Nulkar*—continued.

1096. What sort of encouragement?—An allowance for pay and passage-money; and there might be some scholarships.

1097. If it is imposed as a condition, would it not be looked upon as a sort of punishment?—I say it is necessary that every candidate should proceed to England.

1098 In your opinion, what is the proper age a young Native should be sent to England?—I should say at the age of seventeen, but not before that.

Mr. *Ramaswami Mudaliyar.*

1099. I suppose you have had under you Native Deputy Magistrates in charge of subdivisions?—Yes.

1100. In regard to their magisterial work, did you find them less capable of distinguishing truth from falsehood than the European Magistrates?—As a rule, I do not think Native Magistrates are of a very superior order

1101. I want simply to compare the work of a Native Deputy Magistrate who is in charge of a division, with that of a European Magistrate who is also in charge of a division?—I consider that they are very much the same.

1102. Do you find the punishment awarded by the Native Magistrates excessive?—I have known of cases where the punishment awarded was excessive, and in other cases where it was not sufficient.

1103. Do you find that a European Magistrate is better able to award punishment?—A European would perhaps not have that sympathy for a Native accused that a Native Magistrate would.

1104. In the case of Divisional Native Magistrates, have you come across any gross instance of partiality?—No, I have not.

1105. In cases where riots have occurred owing to religious disputes between two classes of people, have you had an application that those cases should be transferred from the court of one Magistrate to that of another, supposing the Magistrate was a Hindu or Mahomedan?—No.

1106. Have you had to try any such cases?—I have tried one case.

1107. Was there any application to the High Court in that case?—No.

1108. Comparing the work of one class of Magistrates with another, do you find any difference in the work turned out by the graduates and non-graduates?—I have not had any experience in that respect.

1109. In your opinion would it be better for Natives of India to go to England after passing through an academical career here or before?—It would be better for them to pass an academical career here and then go to England.

The Hon'ble Mr. *Quinton*

1110. If a Bráhman proceeded to England would he be placed under any religious difficulties?—These, I think, are gradually subsiding.

Mr. *Stewart.*

1111. You say you have had application for the transfer of cases from one court to another. What cases were they?—In one case an application was made to transfer a case from the Court of a Eurasian Magistrate to that of a Native, and in another an application was made to transfer the case from the court of an English Magistrate to that of another one.

Mr. *Stewart*—continued.

Sir *Charles Turner.*

1112. What position are you holding now?—That of a District Judge

1113. How many Judges are there under you now?—Five Assistant Judges.

1114. Are they all Europeans?—Yes.

1115. How many Native Magistrates are there under you?—A number of them.

1116. Of what standing are the European Assistant Magistrates?—They are Junior Assistant and First Assistant Collectors.

The *President.*

1117. Have you ever experienced any difficulty in the performance of your duties from the fact of your being a Bengali?—No.

1118. Have you any European officers under you in your executive duties?—Yes.

1119. Have you felt any difficulty in your judicial duties from the fact of your having European officers under you?—No.

1120. Judging from the results of appeals, have you found that in the case of Native Magistrates the appeals are less well founded than in the case of appeals from European officers?—More appeals come from Native Magistrates than from Europeans, but I am not in a position to judge exactly of the results.

1121. Would you recruit the Uncovenanted Service from "Natives of India" or from all natural-born subjects of Her Majesty?—All domiciled subjects, but as a general rule that service should be recruited from Natives of India.

1122. Would you require any educational qualification in the case of persons nominated?—Yes, some examination should be prescribed.

1123. Would you recruit Mamlatdars and Subordinate Judges in the same way?—Yes. As regards Subordinate Judges, they have given general satisfaction, and I think that for Mamlatdars some similar test should be prescribed Mamlatdars should be nominated from the graduates and required to serve in a subordinate capacity for a certain number of years.

1124. Would you leave any door to promotion open to the subordinates of the offices?—Yes, if they are held to be qualified.

1125. Then you would recruit the service from graduates as well as from subordinates who have done well?—Yes.

1126. Do you find the Subordinate Judges an efficient body of men?—Under the present rules we get a better class of men than the old body

1127. Would you recruit the service of each province from the people of such province?—I do not think men ought to be restricted to their own province, but I would give a preference to men who wish to remain in their own province.

1128. If the Statutory Service was abolished, what would you do with the appointments given under that system?—I should open the door still wider in order to promote men of the Uncovenanted Service.

Mr. *Nulkar.*

1129. In what Districts have you served as a Judge?—In Kanara, Surat, Ahmedabad, Sholapur, Bejapur, and Sind.

1130. Have you heard any general complaint against Subordinate Judges and Mamlatdars of partiality on religious grounds?—No, not on religious grounds, but I have heard complaints about the severity of punishment.

1131. Have you had occasion to find fault with sentences as being too severe or lenient?—I have.

1132. In the case of Mamlatdars, Deputy Collectors, or whom?—In a riot case which took place between Mahomedans and Hindus, I had to modify a sentence, as I thought it was rather too severe.

1133 If the case arising out of a riot between different sects came before a Native Magistrate of either sect, would the case be transferred to the Court of a European Magistrate?—Most likely. In one case when the Magistrate was a Hindu an application was made for the transfer of the case.

1134 Was it transferred?—The Judge refused to transfer it, and there was an appeal in the matter. I do not know the result of the appeal.

1135. Have there been any riots between the people in Sholapur?—Yes, two years ago, between Hindus and Mahomedans, but not on religious grounds.

Mr. *Ramaswami Mudaliyar.*

1136. With regard to pay and furlough rules, what pay do you think Statutory Civilians should receive?—I think the present scale of two-thirds is enough.

The *President.*

1137. As regards their initial pay, is that enough?—I do not think that it is quite sufficient.

1138 Do you think a Statutory Civilian could not at first live on Rs 200 a month?—I do not think it is sufficient.

1139. Have you anything to say as regards

The *President*—continued

furlough?—It would be necessary for a European officer to visit England, whereas it would not be so for a Native officer, for he would prefer spending his furlough in India itself; consequently there ought to be a difference in the furlough granted to the European and the Native

Mr. *Ramaswami Mudaliyar.*

1140. Would you make any special provision for the case of Natives wishing to go to England?—Yes, I have no objection to that.

The *President.*

1141. Is there any other point you would wish to speak on?—I would wish to express an opinion that for political reasons, no doubt, it would be necessary that certain appointments should be held exclusively by Europeans. There should be a superior service thrown open by competition to all classes, but the objection to that sometimes is that it would exclude certain classes of the community, such as the Mahomedans, who are a rather backward class. I think, properly speaking, there is no good ground for complaint on their part, there being no desire to exclude Mahomedans, provided they secure the necessary qualifications You must lay down certain qualifications for the sake of efficiency in the service; and if certain classes have not or do not choose to acquire those qualifications, I do not think they have any good reason to complain, if they find themselves excluded from the service. My plan would be that the very highest administrative appointments should be reserved for Europeans, and those who chose to go through the competitive channel should have a chance of the other appointments, irrespective of class or creed.

1142. Would it not, as a matter of fact, be a political danger, or would it not give rise to a sense of injustice if appointments fell to one particular class—let us say, the highly educated Bengali?—There is some truth in that, but it cannot give rise to a sense of injustice if the service is open to all who will qualify themselves for it.

WITNESS XV.—19th January 1887.

Examination of KÁLÁBHÁI LALLUBHÁI, Esq, Pleader, Surat

Mr. *Stewart.*

1143. You are a Pleader, are you not?—Yes, I have been practising in Surat for the last seventeen years

1144. You were the Secretary for a Society which advocated the altering of the age limit for the Covenanted Civil Service?—Yes, I have with me a memorial signed numerously by Hindus and Mahomedans, but before it was completed the Bombay memorial was disposed of by the Secretary of State.

1145. Was that memorial restricted to Surat?—Yes.

1146. You volunteered to give evidence to the Commission?—Yes.

The *President.*

1147. To whom is the memorial of which you speak addressed? To the House of Commons?—It was drawn up at a public meeting held in 1877.

Mr. *Crosthwaite.*

1148. Is the existing system of appointing Natives as Statutory Civilians approved or disapproved of?—It is disapproved of.

1149. Will you kindly state on what grounds?—Because it is believed that the appointments are given to people by favour and patronage on account of their social position, and that the best men are not nominated This is an unjust imputation on the capacity of others and creates ill-feeling When a man is so appointed by favour and patronage, naturally his other college friends begin to look upon him with jealousy, and European Covenanted Civilians do not look upon the Statutory Civilians with favour.

1150. Do you mean because they do not enjoy the same privileges?—They are put into posts the same as the other Civil Servants, but don't enjoy the same pay, and pay is an important consideration in making a man's position.

1151. What do you mean by the words "unjust imputation"?—Because those promoted are promoted by patronage and favour.

The *President*

1152. You mean that Natives do not value the appointment because it is looked upon as a charitable gift?—Exactly.

Mr. *Crosthwaite*

1153. Do you wish the Statutory Service to be abolished?—It should be retained.

1154. How would you remedy the defects you have pointed out?—The service should be reserved for meritorious servants in the Uncovenanted Service.

1155. You would not appoint any untried man at all?—Not at all.

1156. Would you wish to amend the definition of the term "Natives of India" in the Statute?—It may be retained, but the interpretation is not comprehensive enough

Mr *Crosthwaite*—continued

1157. Would you alter it so as to include subjects of the Native States in alliance with the British Government?—No The Baroda State will not admit a Pleader, a Native of India, in their Courts unless he domiciles himself there

1158. Would you exclude domiciled Europeans and Eurasians?—I would

1159 Why?—Because it is simply intended for the Natives of India The Europeans have only domiciled themselves in India

1160. Do you mean to say that Eurasians are not Natives of India?—Not as we are

1161 Is a Parsi a Native of India?—Not exactly, but he is accepted as such

1162. Why?—Because he has accepted India as his home.

The *President.*

1163 Is a Pathan a Native of India?—Yes, in one sense, and so are the Parsis.

Mr. *Crosthwaite*

1164. Do you call a Native Christian a Native of India?—Yes

1165 Then you want to exclude anybody who has European blood in him?—Yes

1166. And as the Statute is not for pure Asiatics, you would alter it?—I would.

The *President.*

1167. Would that not be a contravention of the terms of Her Majesty's Proclamation?—I want to narrow the definition of the words "Natives of India" in the Statute

Mr. *Crosthwaite*

1168. You would wish to retain the Statutory system in order to promote members of the Uncovenanted Civil Service?—Yes.

1169 If it was retained, would you have the selected candidates go to England?—No, because I consider the persons selected have performed meritorious service.

Mr. *Nulkar.*

1170. Do you ask the Commission to receive your views as those of the persons who signed the memorial referred to by you?—So far as that is concerned, they were not put to the meeting

1171. Give us your idea of a native of the country?—One who is not only born and domiciled in India, but one whose sympathy is with the people.

The *President.*

1172. Have all classes of the people of India sympathy with each other?—So far as they belong to one sect. Hindus, Mahomedans, and Parsis may have different sympathies.

Mr. *Nulkar.*

1173. The Parsis, you know, originally came from Persia; and have they now become Natives of India?—They came here several hundred years ago.

1174. When they first came here they were looked upon as foreigners?—For a time they were looked upon as foreigners, but now they have come to be looked upon as Natives of India.

1175. Are you aware that a large portion of the Eurasian or Anglo-Indian community have no other home or native country than India?—I know there are some of them who have not.

1176. Practically, they have no other home than India?—Yes.

1177. Would you exclude them from the term "Natives of India"?—Yes, because their associations are different.

1178. Would you treat them as the Parsis were, when they first landed in India?—No.

The *President.*

1179 Now that one hundred and fifty years have passed, would you not treat the Eurasians in the same way as the Parsis?—No.

Mr. *Nulkar.*

1180. You would then treat them as a portion of the population who have no home and no native country?—They may or they may not have a native country, but this is not their native country.

1181. There are many Native States now freely employing men from the British provinces who are of greater experience than their own subjects Is it not so?—Yes, but then they must belong to that State for some time.

1182 Does not that particular objection apply more to people in your own profession?—No.

1183 Are not Natives of all classes in this Presidency employed in Baroda and elsewhere?—Yes

Mr *Ramaswami Mudaliyar.*

1184 Do you really think, as a matter of fact, that no Eurasians have sympathy for the Natives?—Not in the same sense as the Parsis and Mahomedans.

1185. Do you know that some Hindus who go when young to England are worse disposed to the Natives than Europeans are?—No.

The Hon'ble Mr. *Quinton.*

1186. Do you know any of those gentlemen who have been appointed under the Statutory system?—I do.

1187. Do you think they were men unfit to be nominated?—I think they were no better men than persons in the Uncovenanted Service.

1188. Do you propose to retain a Statutory system which enables Government to appoint men of proved merit and ability?—Yes

1189 Who is to judge whether merit and ability are proved?—Government.

Mr. *Crosthwaite.*

1190. Where were you educated?—I was educated partly in Bombay and partly in Surat.

Sir *Charles Turner.*

1191. Would you consider any person born in India and having sympathy with the people a Native of India?—I would consider him a natural-born subject.

1192-94. What do you mean by a natural-born subject?—One who has not come to this country for permanent employment, but is an inhabitant of India.

1195 How many generations would it require to constitute a Native of India?—There must be a total annihilation of his original home.

1196. The Parsi has not lost all sympathy with the members of his sect in his original home, has he?—Their customs with reference to marriage were exactly the same as the Hindus, and they are almost completely in sympathy with the Hindus.

Mr. *Stewart.*

1197. You accept the Parsis as Natives because they are in sympathy with the Hindus? Have they not also sympathy with Europeans?—I don't think so.

Sir *Charles Turner.*

1198 Would the Todas, who live in the Neilghiri Hills, be considered Natives of India?—I have not thought about it.

The *President.*

1199 Would the Bheels be considered Natives of India?—Yes.

1200 Do they sympathise with the Hindus and Mahomedans?—They do

Mr. *Crosthwaite.*

1201. Is there any dissatisfaction felt with the system of recruiting the Covenanted Service?—Yes. The natives cannot get through the open competition as freely they wish.

1202. Under what disadvantages do they labour?—First of all the limit of age, then a long journey to England with the risk of failure, and the mastering of a foreign language

1203. Will you say how you would obviate these disadvantages?—I would raise the age to twenty-three, and have a simultaneous examination in England and in India.

1204. Would you alter the subjects of examination?—I would have Indian languages and Indian History at the top carrying higher marks, and would put some of the Native languages on a par with the European languages English, of course, is the particular language; but, so far as Latin and Greek go, I would give higher marks for Sanskrit and Arabic.

1205. Sould the simultaneous examination be held in India at one centre only?—At one centre, at least, at a fixed time every year

1206. Would you take the best men from the two sets of candidates and give the appointments to them?—Yes.

1207 As to candidates who succeed in passing in India, do you think an English training is neces-

Mr *Crosthwaite*—continued

sary for them?—After passing the competitive examination here, they should go to England for training.

1208. The same training as English candidates?—Yes.

1209. Do you think any province would have an advantage over another?—Where education has advanced more, that province would have an advantage over another.

1210. Would any race be under any disadvantage?—The Mahomedans might be

1211 What classes do you think would succeed in the competition?—Bráhmans, Prabhus, Shatris, and such classes.

1212. Do you see any objection to an arrangement which would exclude Mahomedans and Rajputs?—I would prefer an open compitition, but would employ the classes you mention where we do not require much intellectual training, but more physical strength.

1213 Do you think Mahomedans are wanting in intellectual capacity?—They are, and will be so for some time.

Mr *Nulkar*

1214 Why would you include Latin and Greek at all?—Because they are a great helpmate to English.

1215. Greek as well?—Yes, to give an idea of European education.

1216. Why should candidates be sent to England for training?—Because a further training is required to strengthen their character, which they can better acquire there than in India.

1217. I suppose you would have a good number of Europeans in the service?—It is desirable that that there should be European officers also.

The Hon'ble Mr. *Quinton.*

1218. You would send Rajputs and Mahomedans to the police and army Don't you think there would be some political difficulty in leaving the Civil administration of the country in the hands of the intellectual classes and the power of the sword in the hands of the other classes?—So far as the Civil Service is concerned, it requires the best intellectual classes.

1219 Are there any caste prejudices which prevent Hindus from going to England now?—They are dying out day by day.

1220 Would it be considered a grievance if Government said you must go to England?—It would be little felt now

1221. Have Hindus who are sent to England less sympathy for their country on their return?—I don't think so.

1222 Is there any great danger involved in sending them to England?—There is not

Mr. *Crosthwaite*

1223. Would you recruit Mamlatdars and Subordinate Judges from the Natives of India as defined in the Statute, or from all natural-born subjects of Her Majesty?—All natural-born subjects.

Vol IV
Sec II

Kalábhái Lallubhai, Esq

1224. You would not recruit them only from pure Asiatics?—No.

1225. Would you admit to the service by nomination or competition?—So far as the subordinate services are concerned the rules are sufficient.

1226 And as regards the Mamlatdars?—They are promoted from the bottom of the ladder, and University graduates are being introduced.

1227 And Deputy Collectors?—The Mamlatdars are generally promoted to that grade in regular order.

1228 You then approve of the present system?—Yes.

1229. Would you have the service recruited provincially or have it open to all Natives of India?—I would have it recruited provincially.

1230. Regarding the natural-born subjects of Her Majesty, supposing a gentleman arrived from England and he was asked to take an appointment?—If he passed the examination for a Subordinate Judgeship or Mamlatdarship, I do not see why he should not get it.

1231 Have you studied the pay and furlough rules?—The pay of a Statutory Civilian begins at ₹200, which is markedly different from the pay given to the Competitive Civilian. There should be no difference in pay, furlough, or anything.

1232 Do you think that a man who goes to England and gets his appointment by competition should get no more pay than a Statutory Civilian?—The pay attached to certain offices should be allowed to accompany those offices.

1233. Do you pay any income tax?—Yes.

1234 Have you any regard for economy in the administration of the country?—Yes

1235. If you give the salary of a Covenanted Civil Servant to a Statutory Civil Servant who does the work of an Uncovenanted Civil Servant, would that be regarded as a saving?—If a reduction is necessary, it would be desirable to make it in the whole service.

1236. And if you could not get European officers on reduced pay?—If they won't come forward, let them stay away, and Natives might be appointed.

1237. That is if they are equally good?—If Natives are allowed to compete for the service you would get as good officers as Englishmen.

1238. Do you think by an examination in India you would get a sufficient number of efficient Natives?—You would in time.

1239. Would more succeed here than in England?—There are many difficulties here to contend with.

WITNESS XVI.—19th January 1887.

Examination of RAMKRISHNA GOPAL BHANDÁRKAR, Esq., M A., PH.D., Professor of Oriental Languages, Deccan College, Puna.

Mr *Stewart.*

Vol. IV. Sec. II Bombay

R G Bhandárkar, Esq

1240. Is the existing system of appointment to the Statutory Service approved?—It is not approved of.

1241. What are the grounds of disapprobation?—(*a*) That it does not secure for the public service the best talent and culture available in the country. (*b*) That the men chosen are sometimes of less than ordinary capacity (*c*) That the classes of candidates who regard Government employment as one of the avocations of life open to them consider themselves practically shut out from the Service. (*d*) That the mode of recruiting and the qualifications required being distinct from those prescribed for the ordinary Civil Service, it has come to be looked upon as an inferior branch of the public service, and will, in the course of time, become, in popular estimation, identical with the Uncovenanted Service as regards position and influence.

1242 As regards the definition in the Statute of the term "Natives of India," do you approve of it?—I think the definition is correct.

1243 Are you in favour of the Statutory Service?—The Statutory Service should be abolished, and the competitive examination for the Covenanted Service held at the same time both in England and India This would alone, I think, be fair to the Natives of India. If, however, this concession is not made, the service should be kept up, with a large addition of places available.

1244. Would you have a competitive examination here for the entrance of Natives to the higher posts?—If the Statutory Service is retained, a competitive examination should be held, to which only graduates of the different Universities should be admitted, and the places should be awarded in accordance with the results.

1245. Would you require the candidates to go to England?—Members of the Statutory Service should be encouraged to go to England but not compelled. They might get additional pay or have their passage-money given them.

Mr. *White.*

1246. Would you not appoint men of approved merit and ability, and those who have distinguished themselves at the Bar?—I would appoint men who have passed a University examination, but I would not promote men from the Uncovenanted Service to the Statutory Service, because every one should have an opportunity of entering it.

1247 Supposing there was a man of some reputation in the service, would it not be justifiable to promote that man?—It would be of advantage to get the best men at the commencement by competition, and when a man distinguishes himself, you might make him a Rao Bahadur or some such thing

1248 Would you reject a tried man for an untried man?—He becomes tried in the course of time. If a man once enters a particular branch of the service, he ought to remain and rise in it according to his merits.

Mr. *White*—continued.

Mr. *Nulkar.*

1249 Does the Statutory Service, as now recruited, secure men whom it would otherwise have been difficult to secure for the public service? Would these men have taken employment in the Uncovenanted Service?—They would, certainly

Mr. *Ramaswami Mudaliyar.*

1250 Is the greater portion of the civil judicial administration in the hands of Subordinate Judges?—It is.

1251. As compared with the District Judges, is any dissatisfaction felt with the way in which Subordinate Judges do their work?—Not in this Presidency Subordinate Judges do their work very satisfactorily

1252 Do you think it would be fair to exclude them altogether from the higher posts in the Presidency?—You have a particular door through which each man may enter.

1253 Do you think it would be an advantage to the country that they should be excluded?—Taking all things into consideration there ought to be two or three branches of the service.

Mr. *Stewart.*

1254. How many Statutory Civilians have you known?—I know two who were my pupils

1255 Were they men of high attainments?—One man was.

Mr *Crosthwaite*

1256. What experience have you had of Subordinate Judges in their judicial capacity?—I have not had any experience either as a lawyer or as a litigant.

The *President.*

1257. Are you aware that the definition of the term "Natives of India" excludes the subjects of Feudatory States, and do you think that fair?—I would amend the Statute to that extent.

1258 Have you been to Europe?—Yes.

1259. Are there any social difficulties involved in going to Europe?—I have just returned from the Oriental Congress at Vienna, and do not regard the social difficulties much. At present there are some difficulties, but I will not thrust myself upon my fellow-castemen.

1260. If social or religious difficulties exist, do they deter any of your castemen from going to Europe?—No, they are not so great as that.

Mr *Nulkar.*

1261. If you lived as you lived before you went to England, would you find any difficulty in your communications with your relations?—No.

Mr *Ramaswami Mudaliyar.*

1262. Would you be excommunicated, or incur anything of the kind?—No, nothing whatever.

Mr *Nulkar*

1263. Do you remember any case of excommunication?—There were some in connection with a marriage case in 1869 or 1870.

1264. I mean in connection with a visit to England?—No.

Mr *Stewart*

1265. Is any dissatisfaction felt with regard to the examination for the Covenanted Civil Service being held in England?—Great dissatisfaction is felt with the existing system of recruitment for the Covenanted Civil Service. Natives of India labour under great disadvantages in competing for this branch of the service They are as follows:—

(*a*) The expenses of a journey to England and residence in the country for two or three years are beyond the means of a great many people

(*b*) The limit of age being nineteen, boys have to be sent when their character is not formed and when they are unable to take care of themselves. The physical, moral, and social dangers of sending out boys at that age are so great that the bare chance of their getting into the Civil Service is not at all tempting. A boy's chance of passing is improved when he has already made much progress in his studies here, and is thus able to derive benefit from the instructions of professional teachers in England But under the present limit of age there is no time for making such progress.

(*c*) Indian youths are at a disadvantage in comparison with English youths in so far as most of the subjects of examination are European, and the examination is conducted in a foreign language.

(*d*) They are also under a disadvantage because the number of marks assigned to such Indian subjects as are admitted is smaller than that assigned to corresponding European subjects. The advantage that they might get over their English competitors in these subjects is neutralised by greater proficiency being exacted in them than in other subjects.

These disadvantages will be minimised by—

(*a*) the establishment of scholarships and allowance of passage-money;

(*b*) altering the limit of age to twenty-two or twenty-three;

(*c*) adding the Vernacular languages and their literature to the subjects of examination;

(*d*) assigning to Sanskrit and Arabic the same number of marks as to Latin, and exacting ordinary proficiency only in those languages

But they will be removed by holding examinations simultaneously in England and India in addition to alterations (*b*), (*c*), and (*d*) Without these alterations, Natives of India would be still at a disadvantage

The examination should be held in India at one centre, it should be identical with that held in England, and the candidates in England and in India should compete with one another and be selected in order of merit

Mr. *Stewart*—continued.

Vol IV Sec II Bombay

R G. Bhandarkar, Esq

If there is any objection against such a measure on the side of the governing class, it must be based on a fear that the number of Englishmen in the service will grow small in the course of time, and thus the administration will deteriorate, and perhaps there will be a fresh source of danger to the Empire I do not think there are any grounds for such a fear To provide against such a result, however, the proportion of appointments held by Englishmen and Natives might be fixed at one-half until such time as a closer intimacy and union grows up between the two races, and the authorities feel greater confidence in the capacities and perfect loyalty of the Natives There should be no apportionment of appointments between the residents of the different provinces or the members of the various sects. This will be objected to by those who think that the natives of a province or members of a sect that is educationally backward can have little or no chance in an open competition, but I do not think the qualifications for entrance into the Civil Service should be lowered to meet these cases There should be men for the appointments and not appointments for the men Efforts should be made to raise the educational status of the backward provinces or sects, but any scheme of distributing appointments without reference to a merit test is calculated, if adopted, not only to fill the Service with incompetent persons, but to give permanency to the backward condition of those provinces or sects in whose favour it is advocated

The successful candidates should be required, as an obligatory condition, to proceed to England.

1266 Do we now get the best Natives who could be obtained to enter the Covenanted Service?—No; the young Natives who succeed in getting into the Civil Service by the door of the open competition in England are not the best that could be obtained under any system. Better men by far would come in if the examinations were held in India.

1267 Do you think there would be any objection, in the Deccan for instance, if a large number of Natives from the other provinces were nominated there?—Not if they got the appointments by fair means.

1268 Would they have the same confidence in a Bengali as in a Native of this Presidency?—Yes.

1269 How would you manage about the *viva voce* examination?—Some of the examiners in England might be asked to come out here

1270. You would put Arabic and Sanskrit on the same level with Latin as regards marks?—Yes.

Mr. *Nulkar.*

1271. Your service has been confined to the Educational Department?—Yes.

1272. From your experience of the Educational Department, what are the general causes to which you would attribute the backwardness of the Mahomedans?—It is simply owing to their indifference—proneness to idleness.

1273. The teachers in Government schools are generally Hindus, I suppose?—Yes, but there may be some Mahomedans.

1274. Do Mahomedans labour under any special disadvantages?—None whatever.

ol IV
eq II
ombay

R O handár-kar, Esq

Mr. *Nulkar*—continued.

1275. Is there any complaint that Hindu teachers show partiality to the Hindu boys?—None whatever.

1276 You know that the old Sanskrit teachers called Pundits would not teach Sanskrit to one who was not a Bráhman?—They would not

1277. Are there not Pundits still employed in teaching Sanskrit?—There are.

1278. Have any Mahomedans taken to Sanskrit?—There are two now in my college who are studying it.

1279. Do they find any difficulty in receiving the same kind of tuition as was given in the older times by Pundits to Bráhman boys?—No difficulty whatever.

1280 Among the students who attend your college, what class is chiefly represented?—The Hindus When education was for the first time opened to India, those who lived by the pen were the Bráhmans, Shinvis, and Paibhus. Since then, of course, such classes as the Sonars and Mahrattas have come in.

Mr. *Ramaswami Mudaliyar.*

1281 For educational purposes, do you attach great importance to Sanskrit?—I do.

1282. Do you teach Urdu or Persian in any of the colleges here?—We teach Persian.

Mr. *Ramaswami Mudaliyar*—continued

1283. Do not the Mahomedans speak Urdu?—They do.

1284 May it not be that these Mahomedans do not study their own Vernacular because it is not taught in the schools?—Government have recently made a provision for teaching Urdu in some of the schools.

Mr *Stewart.*

1285 Should the Uncovenanted Service be recruited from all natural-born subjects of Her Majesty?—I would have it recruited from Natives and domiciled Europeans.

1286. Would you recruit the Mamlatdars by competition?—I would have them recruited from graduates, who should undergo a probation of two years.

1287. As regards the Subordinate Service?—The Subordinate Executive Service should be recruited by nominating the graduates in Arts of the University and the Judicial Service by the appointment of graduates in Law. The Subordinate Judicial Service is now mostly recruited in this way by the Government of Bombay, and the administration of justice has, it is admitted on all hands, vastly improved. The Executive appointments are, however, very grudgingly given to graduates. That branch of the Service also should, in my opinion, be thrown open to them unreservedly. A two years' period of probation should be required in both cases.

WITNESS XVII.—19th January 1887.

Examination of Ráo Sáheb VIRPRASÁD TAPIPRASÁD DESAI, Special Assistant to the Municipal Commissioner for the City of Bombay.

Mr. *Stokes.*

1288. Will you kindly state your position and services?—I first entered the Government service in the Educational Department, and served there for about four years I was then transferred to the Revenue Department, and rose to a first grade Mamlatdarship, and acted as Deputy Collector for some time The Municipality of Bombay made a special application for my services.

1289. Is the existing system of appointing Natives, as Statutory Civilians, to posts reserved for the Covenanted Civil Service approved? If not, what are the grounds of disapprobation?—The existing system of appointment to the Statutory Civil Service is not approved because the nominee is believed to be in every way inferior to the average Covenanted Civil Servant I know two or three of the gentlemen who have been appointed, and I share the opinion I have expressed. In the next place, they are not regarded as superior to many Natives either already in the Uncovenanted Service or seeking admission to it. Thirdly, there appears to be no efficient system of training them for the discharge of public business

1290. Would you propose any alterations in the Statute or in the rules?—The language of the Statute seems to me to be wide enough to admit of the existing rules being replaced by others, avoiding the defects of the present system.

The rules should be amended so as to make intellectual capacity, educational attainments, and force of character essential qualifications for admission to the service.

1291. Would you require the selected candidates to proceed to England?—The selected candidates should, I think, be encouraged to go to England. I would not compel them to do so

1292. Would you retain the Statutory Service?—I am not in favour of retaining the Statutory Service as it at present exists I would appoint men who have proved their merit and ability in the public service and, for certain appointments, for instance judicial, also men of proved merit in the profession of the law. The term "Native of India" should mean persons who have a permanent hereditary interest in India, and should include subjects of States in feudatory alliance

1293. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—As far as securing intellectual capacity is concerned, the system of recruitment for the Covenanted Civil Service leaves nothing to be desired, but the conditions are unfavourable to Native candidates The age limit should be raised to the age which obtained in 1854-59, namely, twenty-three years. That should be the limit both for Europeans and Natives, and it would be an improvement if the Europeans came out when somewhat more mature. The Asiatic and European classes should receive the same marks The establishment of scholarships and payment of passage-money would remove the objection which I take to the heavy expenditure candidates are subjected to There is also a distinct disadvantage to the Native in the conservative caste system of India The problems in connection with this are more difficult of solution, the caste system renders the masses more fit to be governed than to govern, and while it forms the chief political weakness of India, it seems to me that it at the same time constitutes the chief security of British supremacy If it be not right for the British Government to foster caste and race distinctions, it seems to me to be highly inexpedient to ignore them. These conservative masses may not speak and agitate, but their apparent apathy would mean silent displeasure. To my mind it seems necessary that the State should keep open an honourable and lucrative career to these conservative masses, and as I think that nomination, as opposed to competition, presupposes a certain amount, at least, of unfitness in the nominee, the above object may be secured either by holding simultaneously examinations in India and in England, or by setting apart a large superior service as has been proposed by Mr Lee-Warner. I think that to secure the good government of India under existing conditions the whole of the directing and supervising agency must be European, and I would deprecate the introduction of any system which would substitute Native agency so far as these branches of the administration are concerned. I would reserve these posts for Europeans only, and throw all the remaining appointments into a large superior service for Natives

Mr *Stokes*—continued

I advocate the recruitment of this service by open competition and not by nomination, because nomination, as I have said, presupposes a certain degree of educational unfitness. If certain classes of the population are backward, the policy of Government should be not to check the progress of the advanced classes, as the nomination system would do, but to raise the backward classes by affording special facilities for education

The *President*

1294. What do you mean by "unfitness"?—I mean by unfitness a less amount of intellectual ability or educational training.

Mr. *Ryland.*

1295. Would competition secure the best men?—I think it would. Such is my experience in this Presidency When I speak of the conservative mass, I mean conservative in religious ideas In Gujerat there is a considerable number of religious conservatives among the educated classes.

1296 What is your caste, and do people of your caste object to go to England?—I am a Nagar Bráhman, and the people of my caste object to go to England. The objection is still strong If I wished to send my sons I could not do so without destroying their caste.

Mr. *Ryland*—continued.

1297. How would you recruit the Uncovenanted Service?—I would recruit the Uncovenanted Service—the superior service—from Natives of India as defined in the Statute Recruitment should be by open competition and made by Presidencies

The *President.*

1298 Do you wish to offer any remarks as to pay or furlough, or to add anything to what you have said?—I have nothing particular to say about pay or furlough rules, and nothing to add to my evidence.

WITNESS XVIII.—19th January 1887.

Examination of C E. G CRAWFORD, Esq, Registrar, Bombay High Court, Appellate Side

Mr. *Stewart.*

1299. How long have you been in the Service? —For fifteen years.

1300. What grades have you held?—I have held different grades in the Judicial Department, such as Assistant Collector, District Judge and Sessions Judge.

1301. Could you say if the existing Statutory system is approved of?—I agree with what Mr. Lee-Warner has said on the subject.

1302. Would a system of nomination with or without probation be likely to secure well-qualified persons?—This primarily depends on the good faith and freedom from a jobbing spirit of the authority nominating Given these, I see no reason, so far as the needs of the public service are concerned, why well-qualified persons should not be obtained; but my acquaintance with the Statutory Civilians has not been large enough to justify me in putting forward this opinion as based on experience.

1303. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—I think such limited competition would be far preferable to entrance by nomination pure and simple. The wider the field of selection among qualified persons, the better chance of securing the best men.

1304. In preference to either of the above systems (nomination and limited competition), would a system of open competition pure and simple for the Statutory Service commend itself to the Native community?—It appears that it would commend itself to the very large class of more or less educated men who hunger and thirst and scramble for appointments in the public service. How far it would commend itself to the people generally is another question, and one upon which few Europeans and not many Indians can be qualified to give an opinion. I do not myself regard open competition as a proper means of selecting Native public servants for high administrative posts.

1305. What has been the experience in this Presidency in regard to their work as public servants of Natives who have entered the Covenanted Civil Service through the competitive channel in England?—I have my own opinions on these points, but the Commission will presumably have witnesses before them who will be better qualified than I am by experience and standing, to answer these questions My experience as an examiner at the departmental and other examinations is that young Indians will ordinarily make a better show in examination than young Europeans, without any guarantee of fitness for administrative work. At any rate, the extraordinary aptitude for learning by heart which Indians possess makes it easy for them to answer questions which are a fair test of a European's proficiency, and would necessitate a different style of papers being set to them. For these reasons I disapprove of competition between

Mr *Stewart*—continued

European and Indian candidates, and would not appoint from one list in order of merit, but would allot a fixed proportion of appointments to each examination with separate lists in order of merit.

1306. Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination, and the conditions as to age and other matters, in any respect place Native candidates at a disadvantage as compared with English candidates?—From the very general outcry against the limit of age, I think it must be presumed that it does bear hardly upon Indian candidates?

This appears to be the only place at which it is possible for me to record an opinion which, as a public school man who passed the competitive examination practically straight from school, I hold very strongly All the weight of Native criticism of the present system is concentrated on the limit of age, and it is universally assumed that it was reduced from twenty-one to nineteen in order to exclude Natives. This may have been so, and the organs in the press of malignant Anglo-Indianism did, as far as I remember, rejoice on the assumption that it was so. But the change then seemed, and still seems to me, to have been fully justified, so far as it is the object of the competition to secure the best young Englishmen for the Indian Civil Service, by the fact that it tended to enable, and I believe has in fact enabled, candidates to pass straight from public schools Speaking generally, I think it may be laid down that a young Englishman who has had a complete public school education will be better fitted for the Indian Civil Service than one who has not. Formerly, with the higher limit of age and more general range of examination, it was usually thought necessary to take boys away from school, and send them to a crammer's at the very age when the fruit of a public school education begins to ripen, to deprive them of its influence during the years when it is most beneficial, and give them instead the debasing influences which even the best of London cramming establishments must exercise. This is now obviated.

These remarks are intended solely to put the case as regards getting the pick of English boys For Natives of the other component parts of the United Kingdom, as for those of India, I am fully aware that other considerations operate

1307. Do you think there are any objections on political or administrative grounds to open competition in India?—Yes I do not see that the reasons which make open competition the preferable means of selecting young Englishmen, Scotsmen, and Irishmen for service in India apply to the selection of Natives of India for the same purpose. For an administrative service the first requisite is administrative capacity. Experience and the position our country holds in India show that this may be presumed to exist in every young Englishman, Scotsman, or Irishman; and all the selecting authority has to do is to choose by examination the best of young men all *primâ facie* more or less

Mr. *Stewart*—continued.

fit. But no such presumption holds good in the case of young Indians. A young Indian may have brains to pass all the examinations that ever were, and yet be morally a weak creature, radically wanting in force of character and tact and the arts of governing and managing men Open competition might result in filling the service with such men.

1308 Should provision be made for the appointment of qualified members of the Uncovenanted Service to the higher Covenanted offices without requiring them to pass through the lower grades? —Theoretically I should be inclined to answer this question in the affirmative But practically, and so far as this Presidency is concerned, I would most earnestly deprecate any provision of the kind being given effect to for many years to come. When in the Bombay Civil Service certain years are so crowded that men of my own and a little senior standing have, as it is, no hope, during their twenty-five years' service, of getting a permanent Collectorship, it would be the cruelest hardship to deprive them of even one chance of promotion in order to meet the claims of those to whom Government are in no way bound as they are to Covenanted Civilians I may add that I say this without any personal interest in the question, as I belong to the Judicial Branch of the Service, which is less unfortunate than the Executive (Revenue) Branch, and hold a permanent appointment which gives me as high pay as I have any right to expect, or my family circumstances make it imperative for me to look for.

1309. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?— The Indian-educated men of my acquaintance who have the qualities described in this question appear to owe them far more to nature than to education.

1310. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—Yes, subject to what I have stated in my first reply, but, as I have already said, I would most earnestly deprecate any provision of the kind being given effect to for many years to come.

1311. Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—In this respect I would repeat my last answer

1312. How far should appointments in each province to Covenanted posts be restricted to Natives of the province concerned?—The principle which, from an administrative point of view, makes it desirable to replace European by Native agency as far as possible, is that a qualified Native of any particular country will understand, and therefore will be able to manage his own countrymen far better than any outsider. The same principle appears to hold good as between Natives of the several provinces of India, inhabited as they are by different races, and even between some at least of the several races inhabiting some provinces. I have served a good deal in Gujerát and Káthiáwár, and my impression is that the Marátha servants of the Gáikvád are almost as alien to the Gujerátis as we are ourselves.

1313. If the Statutory system were maintained, [illegible] probationary period were required from

Mr *Stewart*—continued.

nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases,—*e.g*, in the case of a person who has done good service in the Uncovenanted ranks?—No.

1314. Should Natives appointed to Covenanted posts be required to pass the departmental examinations?—Not in the case of persons of already approved merit and ability in Government service, or a profession, qualifying them for their future duties. In this answer I have in view the case of a Subordinate Judge, or a pleader, appointed to be an Assistant or District Judge.

1315. Has the existing system the effect of securing for the Subordinate Executive and Subordinate Judicial Services, respectively, persons who are found to be thoroughly qualified for the performance of their duties?—Yes His Excellency the Governor in Council and the Honourable the Chief Justice and Judges have recently made further rules, to come into force in 1890, with the object of further improving the supply of Subordinate Judges.

1316 To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judicial Services, respectively?—Almost entirely to the classes which from time immemorial have devoted themselves to clerkly and administrative duties,—that is, in Marátha and Kánarese speaking districts, preponderatingly Bráhmans, in Gujerát, Bráhmans, Wánias (Bunias) and Brahmkshatris.

1317. To what extent do Natives of good family and education in your province offer themselves as candidates for Subordinate Judicial and Executive appointments?—As Subordinate Judges must either be Bombay LL B.s or have passed the High Court's examination for the office of Subordinate Judge, they are necessarily men of education, and the majority now appear to be LL B.s

1318 Do Natives of India who have been to England for purposes of study on their return to India willingly accept such appointments?—I am not certain of any instances.

1319. What has been the effect on the efficiency of the Subordinate Executive and Subordinate Judicial Services in your province of the orders of the Government of India dated 18th April 1879, which debar, unless with the previous sanction of the Governor-General in Council, (1) the appointment of any person, not being a Native of India within the Statutory meaning, to an office carrying a salary of R200 a month or upwards, and (2) the promotion to such an office of persons, not being Statutory Natives, who entered the department concerned after the 1st January 1879? —I am not aware that these orders have had any effect.

1320. Is it, in your opinion, necessary that there should be a proportion of Europeans either in the Subordinate Executive Service or in the Subordinate Judicial Service, or in both of those Services?—No.

1321. Are you in favour of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions?—The test is already in force.

Mr. *Stokes.*

1322. How many Subordinate Judges are there in this Presidency?—Fifteen in the first class and 18 in the second,—that is, not including those in Sind.

1323. Are there any Eurasian Subordinate Judges?—There is 1, 2 Portuguese, 6 Parsis, 12 Parbhus, 11 Banias, 1 Mahratta, and 1 Jain.*

Mr. *Ramaswami Mudaliyar.*

1324. What is the nature of the duties of a Subordinate Judge in this Presidency?—He hears appeals and disposes of miscellaneous work.

Sir *Charles Turner.*

1325. As a matter of fact does Government appoint to Subordinate Judgeships men who have the qualification only of having passed the necessary examination, but who have had no practice whatever?—Rules have been framed with the intention of obviating that. I believe on the recommendation of the High Court the Government of India have been asked to raise the age.

Sir *Charles Turner*—continued.

1326. The former rule prohibited the recruitment of men who had completed the age of 25?—It did.

1327. And that compelled the appointment of men who had little experience of the Bar?—Yes.

1328. Have you heard any complaint of the inefficiency of any of the persons recently appointed?—Certainly not. My experience of course is limited, and there has been, I have no doubt, a marked improvement since the passing of Act XIV of 1869.

1329 Are these appointments always given by nomination?—Yes, subject to legal qualifications.

Mr *Ryland.*

1330. Is there any special reason to which you can attribute the absence of Europeans and Eurasians from the Uncovenated Service?—No, unless it is that they do not qualify themselves.

Mr. *Ramaswami Mudaliyar.*

1331. Are there not many Mahomedan gentlemen who practise in the legal profession as Barristers and Solicitors in Bombay?—Several.

* *Information regarding Subordinate Judges of the First and Second Class.*

Subordinate Judges.	Brahmans.								Marathas	Banias	Parbhus	Parsis	Eurasians	Portuguese	Jains	English	
	Chitpawans	Deshasth.	Nagar	Gond.	Karada.	Saraswat	Bhatpo	Not stated								Has knowledge of	Does not know
First Class.																	
1st Grade (4)	3	2	1	..	.	.	..	.	1	1	1	4	1	1	..	15	.
2nd Grade (4)																	
3rd Grade (7)																	
Second Class.																	
1st Grade (19)	30	11	6	5	5	2	1	4		10	11	2		1	1	84	5
2nd Grade (22)																	
3rd Grade (36)																	
4th Grade (12)																	

Rules for the appointment of Civilians to the Judicial Department—Government Gazette, 1873, p 638; Government Gazette, 1886, p. 93.

WITNESS XIX.—19th January 1887.

Examination of Khán Sáheb IBRAHIM M. SÁYANI, B.A, Head Master, Nadiád High School, Bombay.

Mr. *Stewart.*

1332. What is your position?—I am Head Master, Nadiád High School

1333. Is the Statutory Civil Service approved?—No, not by educated Natives All classes of educated Natives disapprove of it

1334. Is disapprobation expressed against the Statute itself or against the rules?—Some Mahomedans approve of the Statute, because they think there is some chance of their getting into the Covenanted Service under its provisions

1335. Have any Mahomedans got into the Statutory Service?—Two were, I believe, appointed, but one was obliged to resign. I am not aware of the reasons for his resignation.

1336. Have you heard any suggestions that the definition of the term "Natives of India," as given in the Statute, should be amended in any way?—My own opinion is that the Statute should remain as it is

1337. How would you alter the system?—I would confine the Statutory Service to men appointed from the Uncovenanted Service.

1338. Would you require all officers appointed to the Statutory Service to go to England?—I would not require those promoted from the Uncovenanted Service to go to England.

Mr. *Ramaswami Mudaliyar*

1339. Would you exclude members of the Bar who have distinguished themselves from this service?—There would be no objection to members of the Bar who had really distinguished themselves.

Mr. *Stewart.*

1340. Have you made the acquaintance of any officers appointed under the Statutory system?—No, I cannot give any opinion about them

1341. Is any dissatisfaction expressed as regards the recruitment of the Civil Service by competition in England?—Yes. the age limit is too low for Indian candidates, and they have to go to England at the risk of not passing, while they are liable to great temptations while there.

1342. As regards age, would you advocate any change?—The limit should be raised to twenty-two; and if Government think it advisable, on grounds of policy, to secure the admission of the backward races, then some two years more might be given to them.

1343. Who do you mean by the backward classes?—For the meaning of that I would refer you to the Education Report, in which the Mahomedans and Rajputs, &c., are classified as the backward races.

1344. Would you establish scholarships to enable young men to go to England?—Yes, if the examination is not held in India; but I would prefer a simultaneous examination in England and India,

Mr. *Stewart*—continued.

1345. Do you think many of the backward classes would be likely to succeed if the examination were to be held in India?—No.

1346 What classes would succeed?—The Europeans, Bráhmans, and Parsis.

1147. Would you alter the marks for any of the subjects?—I think Sanskrit might have equal marks with Latin and Greek, and that some of the Vernaculars might be added, and also Indian History.

1348. Would you have the examination in India identical with the one in England?—I would.

1349. And at one centre in India?—Yes, for in that case the examination would be more easily controlled.

1350. Would you have the competition in England and India open to Europeans and Natives alike?—Yes.

1351. Would you have any apportionment of the apppointments between Europeans and Natives?—No.

1352. If you had a competition in India, would you send successful candidates to England for a period of training?—I would require them to go for about two years.

Mr. *Ramaswami Mudaliyar.*

1353. You admit that Mahomedans would not be able to compete with the more advanced classes if an examination was held in India, and yet you say that an examination should be held in India. How is it you advocate a scheme which would be disadvantageous to your own community?—The Mahomedans should be encouraged by Government granting them greater facilities. The backward classes might be given some encouragement by scholarships being established.

1354. Do you think Mahomedans are intellectually inferior to the other classes?—I don't think they are inferior.

1355. Do you think if they made up their minds to educate themselves they would hold their own with the other classes?—At present they would not, and consequently a higher limit of age should be given them.

The *President.*

1356. To what would you attribute the present backwardness of the Mahomedans as regards education?—They are nowhere in the social scale. They have lost the high position they once held when they formed a portion of the governing race, and have become poor.

1357. Yours is a Government school?—Yes.

1358. Are there any Mahomedan boys in it?—About six only out of a muster roll of 328.

The *President*—continued.

1359. What class of boys are they generally?—Bráhmans, Bunnias, and others.

1360. Is there anything in the course of instruction which prevents boys from attending school?—Poverty Their parents are very often only able to give them education for a short time

Mr. *Ramaswami Mudaliyar.*

1361. Is Urdu taught in your school?—No.

Mr. *Stewart*

1362. Do you think that the recruitment of the Uncovenanted Service should be from Natives of India as described in the Statute, or from all natural-born subjects of Her Majesty?—All Natives of India.

1363. Take Mamlatdars for instance. Do you approve of the present system of recruiting them?—I don't know exactly what the present system is. I have a general idea of it, and think that Mamlatdars should be recruited from graduates of the University.

1364. Have you nothing to say about the recruitment?—No, only that I wish that a preference might be given to candidates of the backward classes if they pass some educational test.

1365. Would you allow residents from the other provinces to come in?—No, I would restrict them to their own provinces.

Mr. *Ryland.*

1366. From what departments are Natives excluded?—From the Financial and Educational departments, from the Mint, &c.

Mr. *Stewart.*

1367 Have you formed any opinion as to the pay and furlough rules? Would you put the pay of the Statutory Civilian on the same level as that of the Covenanted?—I would. I would not make any reduction, but if any reduction is to be made, then two-thirds of salaries above ₹1,500 might be given

1368. Do you think that a salary of ₹200 is sufficient for a Statutory Civilian at the commencement?—I don't think it is, because the Statutory Civilian has to keep up a certain status.

1369 Where were you educated?—In Bombay.

1370. Ought there to be a distinction in the furlough rules?—Yes.

Sir *Charles Turner.*

1371. Are you a native of Bombay?—Yes; I was born in Bombay.

1372. Have you visited any parts of this Presidency?—I have not travelled much.

The *President.*

1373. Are Mahomedans taking more readily to education than they did?—Not to a marked extent.

1374 Have you anything more to say?—I would like to say that the age for admission to the Uncovenanted Service should be raised from twenty-five to thirty years for the backward classes.

WITNESS XX.—20th January 1887.

Examination of Ráo Báhádur GOPÁLRAO HARI DESHMUKH, Fellow of the Bombay University, J.P., formerly in the Uncovenanted and Statutory Services.

Mr. *Stewart.*

1375. You are Fellow of the University?—Yes.

1376 For many years you were Judge of the Small Cause Court at Ahmedabad?—Yes; and I have also held the posts of Joint Judge and Sessions Judge of Nasik, to which office I was appointed under the Statute 33 Vic., Chapter III. I have also been a Member of the Legislative Council of Bombay.

1377. Will you say whether the existing system of appointing Statutory Civilians is approved or not?—I think it is generally approved, because it provides a reward for faithful service and gives admission to posts reserved for the Civil Service to persons who otherwise might be excluded from the public service.

1378. Have you heard any disapprobation expressed with the Statute?—No. One of my sons is a member of the service He was appointed after three years' probation and two years' training.

The *President.*

1379. Do you desire to see the subjects of Feudatory States appointed Statutory Civilians, or would you limit the service to British subjects?—The subjects of such States, if duly qualified, might be admitted, because many of us take service in those States. It was an idea of Sir Bartle Frere and also of Sir Barrow Ellis that any person who had been trained in the administration of a Native State might be appointed here Sir Barrow Ellis appointed two such persons. He thought that a man got a very good training in Native States.

1380. Those, however, were not appointments in the Civil Service?—No; they were in the Political Department.

1381. Have you served in the Uncovenanted Service?—Yes, for thirty years.

1382. And if there had been no Statutory Service, you would have had no objection to your sons entering the Uncovenanted Service?—None at all. I have two or three sons in that service already. One is in the Collector's Office at Puna. He was appointed before the Statute was in existence.

1383. Are you in favour of sending selected candidates for the Statutory Service to England for training?—I think it would be an advantage.

1384. Would you compel them to go?—I think it should be compulsory, although I know it is attended with great trouble. One of my sons went to England to be called to the Bar, and he is now a Barrister here I suffered a great deal of persecution at the time. That feeling is now diminishing, however.

1385. How long was that ago?—My son went in 1869.

1386 Since then has a great change taken place in the feeling with which going to England [illegible] by your community?—It has.

The *President*—continued.

1387. And you think that if your son had only just returned now, he would not suffer any persecution?—No; but still the feeling does exist to some extent in the South.

Mr. *Ramaswami Mudaliyar.*

1388. If the Statutory system is retained, would you recruit the service in part by promoting deserving men from the Uncovenanted ranks?—Yes; that was the intention of the Statute, and I owed my own appointment to it.

1389. Do you prefer that system of recruitment to the other?—I should prefer it myself; but the difficulty is that the Covenanted Civilians complain that it interferes with the regular flow of promotion in their service. It was so in my own case.

The *President.*

1390. And was that the reason why you were transferred to the Small Cause Court?—No; I resigned my appointment because I had reached my fifty-fifth year In consequence of the complaints I refer to, young men are now appointed to the lowest grade of the service.

Mr. *Stewart.*

1391. Do Natives of India labour under any, and what, disadvantages in competing for employment in the Covenanted Service, and is the present system of recruitment by competition in England approved or not?—The Natives of India labour under great disadvantages, as, for instance, the following:—

(*a*) the great distance of the place of examination and the consequent heavy outlay, with only a precarious chance of success;

(*b*) the low age;

(*c*) the absence of some useful Indian subjects from the list of subjects for the examination, and the small mark value assigned to some others of the same class

1392 By what changes might these disadvantages be minimised or removed:—

(*a*) by the establishment of scholarships and allowance of passage-money to native candidates;

(*b*) by altering the limit of age;

(*c*) by adding to the subjects of examination, or by altering the maximum marks obtainable in certain subjects;

(*d*) by holding simultaneously examinations in England and in India?—

(*a*) This is not necessary. With reference to the suggestion contained in (*d*), nine scholarships were instituted in 1869, and my son—the one who was called to the Bar—was one of the holders.

Mr. *Stewart*—continued.

(*b*) The limit of age should be raised to twenty-three.

(*c*) Certain Indian subjects, such as Indian History, Persian, and the chief vernaculars, *viz*, Bengali, Urdu, Hindi, Maráthi, Gujarati, Kanarese, Tamil and Telugu, should be introduced, and the marks assigned to Sanskrit should be made equal to those assigned to Latin.

(*d*) A system of holding simultaneous examinations in India and England is very advisable. It is the only way of doing justice to the claims of all the various classes of Her Imperial Majesty's subjects

1393. And if an examination is held in India, how would you regulate it?—The two examinations should be completely identical One centre of examination in India would be sufficient. The candidates in India and England should compete with one another and be selected according to merit No apportionment of appointments should be made Apportionment of appointments is not necessary on any ground. It would be quite unjust to do anything of the kind.

1394. If an examination is held in India, should the selected candidates be required, as a condition obligatory, to proceed to England to complete their training?—In my opinion it is desirable to have it as an obligatory condition. They should be made to stay at one of the Universities for a period of about two years. The expenses attending such travel and residence should be borne by the Government.

1395. Are the young Natives obtained under the existing system of open competition in England the best as regards character and capacity who could be obtained under any system?—I believe competition is the only practicable way of getting the best men.

Mr. *Ramaswami Mudaliyar*

1396 You say you would raise the marks for Sanskrit would you have the marks raised for Arabic also?—Arabic is almost useless in India, but the candidate might take up whichever language he preferred, and the marks for Sanskrit, Arabic, and Persian should be equal

The Hon'ble Mr. *Quinton*.

1397. You would modify the English examination so as to facilitate the admission of Natives, and you would retain the Statutory Service as it is Have you thought out the effect of your proposal?—With simultaneous examinations held at different centres, the Statutory Service would be only for those already in Government employ whom it might be desirable to reward.

Mr. *Stewart*.

1398. What pay does your son draw in the Statutory Service?—R350 a month.

1399. Does he find it too small?—He tells me it is too small.

Mr. *Crosthwaite*.

1400. What class do you think would, under your system, be likely to succeed in the greatest numbers?—The most intellectual classes—Parsis and Bráhmans.

Mr. *Crosthwaite*—continued.

1401. And what class would be excluded?—None would be entirely excluded, but Mussulmans would lag behind unless they made great exertions.

1402 Do you think the Bráhmans of this part of India would hold their own against the Bengalis?—I think so.

1403 Have you been in Upper India at all?—Yes, I have travelled all over India.

1404 Do you think the Natives of those parts would have much chance against Bráhmans of the Deccan and Bengalis?—No the Bengalis are highly intelligent people, but the Bráhmans of this province and the Punjabis also are very clever people.

1405 But do you think the Punjabis would be successful in the examination?—I think they would. They are paying great attention to education, and many of them are in England now.

1406 Do you think Mahrattas (not Mahratta Bráhmans) would succeed?—They are chiefly agriculturists and much behindhand in education generally, on account of their poverty. But the Viceroy has lately established fifty scholarships for them, and possibly they will improve in this respect

Mr *Nulkar*.

1407. Can you think of any better system for securing abler men for the Covenanted Service than the one which now obtains?—No.

The *President*.

1408. Would your competition in India, for instance, get us better men than we do now?—I do not think so.

Mr *Nulkar*.

1409. Would it not extend the field of selection?—It would.

1410 And the more extended the field, the better the chance of getting the best men?—*Yes*.

Mr *Ramaswami Mudaliyar*.

1411. You say Bráhmans and other intelligent classes would have the advantage in an open competition in India but would not the fact that Mahomedans are not debarred, on religious grounds, from going to England to compete, to some extent remove that objection by equalising chances?—*Yes*.

Mr. *Stewart*.

1412 Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Chapter 3, Section 6, or from all natural-born subjects of Her Majesty?—This service should be recruited only from Natives of India as defined in Statute 33 Vic, Chapter 3, Section 6.

1413 Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—The recruitment should be made only by competition in all offices and departments.

1414. Whatever system be adopted, should the recruitment be made by the several administrations only from persons resident in the territories under such administrations, respectively, or with a preference for such residents?—The competition should

Mr. *Stewart*—continued.

be open to all who present themselves for examination. No restriction need be made on account of the residence of the candidates. I mean that the examination should be open to candidates from all parts of India.

1415 If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—It is very desirable to allot to the Uncovenanted Service a number of higher appointments in the Civil Service as rewards to men of proved ability and merit.

Mr. *Ryland.*

1416. Would you exclude Europeans from this service who, though not born in India, might yet, to all intents and purposes, be resident here?—No.

The *President*

1417. Would you admit the sons of Military and Civil Officers serving, though not domiciled here?—No

1418. Would not that be a departure from the Statute 33 Vic, Chapter 3?—No. The Statute speaks of Natives of India only.

The Hon'ble Mr. *Quinton.*

1419. Have you ever served in the Revenue Branch of the service?—Yes, from 1854 to 1861 I was Assistant Inam Commissioner.

1420 From what you remember of it, do you still think you would get the best Mamlatdars by open competition?—I think so.

Mr. *Stewart.*

1421. Have you seen much of the work of graduate Mamlatdars?—I have seen the work of both classes of Mamlatdars when travelling in various districts

1422. Have you ever heard that the new system of appointing Mamlatdars direct from graduates has caused a great deal of disappointment among the subordinate class who looked to the Mamlatdarships for promotion when they entered the service?—I have.

1423. Do you think they deserve any sympathy?—I believe it was Sir Bartle Frere who, when Governor here, introduced the system of appointing to Mamlatdarships direct from B As. Subsequently, the rule was changed on the representation of Collectors and others so as to admit B As to the lower grades, in the first instance; and then as first class Karkoons, and, on passing a second and third departmental examination, as Mamlatdars.

The *President.*

1424 In fact, the graduate was to have a special as well as an educational training?—Yes.

Mr. *Ramaswami Mudaliyar.*

1425 Do you approve of that system?—No, I do not.

Mr *Stewart.*

1426. You would have the Mamlatdars recruited by competition once for all?—By competition among persons educationally qualified

Mr *Stewart*—continued.

1427. Then, practically, you approve of the present system?—Yes, so long as every appointment in the Uncovenanted Service is not open to competition.

Sir *Charles Turner.*

1428. Will you give us your reasons for preferring competition for Mamlatdarships?—It would give fair play to all without exception. Under the present system men prefer more lucrative appointments elsewhere

1429 For the work of a Mamlatdar you require a man of energy?—Yes.

1430. Can you secure that by a competitive examination?—Yes.

1431 You have experience of Mamlatdars appointed under the old and the present system?—Yes

1432. Which, in your opinion, is the better system?—The present.

1433. And you think that the service has improved in efficiency since an educational qualification was required?—Very greatly so.

1434. Has it improved in honesty?—Greatly.

Mr. *Stewart.*

1435. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted Branches?—No distinction should be made as regards salaries in the case of officers of any service or of any nationality holding certain posts.

Mr. *Crosthwaite.*

1436. I understood you to say that the pay of Statutory Civilians was not thought sufficient?—Yes.

1437. Your son in that service is now drawing R350?—Yes.

1438. And you say that is not sufficient?—So I hear He has to keep up his position.

1439. He was getting R50 a month when first appointed a probationer?—Yes.

1440 Has he changed his style of living since his appointment to the Statutory Service?—Yes. He has to have his tents, his servants, and a carriage. He has to travel round the district, and that puts him to expense.

1441. Does he get travelling allowance?—Yes, I think he gets R50.

1442. Does he get tentage allowance?—Yes.

1443. Does he live as a Native or as a European?—As a Native gentleman.

Mr. *Stewart.*

1444. If you have a simultaneous examination in India, would you limit the number of Native candidates selected?—Half of the appointments might be given to those who passed in England and half to those who passed in India.

The *President.*

1445. How do you reconcile that with your previous answer, in which you said apportionment

The *President*—continued.

of appointments was not on any account necessary?—I merely say I should be content with half. I do not think it would be right.

Mr. *Crosthwaite.*

1446. Do you think Native candidates could succeed to that extent?—Oh, yes, not, perhaps, in the first year, but in two or three years

1447. And if they do not, will the persons who are now asking for simultaneous examinations be satisfied?—Yes, because if the candidates have a fair field and do not succeed, the fault will be theirs.

The *President.*

1448. You would be content with an arrangement which you believe to be unjust in principle?—Yes. It is unjust in principle, because the man who gets the highest marks should get the appointment.

Sir *Charles Turner.*

1449 You know many of the best educated Natives in this Presidency?—Yes.

Sir *Charles Turner*—continued

1450. Are there many of them whom you would think competent to administer a district?—For the administration of a district previous training and experience are necessary.

1451. And to administer a district efficiently, you would require a man of energy of character?—Yes, he would require energy of character, physical strength, ability, a knowledge of riding and of the use of the rifle.

1452. Are there many such men among the educated Native community in this Presidency?—No. They require to be made; but I think they are quite fitted for Assistant Collectorships and Judgeships.

1453. But at present if any great change is to be made, it must be from the bottom upwards?—Yes

The *President.*

1454 Is there any other point on which you have evidence to give?—No.

WITNESS XXI.—20th January 1887.

Examination of RAHIMTULLA MAHOMED SÁYÁNI, Esq, M.A., LL.B.; Solicitor, High Court, Bombay; Fellow of the University and Member of the Municipal Corporation, Bombay.

Mr. *Stewart.*

Vol. IV. Sec II Bombay.

Rahimtulla Mahomed Sáyáni, Esq

1455. You are a Solicitor of the High Court, a Justice of the Peace, a Member of the Municipal Corporation and Town Council of Bombay, and a Fellow of the University, I believe?—Yes.

1456 Is the existing system of appointing Natives, as Statutory Civilians, to posts reserved for the Covenanted Civil Service approved?—The existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service is not approved. On the other hand it has created general and great dissatisfaction. This dissatisfaction is chiefly felt among those classes of all communities who are qualified to form an opinion on public questions.

1457 What are the grounds of disapprobation?—The grounds on which the existing system of making appointments to the Statutory Civil Service is disapproved are as follow —

(*a*) it injuriously affects the principle of competition for the Covenanted Civil Service,

(*b*) it is calculated to encourage and promote favouritism and to place Government in an awkward position,

(*c*) it has the tendency to rouse feelings of jealousy between persons entering the service by competition and those gaining appointments by nomination, as also feelings of jealousy between the latter and others who may be equally fitted for the posts,

(*d*) it opens a back door for obtaining entrance into the Covenanted Civil Service, and consequently lowers the whole service in the estimation of the public generally,

(*e*) it has the tendency to foster indolence and to demoralise those sections of the community from whom the nominations may usually be made.

1458 Are the defects of the existing system susceptible of remedy—

(*a*) by an amendment of the rules;

(*b*) by an amendment of the Statutory provisions in that behalf,

or should those provisions be repealed? And if the provisions of the Statute 33 Vic., Section 6, are not repealed nor substantially amended so as to take away the power conferred on the local administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder? If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—For the reasons indicated in my reply to the preceding question, the Statute ought to be repealed and the changes hereinafter advocated in regard to the Covenanted Civil Service ought to be made Until, however, such changes are made, and the result of such changes ascertained, the Statutory system may be retained, but with the following amendments in the rules.—

Mr. *Stewart*—continued.

(1) That the words "after he has attained the age of 25 years," be struck out of Rule 1, because if there are any deserving individuals among the backward classes whom Government may desire to admit into the Statutory Service, Government can do so after such individuals have, either in Government service or in the practice of a profession, shown that they are worthy of the same.

(2) That the words "and that he has, unless specially exempted by the Governor-General in Council, passed such examinations as may from time to time be prescribed by the Local Government subject to the approval of the Governor-General in Council. In case of persons admitted under the rules after they have attained the age of 25 years, the Governor-General in Council may confirm their admission without requiring them to serve any period of probation,"—in Rule 2 may be struck out, because under Rule 1, amended as above, only men of proved merit and ability would be nominated, and they would have, moreover, to serve a period of probation.

(3) Rule 3 as published in the Civil Service Blue-Book of 1879, if not already vetoed by the Secretary of State, might be omitted.

(4) A new rule might be added compelling every person admitted to the Statutory Civil Service under the rules, amended as above suggested, to proceed to England within a fixed period after being confirmed in his appointment, and to stay in that country for a period of at least six months, and to employ his time there towards better fitting himself for the discharge of the duties of his office under the general supervision of the Secretary of State for India.

Persons admitted under the rules modified as above suggested, would not, of course, have to begin in the lowest appointments in the service.

The *President.*

1459. Would you desire that subjects of Feudatory States should be eligible for appointments in this service?—It is the inherent right of Natives under British rule to receive these appointments, and I should prefer that only Natives actually under that rule should be appointed

1460. Are not British subjects largely employed in these States in positions of responsibility?—No doubt they are

1461. Is there not a community and identity of interest between the Feudatory States and the British Empire?—Yes.

1462 And still you would prefer to exclude the Natives of those States?—Yes.

Sir *Charles Turner.*

1463 You say Natives have an inherent right to these appointments: whom do you include in the term Natives?—Natives as defined in the Statute.

Sir *Charles Turner*—continued.

1464. Why would you abolish Rule 3 of the rules for the Statutory Service?—Because it is unnecessary. Of course the men mentioned in the rule, if once admitted, will be eligible for all appointments.

Mr. *Stokes.*

1465. What do you mean by an inherent right to service? Do you mean it in the sense that a man has an hereditary right to an office?—No; I mean that those who are the subjects of the British Government have the first, if not the sole, right to serve that Government.

The *President.*

1466. Perhaps if you substituted claim for right, you would convey your meaning better?—I have no objection to substituting the word "claim."

Mr. *Stokes.*

1467. Is it not the employer who has the right to choose his servants as he thinks proper?—I say that persons born and actually residing under the protection of the British Government in India have an inherent right to be employed in the service of that Government.

The *President.*

1468. You mean they have a claim to be employed superior to that of persons not subject to the British Government?—Yes; and I think the principle is very generally admitted everywhere

Mr. *Stokes.*

1469. Is it not the duty of Government to employ whoever it thinks will do its work best?—Yes, under certain restrictions. I mean that if it can get persons properly qualified from among its own subjects, it is, at any rate morally, bound to do so. It is its duty to do so.

Mr. *Ryland*

1470. Do you admit a similar claim on the part of Europeans to serve their Sovereign in this country?—Yes: they have an inherent right to serve in England, and they have certain rights here, of course

Mr *Stewart.*

1471. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service? Should any, and, if any, what, change be made in that system? Do Natives of India labour under any, and if any, what, disadvantages in competing for employment in this branch of the service?—Dissatisfaction is felt with the existing system of recruitment for the Covenanted Civil Service. Such dissatisfaction is general and deep, and for very good reasons. The existing system practically excludes Natives of India from competing in such service. The limit of age is almost prohibitive, and the fact of the open competition not being held in India prevents many a candidate of real merit but without means from appearing at such competition, and in the case of well-to-do persons, it entails unnecessary expense and trouble, and in all cases the young men who have to go to England to appear at the competition, although of tender age, have to remain away from parental or family control in the midst of many temptations.

Mr *Stewart*—continued

The results of the present system are (I) the almost entire exclusion of the Natives of India from the Covenanted Civil Service; (II) the conspicuous absence of the flower of the English Universities from the Civil Service since 1876; and (III) physical unfitness, consequent on over-cramming at an early age. It is true that there have been more Native Covenanted Civilians since the reduction in age than prior thereto, but that has been in spite of the said measure and not in consequence of it.

The principal changes which ought to be made in the existing system of recruitment for the Covenanted Civil Service are as follows —

(*a*) The limit of age should be extended to twenty-three.

(*b*) The open competition should be identical and held simultaneously in India and in England.

(*c*) Due consideration should be given to Indian languages, vernacular and classical, and Indian History.

1472 By what changes may those disadvantages be minimised or removed, *e g* —

(*a*) by the establishment of scholarships and allowance of passage-money to Native candidates,

(*b*) by altering the limit of age,

(*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects,

(*d*) by holding simultaneously examinations in England and in India?—

(*a*) The establishment of scholarships and allowances of passage-money to Native candidates would be unnecessary if the change (*b*) which I have suggested in my last answer is made

(*b*) The limit of age should be altered. It should be extended to twenty-three, as already proposed

(*c*) The Indian vernaculars, Persian, and the History of India should be added to the subjects of the open competition, and the marks for Sanskrit and Arabic should be placed on an equality with those for Greek, and the marks for Latin should be less than those for Arabic, Sanskrit, and Greek

(*d*) Simultaneous examinations should be held in India and in England.

1473. If an examination is held in India, should it be identical with that held in England? Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? If such an apportionment is made, on what principle is it to be regulated? Should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects?—The examination held in India should be identical with that held in England, and the examination to be held in India should be held at one centre in India to be fixed in rotation by the Government of India in the cities of Calcutta, Madras, Bombay, Allahabad, Lahore and other important cities. The competition should be free and open to all, and equal

Mr. *Stewart*—continued.

Vol IV. Sec II Bombay

Rahimutulla Mahomed Sayani, Esq

justice and fair play should be the fundamental principle The candidates in India and England should compete with one another and be selected in order of merit There should be no apportionment of appointments. The above should be the permanent basis; but if it is apprehended that that system may prove prejudicial to the stability of English rule in India, either the excluding a sufficient number of Englishmen from the service or by the exclusion of some prominent Native race forming a large portion of the entire Indian community, a temporary provision may be made for apportioning the appointments, but I confess I do not see any ground for real apprehension, and I am afraid that any attempt at apportionment will not only strike at the root of open competition, but will lead to innumerable difficulties and complications, and will be a source of dissatisfaction, and, moreover, the finality desired by Government will not be attained.

1474 If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—I think every successful candidate in India should proceed to England to complete his training there, as a visit to and stay in that country will—

(*a*) free him from all prejudices of caste, race or creed, an object greatly to be desired in the case of a high officer exercising high executive, judicial or magisterial functions, sometimes over millions of Indian subjects variously divided;

(*b*) bring him into contact with English life and civilisation, and English society at an age when he can understand and appreciate them and benefit by them,

(*c*) bring about a complete feeling of equality and harmony among the Indian and English members of the service,

(*d*) tend to the acquisition of habits of self respect and moral courage, and of strength of character, and

(*e*) in general, give him a wide and liberal training—a result which is desirable for persons intended to discharge high, honourable and responsible functions.

1475. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—The young Natives obtained under the existing system of open competition in England are able and worthy men both as regards character and capacity. But it must be conceded that under a system of open competition, as above advocated, the field being wider, there is a greater likelihood of securing the best men.

Mr. *Stokes.*

1476 You say you see no real reason to apprehend the exclusion of any prominent Native race forming a large portion of the entire Indian community. Do you not think that Deccani Brâhmans or Bengalis, for instance, would be likely to secure most of the appointments?—I do not think so.

1477 You see no likelihood of Mahomedans and Rajputs being entirely excluded?—No. If the examination is held in Bombay and the age limit extended, I know four or five Khoja youths who would compete, and I think some of them would succeed. The Khoja community is a small one, numbering about 10,000 souls.

Mr *Stokes*—continued.

1478. Have any Mahomedans as yet obtained the first place in a degree examination?—I myself have been first and others have been near the top My brother, who was examined here yesterday, came out very high on the list.

1479. Do you know of any Rajputs who have distinguished themselves?—No

1480. Do you not think they will be excluded?—Not entirely.

Mr. *Ryland.*

1481. Do you think that Europeans already possess in a high degree those qualities which you would send Native candidates to England to acquire?—At present they do.

Mr *Ramaswami Mudaliyar.*

1482 You say there have been more Native Covenanted Civilians since the reduction in age than before: is that a fact?—So far as Bombay is concernedit is so; I do not know about the other provinces. Of course my experience is confined chiefly to Bombay. I was simply stating a fact which might be taken as an objection to what I was advancing.

The Hon'ble Mr. *Quinton.*

1483. Are you a Khoja?—Yes.

1484 Is education in Bombay more advanced among Khojas than among other Mahomedans?—I believe it is.

1485 We have had some witnesses from Hyderabad who belonged to, I think, a different class of Mahomedans. Is education less advanced among that class?—I believe it is.

1486. Why do not the Khoja youths you mention as likely to succeed in a degree examination go to England?—In the first place they have not the means, in the next place their parents would not allow them to go at a tender age.

1487. But if they are prepared to pass the examination here, then going to England to study would be unnecessary?—I think it desirable that a person should go to the place of examination at least two or three months before the examination, if not longer.

1488 Would not the same argument apply if the examination were held in Calcutta?—Yes, and it is because we cannot have one examination everywhere that I would have it at important centres.

1489. How long do you think it would take a candidate to acquire those advantages which it is your object to secure to him by sending him to England?—About two years.

1490. Might not those advantages be acquired in a greater degree by sending young men to England for their education?—There would then be the objection on the score of their tender age.

Mr. *Crosthwaite.*

1491 Should they go at their own expense?—I think there are rules in existence now under which a successful candidate would get certain allowances. I would give them those allowances.

1492. Would you pay their passage-money?—Probably.

Sir *Charles Turner*.

1493. Do you know anything of Mahomedans in general in this Presidency?—My knowledgeof them is limited to those of my own community.

1494. Is it the case that the number of Mahomedans in the public service in this Presidency is very much the same as it was twenty years ago?—I do not know that.

1495. Can you offer any explanation of the fact that Mahomedans are so little employed in the collection of land revenue in this Presidency?—Of course it depends on their education, and it also depends on their means and other circumstances. In Bombay, for instance, the more educated class of Mahomedans generally take to trade.

1496 Are the agricultural Mahomedans men of slender means?—I believe they are.

The *President*.

1497. At what age did you take your degree?—Nineteen.

1498. Is that the average age?—I think the average age is twenty or twenty-one for the B A.

1499. Have you been to England?—No

1500 Can you tell us why the men who went to England in the earlier days of competition before the age had been reduced were so few?—Universities were subsequently established here · education has been advancing, and is, of course, more widely spread than it was twenty years ago.

1501. Perhaps also communications are more frequent and speedier than they were then?—That may also be a reason why more men would go now if the limit of age were extended.

Sir *Charles Turner*.

1502. How many men do you think there were in 1856 receiving a higher education? Had you a college here at that time?—Yes.

1503. How long had it been established?—For some years. I was the first Mahomedan to join it.

1504. When was the Presidency College established?—I do not know.

1505. You are a Solicitor of the High Court?—Yes.

1506. Are Pleaders here allowed to practise on both sides of the Court?—No, only on the Appellate Side.

1507. Has any movement taken place among them with the object of securing equal rights with Barristers in that respect?—None. Formerly Solicitors were, on application to the Chief Justice and Judges, allowed to practise on the Appellate Side, but a few years ago an order was made which precluded them from doing so unless they passed a special examination.

1508. Which has the largest share of business on the Appellate Side, the European or the Native Bar?—Pecuniarily the Native Bar, and numerically also. As a rule, Counsel appear on that side only in certain special cases, when they are always instructed by Pleaders.

1509. Do the European Barristers and Native Pleaders receive equal fees on the Appellate Side?—Of course Pleaders' fees are lower than Counsels' fees.

1510. To what do you attribute the distinction?—Counsel are able to command at least R400 a day.

Sir *Charles Turner*—continued.

1511. Why do not people prefer the lower-paid agency of the Pleader?—Counsel are generally supposed to be better able to argue a case. There are, of course, some very eminent men among them who can always command high fees. Then, of course, Barristers have invariably been educated in England We have two classes of Counsel, Barristers and Advocates. Both have equal rights in the Presidency, but beyond it the Advocates have not equal rights of audience.

Vol. IV Sec II Bombay

Rahmutulla Mahomed Sáyani, Esq.

1512. Which class receives the higher fees on the Appellate Side?—There are four or five persons who can always command the highest fees. One of them is an Advocate and a Hindu; another is a Mahomedan Barrister; the other three are European Barristers.

1513. Are they all equally paid?—Almost, I think.

The *President*.

1514. Do you consider it very important that the English standard of examination should be maintained?—Yes.

1515 Do you think that if the examination were held in India there would be pressure put on Government from time to time to Orientalise the standard and to lower it?—I do not think so. On the contrary, I think that University tests are being made stricter and stricter here.

1516. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Chapter 3, Section 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service should be recruited only from Natives of India as described in Statute 33 Vic, Chapter 3, Section 6 Inasmuch as the definition given in the said section of Natives of India includes all persons born and domiciled in British India of parents habitually resident in India, these are persons who have an inherent right to hold offices of trust and responsibility in the service of their own country.

1517 Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—The recruitment to the Uncovenanted Service should be made by free and open competition for first appointments If any University examination is held to be a sufficient test for any branch of such service, such examination may be regarded as the open competition test for such branch, as is the case regarding the Subordinate Revenue and Judicial branches of the service in the Bombay Presidency.

1518 Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The recruitment to the Uncovenanted Service should be made by competition in each province to be confined to persons resident therein. Such a course would secure for the particular province office-holders thoroughly conversant with its special circumstances and requirements, and would, besides, contribute to its healthy administrative growth Provinces specially backward may receive exceptional treatment at the hands of Government in the matter of indenting for their officers from outside their respective limits.

Mr. *Stokes.*

1519. Would you have your recruitment provincial because you think that residents of a province have an inherent right to serve the Government of that province?—I think so.

Mr *Ryland.*

1520. If the Statutory Service is abolished, what would you do with the proportion of appointments at present allotted to that service?—If the service is to be abolished, and an open competition instituted here as in England, and the age extended, I would let them revert to the Covenanted Service; but until those changes are brought about they should be reserved for Officers of proved merit and ability in the Uncovenanted Service.

Mr *Nulkar*

1521. What, generally speaking, is the cause of the backwardness of Mahomedans in this Presidency?—There are several causes: one is that they are poorer as a community, another is that being the race last conquered, they have been rather backward in taking to the present system.

Mr *Stokes*

1522. What do you mean by the race last conquered? Were they not conquered by the Mahrattas?—I mean they are one of the last conquered races The remark applies also to the Mahrattas.

1523. Is it in the power of Government to remedy this?—Yes, by encouraging them to take to education and by providing facilities for their doing so where such facilities do not at present exist. But the true and lasting remedy lies in their own exertions.

1524. What form of encouragement has been given them?—The Bombay Government has given them a site on the Esplanade for their school, and a certain monthly payment over and above that which the rules ordinarily allow. The Bombay Municipality has also allowed them a certain sum beyond that which they allow to other communities.

1525. Would you include among your remedies a relaxation to a certain extent of the rules of the service?—Only to this extent suppose there are two men in the Uncovenanted Service, both equal in ability and merit and standing, the one being a Mahomedan and the other a Hindu, I would give the preference to the Mahomedan, but I would give him no undue advantage.

1526. Would you lower the standard of education to suit them?—No.

1527. How do you account for the fact of there being hardly any Mahomedans among the Subordinate Judges?—The reason is that very few Mahomedans have passed the qualifying examination.

1528. Are there not several Mahomedans practising at the Bar and as Solicitors here?—Yes, they find it more paying.

1529 They don't consider it worth their while to get into the public service?—No.

1530. If you have provincial recruitment, would you recruit by districts?—No.

1531. Do Mahomedan pupils in schools and colleges find a difficulty in securing the same efficient teaching as is given to other pupils, having

Mr *Stokes*—continued.

regard to the fact that the teachers are generally Hindus?—Yes. I believe that until lately there were no Hindustani classes. The Government of Bombay have now recognised the difficulty and are willing to assist us.

1532. My question had reference to partiality?—So far as Bombay City is concerned, I do not believe there is any such. I only know Bombay City.

1533 What teachers have you had yourself?—Guzerat is Parsis, and Europeans.

Sir *Charles Turner.*

1534. Are there many Mahomedan Attorneys in Bombay?—There are four, and there are Mahomedan Counsel also.

1535. You say the chances of success in professional life are so great that these Mahomedans have no inducement to seek service in the Judicial Department?—Yes: they get business here and are wealthy and independent.

1536. Do you mean wealthy by reason of their having made fortunes in business, or by reason of their having inherited private fortunes?—Some of them have private fortunes and some have not. I had none.

1537. The pay of the lowest grade of Subordinate Judge is about R200 a month?—Yes.

1538. Do you consider that inadequate to attract a man of ability in the legal profession?—I think so: he could make more in Bombay.

1539 Within a short period after establishing himself in practice?—I think so.

The *President.*

1540. Would you abolish the Statutory Service—Yes.

1541. Would you then retain power to Government to appoint men of proved merit and ability from the Uncovenanted Service to Covenanted posts?—Yes, if the changes I recommend are introduced with the abolition of the Statutory Service.

The Hon'ble *Mr Quinton.*

1542. Can you tell me what proportion the Khoja community bears to the ordinary Mahomedan community?—In Bombay itself the Khoja community numbers ten thousand souls

1543 Are there any in the outlying parts of the Presidency?—Not many. They generally come from Kutch

The *President.*

1544 Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service accordingly as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated?—I think that no distinction should be made in the salaries attached to the posts reserved for the Covenanted Civil Service accordingly as they are held by Covenanted Civilians on the one hand, and Statutory Civilians or Uncovenanted officers on the other hand.

WITNESS XXII.—20th January 1887.

Examination of Professor W. WORDSWORTH, M A., Principal, Elphinstone College, Bombay.

Sir *Charles Turner* ~~Sir Charles Turner~~ continued.

1545. You are Principal of the Elphinstone College, Bombay?—I am.

1546. Will you kindly tell us at which University you graduated?—Oxford.

1547 And after you left Oxford, what did you do?—I was master at Radley College near Oxford for a year and a half, and then I came out here

1548. You are in the Educational Department?—I have been in the department about twenty-five years. I came out to India in 1861.

1549 Have you served only in Bombay?—No, I was Principal of the Deccan College for ten years

1550 On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your province?—My experience leads me to believe that the system of appointment by nomination to the Statutory Service is, and always will be, generally unpopular It leaves a wide door open to favouritism and intrigue; and as only few can hope to make an effective use of these instruments, the rest are naturally dissatisfied. I have never heard any one say a good word in favour of the existing system.

1551. Do you consider that nominations should be confined to persons of proved merit and ability?—I certainly think that "nominations should be confined to persons of proved merit and ability" Family distinction, and claims founded on the services of deceased relatives to the British Government, appear now to be considered of more importance These, at least, are the grounds which young men who wish to interest me in their candidature are most zealous in putting forward

1552. How would a system of limited competition amongst persons nominated for this purpose by the local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—I have before this advocated a system of limited competition amongst persons nominated by the local Governments and the Universities, and I think that it would be regarded with more favour by the Native public than the existing system. Probably a system of open competition, pure and simple, would be more welcome to the classes which most readily seek a University education: but it is also not improbable that other classes would dislike it The Brâhmanic castes possess inherited intellectual tastes, and a capacity for sustained intellectual application, which must always give them a marked advantage over all other classes in this sort of competition, and the predominance so acquired might not unreasonably be irksome to others.

1553. If competition (whether limited or open) is preferred, should there be one competition for all India, or separate competitions in each province?—I prefer a competition open to all India for the Statutory Service, if it is to be maintained. I am aware that many persons have persuaded themselves that nearly all the appointments would in that case, for many years, be monopolised by the inhabitants of a single province, and I suppose it must at least be admitted that some provinces would get less than their due (numerical) proportion of appointments. I do not share the first of these beliefs, and I am not disposed to attach too much importance to the second. On the other hand, I think that the Natives of India would have good reasons for feeling dissatisfied and resentful if it should be held that any English candidate was qualified to hold office in any part of the Peninsula, while Indians must be confined to the territory in which they happened to be born or domiciled A service bearing this provincial stamp would be felt as a humiliation.

Vol IV Sec II. Bombay

Professor W Wordsworth

1554 Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social and physical fitness?—Under the system of limited competition, the examination would give a fairly sufficient test of intellectual capacity I would fix the limit of age at twenty-two and I am strongly in favour of some real test of physical fitness. Those which are now employed in England are said to be rather illusory, but the amount of mischief which results from that is, I suppose, small, considering the great part occupied by athletics in modern English life, and the natural tastes of English boys The Hindu, on the other hand, is sedentary by habit and disposition, and his physical vigour, even in his native climate, has not the Englishman's staying power. I speak, of course, of the literary classes. Moral tests have in all countries little more than a negative value still all candidates ought to produce certificates from their teachers that their conduct has generally been irreproachable

1555. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training? If so, should the special training be carried out in India or in England?—I attach great importance to a period of training in England for Native members of the Civil Service: and even if the Statutory Service is maintained, as a supplementary or subordinate department of that service, I should like to see, with the system of limited competition, the condition annexed of a two years' training or study in England. In this case the candidate should pass all the subsequent tests which are passed by Civilians selected in England by competition. He would then be regarded by his countrymen and others as the equal, or nearly the equal, of the candidates selected in England, which is by no means the case now.

1556. Are you in favour of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—I think that a liberal scheme of scholarships in connection with an examination by limited competition is a thing both desirable and just I fear, however, that these

Professor W Wordsworth.

~~Sir Charles Turner~~—continued.

additional advantages would aggravate the evils which I consider almost inseparable from a system of nomination maintained in India. But if the Statutory Service is maintained on an improved model, I think that Government scholarships tenable in England should form part of it. Otherwise the sons of rich men only would gain admittance, and the talent of the country would be more diverted into the channel of critical opposition to an alien and unsympathetic Government.

1557. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—I think that a sufficient number of qualified selected candidates would be forthcoming, if the opportunity of studying at an English University were afforded, and an adequate allowance offered I am aware that the more select Brâhman castes would probably, for some time at least, shrink from the supposed pollution of a voyage to Europe.

1558 If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—I do not think it would be necessary; but perhaps it might be desirable to leave open a path by which distinguished merit in the Uncovenanted Service might be lifted into the higher service. But the distinction between the two services has now no logical basis, and seems practically inconvenient when the subject of promotion has to be discussed.

1559. Have you anything to add on that branch of the enquiry?—I should like to add that the Statutory Service is, and always will be, generally unpopular, and that my own opportunities of forming that opinion are chiefly derived from conversations with those who are either students or relations or connections of students pursuing a University education. Their objection to the system was that it afforded no scope for any intellectual test, that it was established at a time when there was great suspicion that an effort was being made to make it impossible, or at any rate difficult, for Natives to pass into the service by competition in England, and therefore the student or intellectual class were afraid there would be no chance or hope for them of entering the higher service That feeling has been very prevalent within the last few years, especially since Lord Lytton's despatch became public.

The Hon'ble Mr. *Quinton.*

1560 You suggest a combined system of nomination by local Governments and Universities preparatory to the competition On what principle do you think the Universities would nominate?—I think they would select those who passed with the highest credit at the examinations.

1561. Would they take the University list, pure and simple, as their guide, or would they refer to heads of colleges?—Probably they would combine both. Applications would go before the Syndicate, who would be guided largely by the advice given by heads of institutions and partly by the list of honours and degrees.

1562. How do you suggest that Government should be guided on its part in making the preliminary nomination?—I think they should be

~~The Hon'ble Mr. Quinton~~—continued.

guided by the kind of considerations which guide them now; that is, partly by social position and partly looking to proved merit and ability in other branches of the service, and partly also by educational qualifications.

Sir *Charles Turner.*

1563. Do you prefer limited or open competition for this service?—On the whole, I prefer limited competition.

Mr. *Stewart.*

1564. Are you entirely in favour of retaining the Statutory Service?—I think it desirable to retain it as a means of providing for those classes who are not likely to succeed to the same extent in a system of open competition, and, if necessary, to provide for promotion from the Uncovenanted Service.

1565 When you said in one of your answers that for some years the appointments would be monopolised by the inhabitants of a single province, you referred, perhaps, to Bengal?—Yes.

1566 Do you consider that the Bombay-Deccanni Brâhmans would hold their own with the Bengalis?—I think they would. At any rate I do not believe there would be so great a preponderance of Bengalis as has been anticipated.

1567. What do you mean when you say the present tests of physical fitness in England are illusory?—There is no very searching test of fitness. I have been told that a man goes for three or four weeks, perhaps, to a riding school, and gets a certificate that he has attended so many hours for riding.

Mr. *Crosthwaite.*

1568. You say the present system of appointment by nomination leaves a wide door open to favouritism and intrigue. who makes the nomination?—The local Government makes a certain number of nominations, and the names, I believe, are sent up to the Government of India and the selection made from them.

1569. And how does that leave a door open for intrigue?—I mean that persons who have access to Members of Council and Secretaries try to interest them in every possible way in their children or relatives, and those who have not this means of making themselves known are handicapped considerably. I have heard a Chief Secretary to Government say that his appointment to that post added a new burden to his existence, for now, when a Native gentleman called upon him, he was generally accompanied by a young relative for whom he wished to make interest in order to get him into the Statutory Service.

The Hon'ble Mr. *Quinton.*

1570 Do you think that tactics of that kind forward the candidate's chance of success?—I should think so.

Mr. *Crosthwaite.*

1571. Why should not nomination by Universities lead to similar intrigue?—Because then we should call specifically for reports; then there would be a University test: the publication of the degrees of itself would offer security which I do not

think private patronage would assure. As a matter of experience, patronage is liable to abuse, and those persons who are in the neighbourhood of great people have an advantage. When I say intrigue, I mean that it encourages persons to pave the way for furthering their interests by cultivating friendships.

1572. Do you think the University authorities here, or even the professors and heads of colleges, have adequate means of judging of the character of their pupils? I mean, could you conscientiously give any of your pupils a certificate?—Yes, if anybody has attended my class say for two years, has conversed with me and brought essays to me, I have means of forming a judgment; there are a multitude of minor circumstances which come to your notice. In fact, you have an opportunity for forming a judgment in respect of a pupil's manners, truthfulness, activity—qualities of that kind.

1573. Do you think you would have the same amount of information as a college tutor or master in an English school?—No.

1574. You have admitted that the Bráhman castes would have a marked advantage over all others in competition?—I am inclined to think so from my experience.

1575. Is that quite consistent with the opinion you have expressed in another place? Would not the Bráhmans of Puna have a marked advantage over Natives, say, of the Punjab or North-West?—I think the Bráhmans in every part of India would have superior chances in an open competition. They have, as a race, been engaged in intellectual pursuits for centuries.

1576. But do you not think that the Deccanni and Kúlin Bráhmans would have this advantage, even over the Bráhmans of the North-West or Punjab?—I could not answer that unless I knew how far educational advantages exist in those provinces. If the college system is efficient there, I do not think there would be that advantage.

1577. We are speaking now of the Statutory Service. You have said that "Natives of India would have good reasons for feeling dissatisfied and resentful if it should be held that any English candidate was qualified to hold office in any part of the Peninsula, while Indians must be confined to the territory in which they happen to be born or domiciled." Do you think there would be any real grievance, considering that the Native candidate is given special advantages which are not given to the Englishman; that he is put into the service without any exertion of his own?—I was presupposing the present system changed. If a system of pure nomination is maintained, it is of less importance. Such a service generally holds a lower place in public estimation. But still it would be one means of entering the higher service; and those who got into the higher service would resent it if they were differentiated by having only a local value.

1578. Do you mean that if the Statutory Service was open to competition you would not allow Natives to compete in England for the general service?—If the Statutory Service is maintained as it is now, I should not propose to make any change in the small possibilities which exist of entering by going to England with the age at nineteen.

1579. Why do you prefer limited to open competition for the Statutory Service?—Because it gives an opportunity to Government for correcting any such inequalities as may exist in regard to caste and race differences. Thus, in one year they might nominate a predominant number of the members of some caste or race which had been unduly excluded, and in that way rectify the inequality.

1580. What would you call an undue exclusion?—For example, if the servicec ame to be exclusively Bráhman, one might fairly say then that other classes were unduly excluded.

1581. You would not then regard the educational test as the sole test of fitness?—No.

1582. You would recognise that for some appointments—those which involve considerable exercise in the field—it might be desirable to look for other than merely intellectual qualities?—Yes.

1583. You have had considerable experience of youths in the colleges in this Presidency. Have you, as a matter of fact, found any considerable number of the men who take to higher education fond of athletic exercises?—Some of the Bombay Parsis are known to have a taste for them, and I am told that in Puna, where Bráhmans predominate, they have of late taken, to a greater extent, to athletic exercises.

1584. Do you consider that the moral tone has improved in India proportionately with the increase in education?—That I should certainly answer in the affirmative. When one speaks of morality, of course one has to bear in mind that it covers a very wide field of virtues, and perhaps all virtues have not advanced in equal proportion. But in general, as regards activity, manliness, faithfulness and kindred qualities, I should say that in the last quarter of a century there has been a very decided advance in the Indian youths, which has, I think, penetrated into the public service and shown itself in the improved character of that service. Corruption and laxity in the discharge of public duties, and untruthfulness, which were regarded as more specially prevalent, are now made less obvious than they were, and the young men have ideas which are inconsistent with them, and which aim at a more European standard of morality.

1585. Do you consider that the educational system encouraged by the University degree examination is the most liberal that could be given?—Of course before I could satisfactorily answer that question I should have to know exactly what the conception of a liberal education was. A liberal education is generally understood to be an education which has for its end and object the cultivation of the whole man, the intellectual and moral qualities—an education in fact which fits a man to be a citizen of a free community. That was the original meaning—the education of a *liber*, a freeman, which included the highest degree of perfection attainable, and the Greeks would have included the perfection of the physical organs Intellectual and moral training are, I think, provided for; but, as I have said, moral training cannot be provided for in the same way as it is in England, because, owing to profound differences of race and social habits, teachers from a foreign country cannot exercise the same influence. Our University education is founded on the basis of Universities which in Europe have handed down the tradition of a liberal education which they inherited

Sir *Charles Turner*—continued.

Vol IV. Sec II. Bombay.

Professor W Wordsworth

from the ancients, and in which the higher literature plays the highest part. For Greek and Latin literature we have substituted here a higher English standard and mathematics of a very high range. This secures liberal culture.

1586 Sir Alexander Grant was for some time Director of Public Instruction?—Yes.

1587. Did he leave much impression on the system of education in this province?—A very considerable impression.

1588. What tone did he impart to it?—I remember that in one of the first years after his arrival he gave a lecture on the ideal of a liberal education.

1589. Did he endeavour to impart an Oxford tone to this University?—Yes; and he made a great impression on men who were pupils under him.

1590. Has the University taken advantage of his counsels?—There have been changes since his time, and a high place has been given to physical science by the introduction of a new degree. That was an object Sir Richard Temple had greatly at heart, and there has been a greater specialisation of studies since his time.

1591. We were told by Mr. Lee-Warner that in consequence of some resolution of the Government of India relating to the aiding of schools in which Europeans and Eurasians are instructed, the pupils of those schools were discouraged from pursuing a course of University study?—I remember some time ago some special grants were made to Eurasians of scholarships and allowances. That was in Sir Bartle Frere's time.

1592. Have you at any time had many Eurasians or Europeans among your students in the colleges?—No, very few.

1593. Do you know the cause?—I think the general ground is this, that they are not wealthy enough to wait for a University education. They have to look for employment at a very early age.

Mr. *White.*

1594. If a Latin Professorship were attached to the Elphinstone College, do you not think that it would attract Europeans and Eurasians?—Latin is extremely effectively taught in the St Xavier's College as it is. We have never had a Latin Professorship, and what Latin is taught is taught by the Professors as a supplementary subject.

1595. Is it not owing to some distaste for the vernacular studies that Eurasian and European youths are disinclined to enter on a college course here?—I suppose they may possibly have such a distaste, but the kind of employment they would be likely to seek would require a knowledge of the vernaculars, and it would, therefore, be to their interest to study them.

Mr *Ramaswami Mudaliyar.*

1596. We have been told that Government scholarships are reserved exclusively for students educated in Government colleges and were denied to students educated in aided institutions—is that a fact?—I am not aware that there are any scholarships which are purely Governmental. All the scholarships in our colleges originated in endowments which Government has supplemented.

The Hon'ble Mr. *Quinton.*

1597. What do you think would be the result of the competition you propose between Government and University nominees?—One can scarcely say without knowing the principles on which Government would be guided in its selections. I think it might be assumed that the nominees of the University in one year would probably have an intellectual advantage in the examination They need not necessarily compete against each other. The Government might nominate in one year and the University in another. I am not committing myself to any definite plan.

Mr. *Ryland.*

1598. Have you ever found Native boys establish a code of honour or "form," and visit with social disfavour those who transgressed that code?—Yes, decidedly so I have occasionally had my attention called to irregularities in the treatment of servants, disregard for the feelings of companions, which are condemned and disapproved by public opinion.

Mr. *Stokes.*

1599. Have you ever observed an *esprit de corps* among graduates?—Yes, undoubtedly. A man feels that, as a graduate, a certain standard of conduct, ideas, manners, and opinion are required of him. Whether it might not exist in a greater degree I do not say, but it does certainly exist.

Sir *Charles Turner.*

1600. What has been the experience in your province, in regard to their work as public servants, of Natives who have entered the Covenanted Civil Service through the competitive channel in England? To what classes of society do such Natives belong? Is there reason to believe that the Natives obtained by this system are the best, as regards character and capacity, who could be procured under any system?—The number of Native Covenanted Civil servants in this province is so small that it would be hazardous to draw any general conclusions as to the merits or demerits of this class of public servants from their performances. I have a slight personal acquaintance with two of them, and I have always understood that they had proved useful and trustworthy servants of Government. I do not suppose that any system of nomination would secure better men.

1601. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India? Should additional facilities be given to Natives for proceeding to England and entering the Covenanted Civil Service by the channel of the English competition? If so, what form or forms should such facilities take? What conditions, if any, should be attached to them?—I should answer the first of these questions in the affirmative. The persons who write in newspapers and those who read them are an important class, and the former, so long as I can remember, have always criticised severely the supposed impediments thrown in the way of the Indian competitors in England by the frequent and rather suspicious changes in the regulations governing the examination. At the same time it must be remembered that it has always been felt, and justly I think, that it was a hardship to compel Indian competitors to travel all the way to England on the chance, and that a very doubtful one, of winning a place among the selected candidates. But this feeling was once not a very strong one, and if the scholarships promised,

Sir *Charles Turner*—continued.

but never granted, had been available for the most distinguished alumni of our Colleges and Universities, perhaps the present demand for a simultaneous examination in India would not have been raised. It is probably too late to revert to this plan now.

1602. What class or classes of Natives in your province readily to go to England? Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—So far as I know there are no very strong objections to a journey to England, except among members of the more select Brâhman castes The objections are, I suppose, founded on sentiments of caste purity and religious obligation. I do not think that Government is bound, by considerations either of policy or principle, to attach importance to these objections. The Uncovenanted Service would still remain open to those who valued the preservation of their ceremonial purity more highly than official power and distinction.

1603. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—I think the examination should be one and the same for English and Indian candidates. The admission to the Covenanted Service of Indians by a different test would be felt, I think, as constituting a certain inequality between them; or at least as affording grounds for the suspicion that their culture was less broad and liberal than that of their English colleagues.

1604. Assuming only one examination in England, for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—The present limit of age tells heavily against Indian candidates. I do not see how this can be disputed: and I must admit that the successive reductions in the limit of age quite justified the suspicion that there was in some quarters a deliberate design to shut the door of the Covenanted Service, as far as possible, against Indian competitors It is also said that the knowledge of Sanskrit or Arabic is not estimated at an equitable proportion with the Western classical languages. There is, I may add, no provision in any Government institution in Bombay—I cannot speak so confidently of the rest of India—for teaching Greek or Latin, though there has always been a fair number of students in Elphinstone College who are prepared to take up the latter language.

1605. What is the average age at which Natives at the Indian Universities pass the examinations for F A, B.A, and M A, respectively? From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—The average age at which Indian students pass the B A. examination in the University of Bombay is, I should say, twenty-one. The graduates of the Bombay University are drawn principally from the professional and commercial classes, and from the class of public servants. There are not many wealthy persons among them, as the people who possess money in Bombay do not value a liberal education Probably they think that a man succeeds better as a trader if he knows nothing of anything

Sir *Charles Turner*—continued

but trade, and it must be conceded that experience does not seem altogether inconsistent with this hypothesis.

Vol IV. Sec II Bombay.

Professor W Wordsworth

1606. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations? How would this method of selection be regarded by the Native community generally?—I am in favour of a simultaneous examination in India and England for the Civil Service, the same question papers being used at both examinations, and I conceive that this method of examination, even subject to some limitation, which I personally advocate, in the number of Indian candidates to be selected in any year, would be regarded with great favour by the Indian public.

1607. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—I would leave the competition in both countries open to all subjects of the Crown, English or Indian; but I would accept boldly the principle that a certain proportion of English candidates must for the present be maintained in the service. I am conscious that there are some formidable objections to this plan, and that it is quite possible that it might break down in practice, but I should like to see it tried. An alternative plan would be an initiatory examination in England open only to Englishmen, and one in India open only to Indians, and a final examination in England, to which country I would send all selected Indian candidates for a two years' training, to which both classes of candidates should be subject. Three or four years ago this arrangement would have given entire satisfaction, but perhaps it would not now.

1608. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system, as introduced in 1855, to secure?—None of the educational institutions of India afford all the intellectual advantages which Europe offers. Students educated in India must, therefore, always be under some disadvantage as compared with others educated in Europe.

1609. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others? Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—I think it indisputable that open competition in India would give decided advantages to the literary castes, and pre-eminently to the Brâhmans. Whether the preponderance so acquired is to be called "undue," in any other than a numerical sense, is a question which my experience hardly entitles me to answer. I may say, however, that if the preponderance of any one class or caste is considered injurious to the public interest, as I can imagine that it may be, I think it ought to be corrected by a system of selected nomination supplementary to that of open competition.

1610 Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service? Under such a system how would it be possible to provide against Natives of a province in which education is comparatively backward, being excluded from

Sir *Charles Turner*—continued.

Vol IV. Sec. II. Bombay.

Professor W Wordsworth.

appointments in their own province?—I cannot say whether cadets of leading families would be deterred from aspiring to enter the Civil Service by the system of open competition, but I doubt very much whether they would submit to the very severe discipline which would be required to ensure success Probably the only way to correct the inequality of mental capacity, which the law of heredity permits us to assume, would be to allow marks for proficiency in gymnastics, in riding, and military drill This idea has been advocated by some persons in England, and does not appear to be an unreasonable one I do not think that it is any hardship for Natives of a backward province to be excluded from appointments in their own province The introduction of more qualified externs might be expected to give an impetus to progress. I speak here of the Covenanted Service, which ought, in my judgment, to be an Upper or Imperial service, the members of which should be fitted to serve in any part of the Indian Empire. For the lower service I would allow a limitation to particular provinces. The present division between Covenanted and Uncovenanted seems to me unmeaning.

1611. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—They would, I think, unless they had a supplementary two years' training in England, and had passed a final examination common to both classes of candidates.

1611*a*. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—I think I have answered this question by anticipation. I believe that the allotment of a fixed proportion of appointments, a third or a half, to be competed for in India, the condition of a course of at least two years' training in England being imposed on all successful candidates, would go a long way towards satisfying Indian public opinion. The Statutory system might in this case be either retained or abolished, according as it might be found practicable or not to arrange that the conditions of the examination were such as to allow chances of success to others than men of mere book learning alone. I am at least certain that a Civil Service composed almost exclusively of sedentary students, with a prematurely impaired physique, would be altogether undesirable, and on that ground I would impose on all candidates, however selected, a strict test of physical efficiency and some proficiency in physical exercise.

1612. If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age, minimum educational attainments, and moral, social, and physical fitness? And should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different?—I think twenty-one might be the maximum age in India, but I should prefer twenty-two, so as to allow men to complete their University course I have already said what I think about moral and physical tests, and I do not see how any social test is possible, or understand very exactly what it means. Certainly no one should be excluded from competing on grounds of caste. It might perhaps be desirable to exclude candidates who have not passed the matriculation examination of some Indian University. The Civil Service examination papers would of course be sent out from England, and be examined and assessed in England, and the examiners would be instructed to maintain the same standard for both examinations. The papers in both should be the same.

Sir *Charles Turner*—continued.

1613. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c., should not also be different?—In the Covenanted Service I should prefer to see no difference in the pay of officers, however selected, but I would reduce the present scale of pay by one-fourth at least. On the other hand, I would retain the present furlough rules for English candidates alone, and make the furlough allowances slightly more liberal than they are at present. It would not be difficult, I think, to arrange these matters in a way which would not excite and foster jealousy.

1614. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements? Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—The existing system of education in the higher schools and colleges of India affords an intellectual training not dissimilar to that afforded by English shools and colleges. It cannot be said that it is as good as that obtainable in the best English institutions, but it might be made so if Government chose to spend more money liberally. The moral training cannot be so effective so long as the present fundamental differences subsist between the social habits, religious belief, and moral ideas of the East and the West. It is, however, a great error to suppose that the education and discipline of Indian colleges are without moral effects. I believe that those effects are considerable and salutary—especially in the directions of energy and veracity. I believe that young men who have had an English education are more energetic, truthful, and self-respecting than those who have not. About other departments of conduct I cannot, of course, speak with the same confidence.

1615. How far would any system of appointment, which involves a journey to and residence in England, be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service, or on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to and residence in England?—I do not think that the objections would be strongly felt, and I cannot see why Government should care whether they are or not. On the other hand, it would be advisable, I think, to encourage meritorious poverty by the creation of a reasonable number of scholarships tenable in England.

1616. How far should appointments in each province to Covenanted posts be restricted to

Sir *Charles Turner*—continued.

Natives of the province concerned ?—I do not think that appointments in each province to Covenanted posts should be restricted to Natives of the province concerned. I am satisfied that any restriction of this kind would be resented by the educated classes, and would stimulate rather than retard the growing national consciousness. The Government can always, I suppose, take all relevant circumstances into consideration, when nominating individuals to particular districts Any difficulties which may exist would be lessened if some offices now belonging to the Covenanted were attached to the Uncovenanted service. This is, I think, desirable on other grounds, but I must leave this topic, like many others, to those who have given greater attention to the subject than I have done, and possess the experience which I am without.

1617. How would the following schemes be regarded by the Native community? And how would you regard them?

A.

The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only.

The appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible?

B.

The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England to which Natives and Europeans alike would be admitted.

The appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible,

If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India?

C.

A certain number of appointments in the Covenanted Civil Service to be reserved for Natives;

a certain proportion of that number to be filled by competition or by some other system in India;

the remainder to be filled by competition in England.

—I have already intimated that of these various plans I prefer the last one. None of the plans which give a predominant place to the system of nomination meet with my approval, and I am sure they will be distasteful to those who have most influence on Indian public opinion.

1618. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favour of giving a preference, as between candidates possessed of certain preliminary essential qualifications, and having, on general grounds, fairly equal claims, in the following or any other order, to (*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M.A.?—Under a system of limited competition the interests of the classes mentioned would, I suppose, be sufficiently considered in the selection of competitors. I certainly would not allow their claims to count for anything in the examination.

Sir *Charles Turner*—continued.

1619. How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates?—I doubt whether a scheme of this kind would be satisfactory in practice, though doubtless there is much to be said for it. If the nominations were really restricted to merit and ability shown in the service of Government, I should be disposed to regard it with favour.

Vol. IV
Sec II
Bombay

Professor W. Wordsworth

Mr. *Nulkar*.

1620. As regards this *esprit de corps* which you speak of, are periodical gatherings of graduates held in Bombay and Puna?—Yes, and occasionally they dine together and have *soirées*.

1621. Graduates of all classes, castes and religions take part in these social gatherings?—Yes.

1622 Have you considered the comparative expense of education in Europe and in India?—I have, and have written about it occasionally in order to correct impressions which seem to prevail. One impression to which I refer is that the Government gives the higher education to a considerable extent gratuitously to young men in this country; probably as compared with Germany and France, the cost to parents in this country is greater In England there is a general impression that education is expensive and that is easily explained. The scale of living is higher, the necessity of calling in supplementary aid in the way of extra tuition, to enable persons to face a severe competition, has raised the cost of education for parents in some cases; but the essential and necessary expenses of education at many of the public schools and Universities are still very small in England, owing to the liberality of former times. At the Bombay Elphinstone College R120 is the fee paid by students for instruction They pay something more, of course, for lodging. Those who live in the college have to provide their own books, feed and maintain themselves R120 is what they pay for instruction simply per annum. When before the Education Commission, I wrote something on the subject. I happened to have a young relative studying at the University at Bonn, and gave the list of lectures which he attended and the fees he paid for attendance. Certain lectures were entirely gratuitous, but the total aggregate of what he paid in a year was considerably less, estimated in German money, than what would be paid by a student in a college affiliated to an Indian University. I may mention also that at the very ably conducted Grammar School in the north of England, at which I was educated, the only fee for instruction was £1 to the head master and 10*s* to the second master. Many of the boys who lodged in the town did not get the advantages of living in the head master's house; and I have known boys at that school who certainly

Mr. Nulkar—continued.

did not spend more than £40 or £35 for maintenance during the year; and I could mention two or three boys from that school who have since got into the Indian Civil Service, and who, after twelve years' service, are now drawing between Rs2,000 and Rs3,000 per month.

1623. You say the standard of efficiency of Indian educational institutions is not quite up to the mark of that of English educational institutions?—Of course I am comparing it with the best English colleges. I could mention some colleges at Oxford in my time where there was very little taught at all.

1624. You say the defect as regards Indian education could be remedied?—If the advantages offered were greater, you would, of course, get superior men in the Educational Service to what you do now.

1625. How would that question be affected if Government gradually withdrew its direct connection with public institutions?—That would depend on the amount of enthusiasm developed in the community for education.

1626. Is the time come for Government to withdraw?—I think not.

1627. If it did, would the standard of instruction deteriorate or remain the same?—I am inclined to think it would deteriorate.

Mr. *Stewart.*

1628. You advocate a simultaneous examination in India, and would not object to the number of appointments available for Natives being limited. Do you not think such a system might create an impression that the men who passed in India were somewhat inferior to those who passed in England?—Not if the examinations were similar.

1629. Do you think that Natives generally, the Press, and leaders of public opinion, would be content with that arrangement?—I am inclined to think they would not; but I do not know whether political content is ever attainable in this country. I believe the principle contended for by the Press and expressed by the National Congress the other day is absolute and complete equality between the two classes.

1630. Do you think that arises from a kind of expectation that Natives will show themselves better than Europeans and obtain most of the appointments?—It assumes that it is a matter of indifference whether the persons selected are Europeans or Indians, so long as they have gained higher marks in the examination. If the age were raised, all the candidates selected in one year might possibly be Indians. It is a principle I do not accept myself. To obviate what is felt to be the hardship of sending persons to England on the chance of success at the examination, there might be an initiatory examination held in this country, those who passed it being sent to England for three years, and having to pass a final examination at the end of that period.

1631. Would they go to England on the understanding that they would be appointed finally?—If they fulfilled certain conditions.

1632. Why do you say such a system would have given satisfaction a few years ago and would not now?—I think it would not be sufficient now.

Mr. *Stewart*—continued.

1633. You think nothing would satisfy them but an out and out competitive examination?—An absolute competitive examination is what is demanded by a great many persons, and the idea seems to find favour with the majority of persons interested in the subject, and I think it would never have arisen if concessions had been made at an earlier time.

1634. Do you think that in the next five years there would be a vast preponderance of Natives succeeding?—If the age is raised and a simultaneous examination introduced, undoubtedly a great many more would succeed. I do not say there would be a preponderance.

Mr. *Crosthwaite.*

1635. When you say such and such a plan would be regarded with favour or disfavour, what have been your opportunities of knowing? With which class of Natives do you principally come in contact?—The citizens of Bombay generally.

1636 Have you resided at all in the interior of the country?—Not permanently.

1637. Have you come much in contact with the landowning class?—Very little.

1638. Do you think it is the duty of Government in making appointments to look to the efficiency of the service, or merely to pleasing the different classes of the Indian community?—The efficiency of the service, certainly.

1639. And in advocating a system of simultaneous examinations, do you think you sacrifice anything of the efficiency of the service?—Not on the conditions on which I advocate it, namely, a limited number to be selected, and that limited number to be raised to the highest standard by subsequent training and association with Englishmen. I have always felt, and still feel, that the directive element, the superior service, must for a long time be preponderatingly English. I have also held, along with that view, that it is an injustice to the country not to allow its most capable sons an opportunity of acquiring a knowledge of the higher responsibilities of Government. Therefore, I should always leave the door open to such men to share in these higher responsibilities; as also, as a matter of abstract justice, I think it expedient to do so.

1640. Do you think we should get as good men by a system of selection in India and subsequent training in England as by insisting on their passing in England, which would involve some longer period of training in England?—Well, the present system is only open to those who are willing to part with their children at a very tender age. Most of those who get on now are, I believe, Anglicised Indians, who have resided in England for several years, and whose parents have also been there. A Bengali gentleman who passed through here the other day was taking a son of about twelve or thirteen to England, where he will probably study for several years.

1641. Is it not better for the administration of this country to have men of that class in the service, so as to Anglicise it as much as possible?—I think that it is better to send a young man at the age of nineteen to twenty-three or twenty-four. One does not wish them to be completely denationalised as a boy removed from his parents and country so very young might be.

Mr. *Crosthwaite*—continued.

1642. Do you think there is any practical difficulty in the way of having simultaneous examinations?—I think not. I would have the examination in India held under conditions which should make it least likely to be a failure. Bombay would be the best place, because then the papers would not pass through the Indian Post Office.

1643. You think that is an objection?—Yes.

1644. And how would you manage about the *viva voce* part of the examination?—I incline to think that it would be necessary to have persons sent out here as examiners.

1645. You think that unless that were done it would be impossible to have a *viva voce* examination?—I think the test would not be satisfactory otherwise.

1646. The *viva voce* examination very often determines the decision between two candidates, does it not?—Yes.

1647. And if it should be conducted by two examiners, the candidates would scarcely be satisfied?—I think if the examiners had been working together, there would be no room for objection.

1648. Would it be possible to obtain that?—I think so. There are groups of persons who have been accustomed to examining candidates for service in India. The Commissioners would select such of these as they had the highest confidence in and send them out here.

1649. You said you would reduce the present scale of pay in the Covenanted Service by one-fourth, and you say that it would not be difficult to arrange these matters in a way which would not excite and foster jealousy. Do you advocate the reduction for the sake of avoiding jealousy, or because you consider the present pay too high?—I am inclined to think that on the general principle of economy there might be a reduction.

1650. Do you think the reduction of one-fourth might not materially affect the quality of the candidates?—I should wish the quality of the candidates to be regarded. I have not considered this matter with very great attention myself, and I should not like to hazard an opinion. In respect to the two-thirds, there is a jealousy of the higher service, in which I wish, and always have wished, that a certain number of Natives should be associated and placed as completely on a footing of equality, in pay and power, with their colleagues, as possible.

1651. But is that possible so long as we require European agency. For instance, in the mills and on railways, are we not obliged to pay a European more?—Perhaps you are at present, and in those cases I should be willing to sacrifice something of principle for the sake of the general benefit which will result.

1652. You propose to level down and not up?—Generally, I thought the scale of Civil Service payments might be reduced; but I adhere to the view that in the Government service all should be paid equally.

Sir *Charles Turner*.

1653. Are there not many European gentlemen in the Educational Department who have taken good degrees at Oxford and Cambridge Universities?—Yes, I have seen the Bengal list, which showed an unusual number of such men: I have not seen the Madras list lately. Most of the men in the upper service here have taken honours.

1654. Do you think that the quality of the candidates available for the competition in England would be higher or lower if the age of admission is advanced or retained at its present limit?—I have always been in favour of the higher limit of twenty-three It was the limit when I first came out to India, and, judging from my experience of the Presidency and the men I have known, I was always unable to understand why any change was made, considering what excellent men were obtained under that system.

1655. Is it your experience that Englishmen, as a rule, decide upon the profession they will follow before or after they have completed their University course?—I think, to a very great extent, it is their parents who decide for them.

1656 Is it not the more general rule, in the case of a youth whom it is decided to send to a University, that the selection of a profession for him is left till he has completed his course there?—I think it depends a good deal on the family means. A great many certainly do not make their choice of a profession till they have completed their University course.

1657. And is it not a fact that the greater number of such men are men who are not intended for the Church but for some other profession?—I think so.

Mr. *Stokes*.

1658. Has a graduate, when he has taken his degree, paid the whole cost of his education to the State in fees?—The majority do, excluding, of course, those who take scholarships I could not tell you exactly what the degree costs to the State. It is greater or less according to the number of scholarships or endowments which exist in a particular college.

1659. These scholarships and endowments are very often supplemented by Government grants?—Government has done so in many cases.

1660. You cannot tell us the average cost of a B.A to the State?—I think you would find it given in Mr. Lee-Warner's report.

1661. When the age limit was twenty-three, the conditions of the service were a good deal better than they are now;—for instance, exchange was not so low; there was no risk of having to serve under Natives of the country; and the service, in fact, was not so well known?—Those facts will, of course, have to be taken into consideration as affecting to some extent the class of men we should get. I do not suppose that the service is looked upon as quite so desirable now as what it was, according to what I have heard.

Sir *Charles Turner*.

1662. Has not the competition for employment in England intensified in a greater degree also?—Not among the more eminent men. I have known men who came out at that time regret that they did, because they have seen class-mates and friends rise to higher posts in England.

The *President*.

1663. Is there any other point on which you have anything to say?—No

WITNESS XXIII.—20th January 1887.

Examination of MAHOMED HUSEN HAKIM, Esq., Barrister-at-Law, Bombay.

Mr. *Stewart.*

Vol IV. Sec. II. Bombay.

M H. Hakim, Esq

1664. You are a Barrister-at-Law, a Justice of the Peace, Fellow of the University, and Member of the Municipal Corporation of Bombay?—Yes.

1665. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—No; general dissatisfaction is expressed in regard to it by all classes.

1666. On what grounds?—It offers no certain guarantee that only capable men will get in; and, secondly, it opens a door for jobbery and favouritism. Moreover, it is unjust to those who get in by competition.

1667. Is there any objection to the Statute itself?—No, under certain safeguards I would retain the Statute.

1668. Do you think the definition of Natives of India is sufficiently clear?—No. I would have it expressly state the races to which it shall apply—that is, Hindus, Parsis, and Mahomedans.

1669. Would you exclude Eurasians?—I have doubts as to whether Eurasians are Natives of India, because at present they enjoy privileges which are denied to us. For instance, they are allowed to join the Volunteer Force, and I do not see why they should be called Natives of India and enjoy such additional advantages at the same time.

1670. Could you not suggest some definition without actually specifying the races to which it would apply?—I would limit it to persons born in India belonging to the Hindu, Mahomedan, and Parsi classes

1671. Would you really exclude Eurasians and domiciled Europeans?—Certainly: Eurasians and domiciled Europeans are not Natives of India.

1672. Are you in favour of retaining the Statutory system in any form?—I would not insist on its being retained. It could be retained with certain safeguards—for instance, intellectual guarantees.

1673. Would you retain power to Government to reward proved merit and ability in the Uncovenanted Service?—Certainly.

Mr. *White.*

1674. Then you think it is a great privilege to be a Volunteer?—At any rate the concession of the right to Natives would allay much dissatisfaction. If it is not a privilege, I do not see why the Indian Government should object to Hindus, Mahomedans, and Parsis becoming Volunteers It would amount to a very great privilege in the end.

Mr. *Nulkar.*

1675. You mean it is a privilege so far that it expresses the confidence of Government in a particular class?—Yes, it is considered an honour.

The *President.*

1676. Might not that be a very good reason for extending the privilege to Natives without being a reason for excluding those who possess it already from the definition of Natives of India?—I do not say that. What I say is that at present Eurasians have advantages which are denied to Natives, and so have no right to be called Natives of India.

Mr. *Nulkar.*

1677. Under this definition all domiciled persons are considered to be Natives. Would you allow such a person, who, moreover, claimed the privilege of a foreigner in other respects, to be called a Native of India; that is, to call himself a foreigner in one breath and a Native of India in another?—Certainly not.

1678. It is well known that Mahomedans as a class are backward in the matter of education?—Very backward indeed.

1679. From what cause?—One is that next to the Mahrattas they are the last conquered race, and the effects of the conquest not having yet passed away from their minds, apathy and indolence have taken hold of them.

1680. What remedies would you have the Government apply in order to place them on a level with other classes?—I would suggest the distribution of scholarships and the establishment of recognised schools and colleges.

1681. Would you lower the standard of the service in order to admit them in greater numbers?—Certainly not.

Mr. *Ramaswami Mudaliyar.*

1682. Would Eurasians object to other Natives of India being enlisted as Volunteers?—I have never consulted them.

1683. Is it not the Government alone which has refused to give Natives this privilege?—Yes.

1684. And Eurasians have no other country but India?—That is so.

1685. And in all other respects they are the same as ourselves, except as regards that one privilege which is not their own act?—I admit that.

Mr. *Stewart.*

1686. Is any dissatisfaction expressed with the present mode of recruitment for the Covenanted Service by competition in England?—Certainly there is.

1687. What are the grounds?—The present age limit, the hardship of being compelled to undertake a long and expensive journey to a foreign country simply on the chance of success, and there may be religious objections also.

1688. Would you establish scholarships or allow passage-money in order to remove one of those objections in the case of men who desired to go and compete?—That would depend on the number of men you propose to send to England.

Mr. *Stewart*—continued

1689. How would you alter the age limit?—I would have it either twenty-one or twenty-two.

1690. Would you alter the subjects of examination or the marks allotted to any subject?—I think Oriental languages should have due weight given them. I would allot to Sanskrit and Arabic the same standard of marks as Greek has at present, and I should like to see Persian included among the subjects

1691. Would you hold simultaneous examinations in India and England?—I should like it; but at the same time I would compel successful candidates in India to undergo two or three years' probation in England, because I think that a knowledge of English life is essential for service in this country. I have been in England myself.

1692. Would you have the examinations identical in every respect?—Certainly.

1693. And would allow all classes to compete equally at both examinations?—Yes.

1694 And would you have one list on which candidates should be placed in the order of merit?—I would make no distinction whatever.

1695. Do you approve of a system of apportioning appointments to Natives and Europeans?—I should not object to it

1696. For what period would you have the training in England?—For at least two years.

1697. Should those two years be passed at a University?—I should prefer it.

1698. Were you at a University in England?—No.

1699. Would you recruit for the Uncovenanted Service from Natives of India as described in the Statute only, or from all natural-born subjects of Her Majesty?—From all natural-born subjects of Her Majesty.

Mr. *Stewart*—continued

1700. Would you admit Europeans whether domiciled or undomiciled?—Certainly.

1701. Would you recruit your Mamlatdars, Deputy Collectors, and Subordinate Judges by competition, nomination, or by both systems combined?—By competition amongst nominees

1702. Would you apply that system to all classes of officers?—Yes.

1703.—Would it be provincial?—Certainly.

Mr. *Ramaswami Mudaliyar.*

1704.—You would admit, you say, all natural-born subjects of Her Majesty, and you would amend the Statutory definition of Natives of India so as to exclude all but Mahomedans, Hindus, and Parsis, and I understood you to say that if a man is to be called a Native of India, it must be for all intents and purposes; but you do not object to a European, domiciled or not, or a Eurasian, being provided for in a post under Government?—It is a matter of expediency.

1705. Supposing Statute 33 Vic is retained would you object to Government providing for their admission into the Statutory Service?—No, I would not object.

Mr. *Stewart*

1706. Should any distinction be made in the pay of a Statutory Civilian and that of a competitive Civilian?—No.

1707. And would you have the same furlough rules for both?—Certainly.

The *President.*

1708. Is there anything else you have to say?—No.

WITNESS XXIV.—20th January 1887.

Examination of KAIKHOSHRU NAVROJI KABRAJI, Esq., Editor of the *Rast Goftar*, Bombay.

Vol IV Sec II Bombay

Kaikhoshru Navroji Kabraji, Esq

Mr. *Stewart.*

1709. You are the Editor of the *Rast Goftar* of Bombay, a Justice of the Peace, Fellow of the University, and Member of the Municipal Corporation?—I am.

The *President*

1710. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The existing system of appointing Natives as Statutory Civilians to some posts reserved for the Covenanted Civil Service is not generally approved of. The prevailing feeling is one of dissatisfaction; and among the classes most interested in the question, *i.e*, the educated classes, the feeling is one of actual and growing discontent.

1711 What are the grounds of disapprobation?—The feeling of dissatisfaction arises from numerous causes—

(1) Because the Statutory Civil Service does not satisfy the aspirations of the educated youth to share largely, actively, and prominently in the administration of their country. The number of appointments is too small, and the scope of selection too limited to gratify their ambition for positions of honour and emolument in the State.

(2) Because of the fundamental defect in the constitution of the Statutory Service, whereby the appointment of Native candidates is provided for in a manner quite at variance with and contrary to the spirit of the provisions under which all other Covenanted Civilians are appointed. The latter enter the service by hard and severe competitive tests, whilst the former enter merely by the aid of official patronage. The Covenanted Civilians get into the service through the force of sheer ability and merit, whilst the Statutory Civilian gets into it by influence and favour. The one enters invariably by a right, open, front door, the other enters generally by a back door

(3) Because, owing to this serious defect in its constitution, the men appointed to the Statutory Civil Service are generally much inferior to those in the Covenanted Service. Out of the seven Statutory Civilians now serving in the Bombay Presidency only two, both Parsis, completed their education in England; two are graduates, but without any special recommendations as to merit, and of the two Mahomedans appointed, one, I am informed, had to give up the service before finishing his probationary period, and in the case of the other it has been found advisable to dispense with the probationary examination

(4) Because the persons appointed to the Statutory Civil Service receive not only less pay, but are not admitted to membership in the regular body of an organised service The Statutory Service has such distinctive features from the Covenanted Civil Service that it has ceased to be looked upon, if ever it was, as a part and parcel of the latter. The former is now considered as distinctly separate and inferior to the latter service, and if it was the intention, in the first instance, to place both the services on a footing of equality, that intention has not been carried out

The *President*—continued.

(5) But the last and greatest objection to the Statutory Civil Service is that of principle Under the important Acts of Parliament and under the solemn promises graciously held out in the proclamations of the Queen-Empress, it is wrong, impolitic, and unjust to split the highest Covenanted State Service into two, to create a separate service for Her Majesty's Native subjects, and to offer them less position, emoluments, and honours than are enjoyed by the more favoured class of Her Majesty's British subjects. If the wise and benevolent policy which dictated these Parliamentary laws and Imperial commands is meant to be observed, a separate Native service is opposed to the entire sense and spirit of that policy, and to admit Natives to that separate service is to shut them out from the positions of responsibility and trust already opened to them in theory, and to deny to them their just birthright as already conceded to them.

1712. How would you amend the defects of the existing system?—The defects being inherent to the Statute itself and the objections being directed against its very principle, no amendments in the rules will, in my humble opinion, remedy or remove them. I therefore advocate the total repeal of the Statutory provisions, on the understanding that the open competition for the Covenanted Civil Service be freely and unreservedly offered to the Natives in India.

1713. If the provisions of the Statute 33 Vic., Cap 3, Section 6, are not repealed, nor substantially amended so as to take away the power conferred on the local administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder? And if the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—I am not for the retention of the Statutory provisions at all, and if simultaneous examinations for the Covenanted Civil Service are held in India and in England, there will be no need whatever for the Statutory provisions, except for the purpose of promoting deserving members of the Uncovenanted Service But if the provisions are not repealed, the rules should be amended in respect (1) of the persons they are made applicable to, (2) of their qualifications, (3) of the mode of their selection, and (4) of their status and position If the Statutory Service be retained, nothing short of an open competition, pure and simple, would commend itself to the people, or would meet the requirements of the service. The candidates should be of not less than twenty-one and not more than twenty-three years of age, and should either be graduates of an Indian University or, if not University men, should produce certificates of having spent at least two years on their education in England. They should also be made to produce satisfactory testi-

The *President*—continued

monials of (1) good behaviour, (2) established character, and (3) physical fitness from (1) their parents, or guardians in the absence of the parents, (2) from the Principal of the college in India or of the school in England at which they received their training, (3) from at least two respectable men knowing each candidate for a number of, say, five or seven years, and (4) from the head master or manager of the gymnasium or riding school at which they received a regular course of physical training. I would subject all such candidates to the test of an open competition at each of the three chief presidency towns in India, and would have them selected for service in their order of merit I would have one competition in all India, though, as suggested above, examinations might be held in the three chief presidency towns, but they should be held on the same day, in the same subjects, on the same standards, and with the same minimum and maximum of marks. After the nomination of the selected candidates, I should insist on a period of special training, say, for two years, to be passed compulsorily in England, except in the case of those who have been there before, and have not already produced certificates of their education in that country, Government paying up to a certain reasonable limit their actual costs of stay and education in England and of the journey there and back. I am also of opinion that Natives, who, though they may have failed to secure a place among the successful candidates, have shown merit in the English competition, ought to have a preferential claim to the Statutory appointments.

With all the checks, safeguards and precautions, to which I have briefly referred, I repeat that the Statutory Civil Service is not likely to attain to the dignity and importance, and hence will never acquire the status and usefulness, of the Covenanted Civil Service. Setting aside all considerations of policy and justice, a separate Statutory Civil Service will, for all practical purposes, ever remain an inferior or, at most, a subsidiary class of service to that of the Covenanted, which will continue to be considered as closed against the Natives The Statutory Civil Service, in spite of the Statute, is looked upon as practically distinct from the Covenanted, and any so-called improvements in the Statutory provisions not leading to the enjoyment of all the position, privileges and honours of the Covenanted Civil Service will be deemed as mere makeshifts. I therefore advocate the total abolition of the Statutory Civil Service for Natives in India.

1714. Assuming it to be advisable to appoint to the Statutory Service in India Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England and be subject to the same final examination?—Yes. Except that, having already been to England, they need not be sent back to that country.

1715. Should they, on appointment to the Statutory Service in India, be subject to the same incidents as apply to other persons appointed under the Statutory rules?—Yes.

1716. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Great dissatisfaction is felt with the existing system of recruitment for the Covenanted Civil Service. Although theoretically open to the people of India, it is practically closed against them, and all that enter are, as a rule,

The *President*—continued.

foreigners to the country in which they come to serve They are strangers to the people, ignorant of their ways and habits, unacquainted with their languages and modes of thought, and inexperienced in everything appertaining to the country. They come with a very superior education no doubt, and they also come with a willingness to serve, and perhaps with a quick and ready sympathy for the people. But they are raw youths, and in some cases their brain has been overtaxed and they sometimes succumb in afteryears to the severe mental strain of the fatigues and cares of heavy work in office. The present limit of age is not only unsuited to the Natives, but it is equally undesirable for the European candidates, owing to the tender age at which they are called upon to enter on the heavy responsibilities of official work in managing most important affairs of State. Besides the special disadvantages which this limit of age inflicts on the Natives of India, it has a tendency to encourage cramming in the European candidates, and prevents University men of high culture and attainments from competing for service in India—men whose presence in this country is most desirable.

1717 Should any, and if any, what, change be made in that system?—The most important change to be made in the present system for all candidates alike is to raise the limit of age from nineteen to twenty-one or twenty-two years, the latter being preferable, and increasing the probationary period from two to three years, to submit them to a more extended system of special training than what they now receive Another important change, which I would suggest, is that selected English candidates, who pass the Civil Service competition in England, should be made to undergo their probation of three years in India, just as candidates who will be selected in India, if the system of simultaneous examinations be adopted, should be sent to England for their probationary period. The object of probation is to subject the selected candidates to a special training suited to the special duties they have to perform under their covenants. In order to fit them for these duties it is as absolutely necessary that the probationary period of the selected candidates in England should be spent in India, as it would be necessary for the selected candidates in India, if any, to make them pass their probation in England. Thus after passing their examinations at a higher age, say twenty-two, and after a probationary period of three full years in India, the selected English candidates on entering upon their duties at the age of twenty-five would not only take up their appointments at a mature period of life and with a right judgment and sense of the sacred trust reposed in them, but would also, from their probation spent in India, take up active service with a practical knowledge and experience of the country and its people. At such an age, after such a probation, they would, on entering office, not be raw and inexperienced recruits fresh from a foreign land as they at present are at the commencement of their service. They would not then enter service as utter strangers to the country, and much reasonable ground of complaint would be avoided.

To this I wish to add that two objections might be raised against this plan, which I would meet by the following replies. It might be said that the special training which the selected candidates receive at present during their probation in England is training at a University, which they

The *President*—continued.

would miss by passing the probation in India. I reply that after raising the limit of age from nineteen to twenty-one or twenty-two years, the candidates for the open competition will generally come from the Universities, and they will not then need University training But, if necessary, they could join Indian colleges or Universities after coming to India. Whatever University training they might miss would be amply compensated for by the practical Indian experience which they would gain, and which would be the chief feature of their special training. Another objection against the probation of English selected candidates in India might be, that it would prevent the mutual association of the selected candidates in one place, which would promote good feeling among them and make them acquainted with each other I say to this that, according to my information, it is hardly correct to say that selected candidates in England have at present anything like association of thought and feeling. The Civil Service regulations themselves do not provide for the selected candidates coming together, but leave it open to them to reside at one of the numerous Universities and colleges named in the regulations, and the selected English candidates scatter themselves at present over various places. Rule 13 (4) of the regulation actually names nine institutions in which the selected candidates are free to distribute themselves

1718. Do Natives of India labour under any, and if any, what, disadvantages in competing for employment in this branch of the service?—The disadvantages which the Natives of India labour under in competing for employment in the Covenanted Civil Service are great and many. The essence of all open competition is that all who take part in it are equally treated, and it is also asserted that, in the Indian Civil Service competition, English candidates have no advantage over Indians I shall show, by figures taken from the reports of the Civil Service Commissioners for the years 1883-84-85, that such is not the case. In the present system such are the disadvantages of Native candidates that if one born and bred in this country can compete successfully in England, he must be at once acknowledged to be intellectually superior to his English fellow-competitors, because (1) he meets them in all subjects in the English language which is entirely foreign to him, and (2) he must have overcome no inconsiderable difficulties in leaving his family and native country and accustoming himself to life in a foreign land. The Indian candidate in having to pass his examination in English is compelled to acquire to perfection a foreign tongue in addition to his own vernacular, which occupied many years of his education previous to his taking up the English He has thus to submit to a double system of instruction, and has to learn English at a much later period than that of the English students to whom it is their mother-tongue The Indian has to go over to a foreign country at such a tender age that it is enough to keep back the best of them. The risks of sending youths to a distance of thousands of miles away from home and from parental care and control in a cold country entirely different from their own, and exposed to innumerable dangers and temptations, are immense, and having experienced in the case of my son, who was sent to England to compete for the Indian Civil Service, what a father has to feel under such circumstances, I can fully corroborate the natural fears and anxieties of Indian parents in

The *President*—continued.

undertaking such risks, and can understand their disinclination to send their sons so far away from them to compete and on the mere chance of passing one of the most difficult examinations in the world.

Add to this the expense of education and residence in England, which must be felt less by an English student, who resides there and has his parents on the spot, than by a Native of India. The cost would not be felt much if the candidate's success at the competition were a matter of any certainty For then the prize would be worth the expense and much more. But the Native candidate in competing for the Indian Civil Service in England has to fight a hard and costly battle for a mere chance, in which the probabilities are against him. However meritorious the Native candidate may be, the forces arrayed against him at the competition are an unknown quantity. In support of this statement I wish to add that, in 1884, when my son had the first chance and presented himself at the competition more with the view of testing his abilities and feeling his way than with the view to succeed on that occasion, the competition was between 185 candidates; and while my son obtained 1,086 marks, the last successful candidate scored a total of 1,425 marks. In 1885, when my son appeared for his second and last chance, the number of competitors suddenly rose from 185 in the previous year to 211, and my son failed to secure a place in the successful list, although he scored 1,451 marks—that is to say, he not only added 365 marks more in one year to his marks of the previous year, but he actually had 26 marks more than the last successful candidate of the previous year; and had it not been for the sudden influx of candidates and the consequent keen competition, the marks would have sufficed to pass my son, and in the previous year would have enabled him to secure a higher place than the last successful candidate. This makes it a question whether the heavy expense of money as well as energy is worth undertaking. It is particularly hard on a family possessing comparatively small means, and as it is the middle classes only that generally seek the benefits of higher education and position, this consideration of expense over an unknown result is quite prohibitive to their desire of seeing their sons in the Civil Service. To quote my own instance in point, I have lost, much to the disadvantage of my other children, almost all my hard-earned savings in the venture I hazarded; and although in the hope of bettering our position we cheerfully allowed ourselves to be made poor, we find ourselves at the end much poorer by the unfortunate result from no fault whatever of any of us concerned, but that of the present system of holding examinations in England.

The greatest disadvantage of all is the present limit of age The English candidate comes ready prepared from the public schools at the present limit of age. An Indian student, on the other hand, has generally at that age hardly mastered English itself, much less has had time to prepare himself in several extra branches of knowledge. With two or three extra years he might make up the deficiency, although the special disadvantages described above would continue against him For the same limit of age will have to be extended as it should be to the English candidates, in order to show that the Natives enter by no partiality or extra favour, and also to remedy the other defects of the present limit. The age is, besides, too low

The *President*—continued.

to enable an Indian boy, alone and unprotected, to undertake a long journey to Europe, and the absurdity of expecting Indian candidates to pass the Civil Service competition in London at this age is so apparent, that it cannot be wondered that the feeling among the people generally is, that this limit is simply fixed to deter Indians from competing for the Civil Service. In my son's case, he was deprived of another chance by being only one month too old on the day of the examination, and thus had he been a month younger he would have got a whole year of further preparation I wish to add that, ever since the open competition was established, only five Natives from the Bombay Presidency have been successful, of whom three are Parsis, one a Hindu, and one is a Mahomedan.

Such are the disadvantages which Native candidates labour under in the preliminary stages before appearing at the examination, and now I crave the indulgence of the Commission to detain them for a few minutes on the special disadvantages to Indian youths in the competition itself. I mean the result of the higher marks assigned to Greek and Latin

Before an Indian student has even commenced to learn English, the English student has commenced Latin, and by the time that the former has mastered the elements of English, the latter has learnt Latin as well as Greek, which both are of the greatest use to him in the competition, while the preparation in English of the Indian is of no use whatever towards his success, but only gives him the right, as it were, of competing Thus all those English students who have a tolerable knowledge of Latin and Greek must be considered to have an absolute advantage over Indians in that respect. Greek and Latin together carry 1,400 marks, whilst Sanskrit and Arabic have each 500 marks in the competition The former are almost always studied together, whilst Sanskrit and Arabic are never studied together in any Indian school and hardly at any Indian University Thus not a single Indian competitor has been able to take advantage of the 1,000 marks assigned to Sanskrit and Arabic together, one of these two at the most being taken up Now, generally, if a student scores 800 marks clear (that is to say, after deducting 100 marks for each under the regulations) in Latin and Greek together, and does not fare too badly in the other branches he may have taken up, his success is assured. And these 800 marks are easy to get; but on the contrary it is exceedingly difficult to get even 350 marks in Sanskrit or Arabic, which is only 50 less than the maximum obtainable. It would, then, be naturally suggested that an Indian candidate should take up mathematics, which carry 1,000 marks. But there is no open field for him free from rivals. And, again, it is much more difficult to get 600 marks in mathematics than the same number in Latin and Greek. As no deduction is made in mathematical marks, almost all the candidates take up that subject, and it is found that most of those who get good marks in Latin and Greek get a sufficient number of marks in mathematics as well. Thus, then, however highly cultured an Indian candidate may be, if he is not proficient in Latin or Greek, or both, his chances of success are minimised By far the largest proportion of Indian candidates have failed on this account, and those Indians who have passed without Latin or Greek have either shown extraordinary talent in a particular subject, or having been residents in England from their early childhood have enjoyed all the facilities of education in England. I have stated that at the Civil Service competition, it is much more difficult to get 600 marks in mathematics than the same number in Latin and Greek. I wish to explain that this difficulty arises, as I understand, from the standard in mathematics being much higher than that in Greek and Latin. For the former, a candidate is, I am told, required to be examined in the whole course of pure and mixed mathematics, but in the Greek and Latin papers there are chiefly passages for translation from and into English with a few general questions on antiquity, history, &c, which could be all prepared from one standard book of reference. I mean to say that for an English candidate who has generally devoted ten or more years to these subjects, the examination in Latin and Greek must be easy enough, and the higher marks assigned to these languages must give him a great advantage Indian candidates, no doubt, could attain a high degree of proficiency in Latin alone, if they took it up early enough or at an equally early age But they have to master the elements of the English language before they can take up Latin, and thus, under the present limit of age, they could hardly have four or five years to give to it, as in the Indian schools students commence a second language generally in the fourth standard.

The *President*—continued.

Vol IV. Sec II. Bombay

Kaikhoshru Navroji Kabraji, Esq

The following three statements will support what I have said above —

I To show that high marks are easy to get in Greek and Latin together (1,400), but not so in mathematics (1,000), though nearly as many candidates take up the latter subject as those that take up Greek and Latin, I have given the figures for 500 marks in each subject, which are equivalent to 700 marks for Greek and Latin, and, therefore, half of the maximum, while 500 marks are also half of the maximum in mathematics—

	1883	1884	1885.
Total number of candidates	150	185	211
Number scoring 500 or more in Greek and Latin together	49 Of whom 18 got 700 or more	69 Of whom 30 got 700 or more	76 Of whom 32 got 700 or more
Number scoring 500 or more in mathematics.	12 Of whom 8 got 600 or more.	13 Of whom 6 got 600 or more.	13 Of whom 9 got 600 or more

Even 400 marks in mathematics were obtained
by only 15 more candidates in 1883,
by only 10 more candidates in 1884,
by only 26 more candidates in 1885.

Thus the number of candidates who get *more than half* of the maximum marks in *Greek and Latin* is nearly double, sometimes even treble of the number of those who get only two-fifths of the maximum in mathematics.

II To show that candidates scoring 800 (1,000) marks or more in Greek and Latin together gene-

The *President*—continued

rally pass, unless they do too badly in other subjects, whatever these may be—

Year.	Selected Candidates	Total number scoring 800 or more in Greek and Latin	
		Passed.	Failed
1883	40	9	
1884	38	8	5
1885	42	11	2

In mathematics the same comparison cannot be made, as hardly 2 or 3 candidates have scored 800 marks in that subject in the above-mentioned years. It must also be noted that, in most cases of failure in spite of 800 marks in Greek and Latin, the candidates have done badly in their other subjects, getting zeros in many cases.

III. Finally, considering that no Indian can get 400 marks in Sanskrit or Arabic, since that would be the maximum 500 after deducting 100 marks, all those candidates who obtain 400 or more marks in Latin and Greek together or separately must be considered to have an absolute advantage in their favour over any Indian candidates. I leave out of consideration those candidates whose *total* marks fall below 500, as they are virtually out of the competition. The numbers, then, are as follows —

	1883	1884	1885
Number of candidates who scored 400 (600) or more marks in Greek and Latin together or separately	64	96	107

Thus an Indian candidate would have been on equal terms with only 69 candidates in 1883, with only 68 candidates in 1884, with only 78 candidates in 1885! while in all cases the majority of his fellow-competitors had a clear start of him.

1719. How would you remedy these disadvantages?—The only remedies to remove these disabilities, that suggest themselves from a consideration of the above, are—

1st By raising the limit of age from seventeen to nineteen years in the minimum and from nineteen to twenty-two years in the maximum.

2nd By holding simultaneous examinations in England and India open to all in both countries.

Here I wish to add a few words in explanation of one question which may arise against the suggestion. The *vivâ voce* examinations of candidates at the Civil Service competition are held in all subjects except English composition; and it may be urged that the difficulty of holding *vivâ voce* examinations would be fatal to the proposal of holding simultaneous examinations in India for the Civil Service, which would then have to be written examinations only, unless the examiners travelled all the way to India. I admit that *vivâ voce* examinations are very desirable if practicable, *i e*, if by some means the same examiners in each subject could manage to hold them. But I deny that they are indispensable. Each *vivâ voce* examination occupies, I am told, from ten to twenty minutes only, sometimes even less, and especially in mathematics and the sciences, they could be most easily dispensed with, for, in these subjects, easy

The *President*—continued.

questions are asked on the formulæ, book-work, &c, which might either be omitted or might be as well embodied in the papers or in an additional paper. As for languages, the *vivâ voce* examinations are conducted from books previously named by each candidate, and I would suggest that just as there is a general paper on English literature, as well as a special paper on English classics previously prescribed by the Civil Service Commissioners, similarly there should be a general paper as at present in each language and a special paper on books in each language previously notified. This will, besides, have the advantage of enabling the examiners to form a more accurate estimate of each candidate's attainments in a foreign language, because the number and kind of books presented by the candidates vary so much that the examiners must necessarily be considerably puzzled in many cases in making a correct estimate The only other difficulty is about testing the colloquial facility of a candidate in a modern language. But the Commissioners themselves leave the option to the candidates of declining the colloquial test; and I submit it may be done away with without any serious loss. I would add that it is the candidates who chiefly gain by the oral examination, inasmuch as they have thereby an opportunity of making up, if they can, any deficiency in their written answers. And I would go even further and say that, if it is considered necessary to retain the oral examinations in some of the subjects, the Indian candidates would be prepared to undergo the loss of a few marks in return for the diminution of their disadvantages, if the examination is simultaneously held in England and India.

3rd. By assigning 800 marks each to Sanskrit and Arabic.

No scholarships nor allowances of passage-money, &c, will be necessary to aid Native candidates to proceed to England to compete for the Civil Service.

1720 If an examination is held in India,—

(1) Should it be identical with that held in England?

(2) Should it be held at one or more centres in India?

(3) Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations?—If an examination is held in India—

(1) It should be identical with that held in England. It should take place on the same day in this country as in England,—the examination papers being sent carefully sealed to Government, to whose charge they should be entrusted, and who should be held responsible for the safe transmission of the questions to and answers back from India The examinations should be conducted under the direct supervision of Secretaries to Government or Directors of Public Instruction or other trustworthy and responsible State officers of high rank sworn to receive, pack up, and transmit each answer safely and secretly to the Civil Service Commissioners in England, whose examiners, appointed for the open competition in London, should open and examine the answers and award marks equally with the answers received from candidates in England.

(2) The simultaneous examinations in India might, to suit the convenience of candidates, be

The *President*—continued.

held in the three presidencies of Bombay, Calcutta, and Madras. The candidates in both countries should compete with one another forming a whole competition between all, and candidates should be selected in their order of merit only from the total results of all, in the same manner as the Indian candidates would have been selected if they had competed in England.

(3) I am opposed to any apportionment of appointments to the candidates at the respective examinations, or to any apportionment of appointments between residents of different territories, or between the members of different communities or sects. Let those be appointed who deserve most in the order of merit, whatever be the country or province they come from, and whatever be the nationality to which they belong. No distinctions as to race, religion, or residence should guide the appointments, except the distinction of personal fitness and individual merit as tested at the open competition. I desire to add that I do not here allude to certain of the highest appointments in the State, which are, on political grounds, reserved for Englishmen only. Promotion in the Covenanted Civil Service by right ceases after a certain limit is reached. The highest appointments of the State beyond that limit the State has reserved to itself the right of giving to those whom it considers the most deserving for various reasons. When I say, therefore, that I am opposed to any apportionment of appointments I mean that I am in favour of the above reservation by the State, and exclusively of that I do not consider any further apportiontment necessary or desirable.

1721. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—The successful candidates in the competition in India should be required, as an obligatory condition, to proceed to England for a probation of three years to complete their training, receiving from Government, with or without passage-money, the present allowance of £300, which is usually allowed to selected candidates in England during their probation. I am not particular as to any State aid to the successful candidates to enable them to proceed to England, for after their success at the competition all such candidates need not grudge the expense, which is now sure to repay them, of their further education and residence in England I should not mind, therefore, if the probation allowances were wholly or in part dispensed with in return for the establishing of simultaneous examinations in India, saving to the Indian candidates their expense in going to England to compete, in the first instance, with every probability of failure The successful candidates can well afford to pay for their own probation in England, and any financial saving in this direction would be welcome to the country. But this probation allowance to selected Indian candidates could only be dispensed with on the condition that it should also be abolished with respect to the probation of selected English candidates. I would create no distinctions between the English and Indian probationers, and although I strongly urge that the three-years' probation of selected English candidates should be passed in India, I see no reason why they should not pay for it if no allowance be given to selected Indian candidates for their probation in England.

I am of opinion that the probation of selected Indian candidates to be passed in England should include, besides the usual training, a course of regular and systematic physical education, and accurate knowledge and experience of the English people, their thoughts and habits, their manners and customs. I should like Indian probationers in England to be encouraged to reside with respectable English families there, and to study life as enjoyed in an English home, and thus learn to imitate the great virtues of the British race by actual and continued contact with the people of that country. The stay of the selected Indian candidate in England should be utilised to the utmost in their acquiring English habits of diligence, perseverance, application and devotion to work, of liberality of heart and breadth of view, and of freedom from prejudice and bias in all matters coming before them; and when they return, I should like to see them return as perfect gentlemen, accomplished and refined, with a sense of self-respect and genuine pride in their own position and character, also with settled convictions as to the purity of English homes, the happiness of English domestic life, and the superiority of English practical talent. For political reasons, I consider this to be a necessary part of the special training of selected Indian candidates during their probation in England, and, in order thus to enable them to return to India with broad sympathies for the British rule and race, the period of three years instead of two, which I would recommend, is certainly not too long

The *President*—continued.

Sir *Charles Turner*.

1722. Is it not the case that many Natives in India now learn English from childhood?—Not that I am aware of.

1723. Are there in Bombay any Native children of seven or eight or ten years of age who know English?—Not that I am aware of

1724. Can you say there are none in the city?—I am quite sure there are none.

1725. We were told yesterday that boys in this presidency begin learning English at a very early age?—That is not my experience. Even among Parsi families, who learn English sooner than others, I hardly know one instance in which English is taught from childhood.

1726. At what age generally does the Parsi boy begin to study English?—Not before ten.

1727. Does he know it pretty fluently by twelve?—I think not till he is sixteen.

1728 You say the successful Native candidate shows his intellectual superiority over the English candidate because he must have overcome serious difficulties in leaving his home and family, but does not that show courage and energy rather than intellect?—I should consider a man intellectually superior who could attain such success under such disadvantages.

1729. You say that the examination for the Indian Civil Service is one of the most difficult in the world. Do you know whether it is more or less difficult than the examinations for high honours at Oxford and Cambridge?—I do not say it is *the* most difficult, but I say it is *one* of the most difficult examinations; and considering the age at which it is passed it is so. The Civilians themselves take pride in it.

1730. What did it cost you to send your son to England for his examination?—He stayed there for two years and nine months, and it cost him more than ₹10,000, nearly ₹11,000, including his expenses in going and coming. To a man like

Kaikhoshru Navroji Kabraji, Esq

Sir *Charles Turner*—continued

myself, of slender means, it was a terrible expense The cost was about ₹3,000 per annum, exclusive of going and returning

1731. You say that if an Indian candidate should take up mathematics, which carry 1,000 marks, there is no open field for him Is the European candidate who takes up Latin and Greek free from rivals?—I mean free from rivals of other nationalities

1732 You treat Latin and Greek as if they were one subject?—I count them together because they are generally studied together.

1733 But are they not two separate languages requiring separate study?—Yes, but they are generally taken together.

The *President.*

1734. You propose that the English successful candidates should undergo a period of probation in India. 'In what respect would that probation differ from the two years' training they go through now?—The very fact of their presence in India, their being on the spot, mixing with the people and acquiring a knowledge of them and their language, though not, perhaps, with the special view of study, would give them a very great advantage At present, after the successful students have passed, they are understood, for the first two years of their residence in England, to be undergoing a special training for their future duties here. they are called Civilians under training, and account is taken of them in the calculation for recruitment

1735. Wherein would the training which you would give the successful candidates who enter the service without special study in England differ from the training now given to young Civilians when they first come out?—I understand that they take up their official duties at once when they come out, and that that is the special training you refer to—simply some official routine work. What I propose is that the selected candidates should come out here and pass their probation for some period before taking up their actual duties.

1736. You mean that instead of studying Indian law, history and languages at Oxford, they should come out and study them in India?—Yes.

1737 Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Section 6, or from all natural-born subjects of Her Majesty?—This service should be entirely recruited from Natives of India.

1738. Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—It should be by open competition only; carefully-devised tests should be framed to suit the different grades of the service and places. On condition that the Uncovenanted appointments be given by competition pure and simple, I would not object to Eurasians being included, if they are not already, in the term "Natives of India" as defined in section 6 of Statute 33 Vic., Cap. 3.

The *President*—continued.

1739. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The recruitment should be made by the several Administrations only from persons residing in their respective territories

1740 If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—Sections 3 and 4, of 24 & 25 Vic. of 1861, already provide for the promotion of highly deserving servants in the Uncovenanted branches to posts reserved for the Covenanted Service. There is no necessity, therefore, for retaining the Statutory Civil Service or the proportion of offices assigned to it for the special benefit of the Uncovenanted Service.

Mr. *Ryland.*

1741. You claim all the advantages and privileges of Englishmen for Natives. On what principle would you exclude Europeans from participating in offices under Government, in opposition to an Act of Parliament which admits all classes, castes and creeds of Her Majesty's subjects?—I understand the policy of the Government to be to reserve the Uncovenanted Service for Natives of India.

1742. Are there not Europeans in many places now doing good service in the Uncovenanted ranks?—There are.

The *President.*

1743. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—I do not consider it advisable that distinctions should be made in the salaries attached to posts in the Covenanted Civil Service or in the Uncovenanted branches between Native and European servants after applying to each the rules of open competition and the test of approved merit and ability.

1744. Is there any other point on which you wish to give evidence?—Yes, with regard to the competition in England. I have taken down a few statistics of Native candidates who have attended the competition since the reduction of the age limit. There was a deputation to Lord Kimberley in 1883. Up to that time twenty-eight Natives had appeared at the competitive examination. Since then seven more, making a total of thirty-five Native candidates, have appeared, of whom only four passed, and of these four one had been in England almost from infancy. He was a Native of Bengal and a Christian. Another, also a Bengali, had been in England for a number of years, which alone enabled him to pass. The third was a Mahomedan candidate. He had been in England for four years before he passed. He appeared at the examination twice, having failed on the first occasion. The remaining one was a Parsi who was a very exceptionally intellectual man.

WITNESS XXV.—20th January 1887.

Examination of the Hon'ble Sir CHARLES SARGENT, Knight, Barrister-at-law; Chief Justice, High Court, Bombay.

The President.

1745. I believe the special point on which you wish to give your views is the admission of Natives to the Judicial Service. Will you kindly state what you consider the proper policy to adopt?—As I understand the Government are anxious that Natives should have a larger share in the administration of the country, it appears to me, at any rate in this presidency, it can be best done by admitting them to a larger extent than they are admitted at present into the judicial branch. At present all the Subordinate Judgeships are held by Natives of the country, and I think that, not only without any prejudice to the administration of justice, but indeed with some benefit to it, the Subordinate Judges and other Natives who have had the requisite legal training might be appointed to the posts of Assistant and District Judges now held by Covenanted Civilians Of course they would have to be selected with care, but I think the body of Subordinate Judges, the Native advocates and High Court Pleaders would supply all you could want as regards both ability and integrity. When I say that it would probably be for the benefit of the administration of civil justice, it is to be remembered that under the system which prevails, I believe throughout India, the Civilian Judges perform almost exclusively appellate functions, and it is almost impossible to expect that men would perform appellate duties satisfactorily who have never done any Original work. I am aware that Assistant Judges can have, under the Act, Original work given them by the District Judge, but it is, I am informed, a very uncommon thing, so that you may practically say that Civilian Judges who are brought out here begin at once to perform appellate functions. The rule in this presidency is that after four years a Civilian must elect whether he will enter the Judicial or Revenue branch of the service. Supposing him to come out with some knowledge of law—it cannot be very much—and with some slight experience in the administration of justice in the English Courts, during the first four years of his service he does no judicial work whatever except as a Magistrate. When, after four years, he begins to take up judicial work which, as I said before, consists of appeals from the Subordinate Judges, you would scarcely suppose it likely that young Civilians would, under these circumstances, be better Judges than the Subordinate Judges, many of whom have been already for several years engaged in judicial work Every now and then, of course, there is a brilliant exception, but I must say that my experience is that on the whole, and particularly as regards the decision of questions of fact, the administration of justice suffers from the appeals lying to young Civilian Judges. And indeed, generally speaking, I should say that owing to the acquaintance of the Subordinate Judges with the ways, manners, and customs of the country being vastly superior to that of the Civilian Judges, the result is, that on questions of fact the findings in the Appellate Courts, where they differ from those of the Court below, are more generally wrong than right; and if that is so, of course the administration of justice suffers.

The President—continued.

But although this is true from a lawyer's point of view, I have every reason to think that the Civilian Judges who have been in the country for many years enjoy the entire confidence of the people, by reason of their being in no way biassed by the surroundings which are not unnaturally supposed to affect Native Judges, more or less living amongst the people and having relations among them, and in that way I say they have the confidence of the people, who, it is quite possible, would prefer that these appeals should still be heard by Civilian Judges. That, however, is quite another question and I am speaking strictly judicially, when I say that I do not think the administration of justice gains on the whole by the appeals being heard by Civilian Judges If you ask me as a Judge and nothing more to say whether I think the decisions in these Appellate Courts are as a rule more correct than those of the Original Courts subordinate to them, I should say that they are not. Therefore, I say, the administration of justice derives no benefit from the system except in the way I have mentioned, *viz*, that the Civilian Judges have, notwithstanding, the confidence of the country.

Vol IV Sec II. Bombay

The Hon'ble Sir *Charles Sargent.*

1746. Do you propose to separate entirely the Judicial from the Executive line?—I think it could be safely done as regards the administration of civil justice.

1747. And to give all the District Judgeships to Subordinate Judges?—I think the whole of the Civil Judicial administration, as distinguished from the Criminal Judicial administration of this country, might be provided for mainly from the Subordinate Judges By the Act of 1876 all Revenue questions are withdrawn from the jurisdiction of the Civil Courts, which have jurisdiction only where the claim is based on a *sanad* from the British Government, or the Bombay Government under the Summary Jurisdiction Act of 1863.

1748. Questions, for instance, involved in taking up land for railways and roads; do they go to the Civil Courts?—If you mean questions of compensation to be paid for land taken for public purposes, they do where the Collector cannot come to terms with the parties, but there is an appeal to the High Court.

1749. Questions of reserves for forests and the like?—They generally turn upon infringement of the Special Act and come before a Magistrate.

Sir Charles Turner.

1750 When you speak of the deficiencies you have noticed in the Appellate Courts, are you speaking of the service generally, or only with reference to some members of it?—I am speaking of the service generally. Of course, as I have said, there are brilliant exceptions.

1751. Is there any substantial number of exceptions?—I think not. On questions of fact, a European can hardly be expected to be as good a Judge as a Native in a large class of cases which come before the Courts.

Sir *Charles Turner*—continued.

1752. Take two men of equal ability, a Native and a European. After some years' experience, do you not find that they become equally good judges of fact?—This may be so with regard to some of the senior members of the service who have had large experience.

1753 Do you think that European Judges of the High Court, when they have acquired experience of the habits and customs of the people, are not as good judges of fact as Native Judges?—I doubt whether we are in certain cases. I should always attach great importance to the opinion of a Native colleague on those questions of fact upon which the modes of thought and habits of the people have an important bearing. He has a better acquaintance with the ideas and motives which influence his countrymen than we English Judges can have, though of course, after many years' residence in the country, we may be supposed to acquire some knowledge of the people.

1754 Can you tell me whether, when the judgments of the Subordinate Courts of Original Jurisdiction are reversed by the High Court, the grounds of reversal are more frequently questions of law or questions of fact?—I could not say.

1755. Can you tell me in how many cases the High Court reverses the judgments of the Subordinate Judges on questions of fact?—It is only possible in those cases in which a regular appeal lies to the High Court, in cases in which the subject-matter is above ₹5,000 in value. But, of course, the great bulk of the appellate work of the High Court consists of special appeals on mere questions of law.

1756. Even in second appeals, you occasionally have to form an opinion whether the question of fact has been rightly decided?—It is principally by reading the judgments of both the Courts that I have formed my impression that the Subordinate Judges are more frequently right on questions of fact.

1757. Is the Subordinate Judge an Appellate Judge?—He is sometimes A First Class Subordinate Judge has appellate powers sometimes given him.

1758. Have you never, in hearing second appeals, seen reason to doubt whether the Subordinate Judge's decision in appeal was right?—I think they are generally right. On the other hand, such appeals are not common. Subordinate Judges with appellate powers are rare.

1759 Is there any supervision exercised by the District Judges over the Civil Courts in this presidency?—Certainly, a District Judge can suspend a Subordinate Judge.

1760 Would you propose to confer that power on a Native District Judge?—I do not see why he should not exercise the power. It is all done under the supervision of the High Court.

1761. Have you ever heard that the presence of an English Judge in a district is desirable in that it encourages the Subordinate Native judiciary to independence?—I can well imagine it. I have no doubt that the presence of European Judges has a very beneficial moral effect.

1762. Have you not as a Judge of the High Court experienced very great advantage from the association with you as colleagues of gentlemen who have been familiar with the administration of the country?—Of course, when you have to deal with special tenures and questions of that kind, there is no doubt that the Civilian Judges are of great service to the Barrister Judges.

Sir *Charles Turner*—continued.

1763 And also when questions arise as to the policy of the Government in making administrative orders? For instance, has it not been your experience that your Civilian colleague was able to tell you that such an order was passed so many years ago and for what reasons?—Certainly. Personally, I should say I have derived the greatest assistance from Civilian Judges in all matters of that nature.

1764. May I ask whether the prizes for the Judicial Branch of the Civil Service are as great as the prizes for the Executive Branch?—Up to quite lately promotion was very slow on the Revenue side, and there was a tendency to come over to the Judicial side. That has been done quite lately by two or three Civilians.

1765. But before that I have been given to understand the most promising men went to the Revenue side?—I have been told so, though nothing I have observed myself would lead me to that conclusion. Since I have been in India, I have known some very able Civilians amongst the Judges.

1766. You told us that on questions of fact you considered Natives the better judges. On questions of law which do you find the better judges?—Well, I think there is very little difference between them. It is on questions of fact that the Subordinate Judge has the advantage. I do not think that in matters of law he is any better.

1767. Have you found, speaking generally, that an officer who has gained a reputation as an Executive officer will, if he elects the Judicial service, also distinguish himself above his fellows as a Judge?—That case can scarcely present itself in this presidency. A man would not be allowed, I presume, to enter the Judicial department here after a certain time. Nearly all enter the Judicial service as young men.

1768 How long has this separation of the services obtained in this presidency?—A long time, I believe. Certainly, as long as I have been in India.

1769. With regard to the administration of Criminal justice, will you tell us whether you have any reason to think that Native Judges would administer Criminal justice equally as well as they do Civil justice, supposing them to have the necessary experience?—My principal objection to their appointment would be the political aspect of the question. I doubt their having the same moral courage in the discharge of their duties under such trying circumstances as might possibly arise from time to time. Moreover, it is in the exercise of the Criminal administration of justice that the power of the British Ráj is especially brought home to the general mass of the population.

1770. Do you see a good deal of the work of the Native Magistracy?—Yes.

1771. Is it fairly good?—Yes. But I must tell you that I have not much experience of Criminal work, and I should not like to speak with much certainty about the comparative work of European and Native Magistrates. Naturally, I should suppose the European to be the better Criminal Judge, at least from a European point of view I have never myself thought it possible, at any rate at present, that Natives could be introduced to a greater extent into the Criminal administration of the country, because I consider it absolutely

Sir *Charles Turner*—continued.

necessary for the maintenance of the proper supremacy of the British Government in the country that the Criminal administration should remain substantially in our own hands I did not intend my previous remarks to apply in any way to the Criminal administration.

1772. Do you think you could possibly effect such a separation of the Civil and Criminal functions of the District Judge as you desire to see effected with due regard to administrative convenience? Have you at the present moment any Judges who go on circuit?—None. But I think under a new system there might be some five or six Sessions Judges, Europeans, who would go on circuit.

1773. Do you know whether, in any parts of India where Judges are required to hold Sessions at a distance from their headquarters, any difficulty has been found in getting them to do so in the hot weather?—I should think that at the present day there would practically be no great difficulty.

The *President.*

1774. I suppose there is easy communication from the headquarters of one district to another?—Oh, yes.

1775. And these five Sessions Judges might be selected from the best European Magistrates?—Yes.

Sir *Charles Turner.*

1776. And what promotion would you provide for the Sessions Judges afterwards?—We might have one in the High Court.

1777. Would it not be inconvenient to have in the High Court a Judge who had had no experience of Civil Judicial work?—He would take part in all the Criminal business and might hold the Sessions. But I must admit that his not having had experience in the administration of Civil justice would diminish his usefulness in the Court

1778. Should you not also have a Judge in the High Court acquainted with executive administration?—He is not required under the present system.

The *President.*

1779. Have Commissioners as Revenue officers to deal with cases of a Civil nature,—rent suits, for instance,—or do these cases go to the Civil Courts? In the Punjab our Revenue Courts decide questions between landlord and tenant—No; they do not do that here.

Sir *Charles Turner.*

1780. Do the Civil Courts in this presidency decide rent questions?—Yes.

1781. And the Revenue authorities decide Revenue cases?—All claims by Government You will find, however, some exceptions, if you look at Act X of 1876, where the Civil Court has jurisdiction still. The intention originally was to take away the jurisdiction entirely, but I believe the High Court protested very much against it, and they left us some jurisdiction confined to questions where there is a *sanad* from the British Government or the order has been made under the Summary Act.

1782. There are cases in which the rights of the Crown are concerned to a very considerable extent

Sir *Charles Turner*—continued

which come before the Civil Courts of this country; for instance, the Government may sue to recover possession of land?—Such cases are sure to come up to the High Court on appeal.

1783. The Kánara cases were tried by the High Court, were they not?—Oh, yes. I cannot see how any very important question could ever arise in which the Government was interested which would not find its way to the High Court.

1784. Such cases, I presume, you might remove to the High Court by transfer, if necessary?—Under proper circumstances.

1785. Do you think a Native Subordinate Judge might be appointed as a Court of first instance in the presidency town to take some of the business which now comes before the High Court?—No doubt he might be

1786. Do you see any objection to it: or if the number of Judges in the Small Cause Court was increased and that Court had Ordinary Original Jurisdiction given it?—Of course you might do it, but where would be the advantage?

1787. Would you not increase the number of appointments for Natives and provide a less costly *forum* for suitors? Is not a great deal of the litigation in the High Court exactly of the same character as a Subordinate Judge would try beyond the boundaries of the Court's jurisdiction?—No doubt it is

1788. Are not, in fact, a considerable number of the cases which come before the High Court ordinarily cases of simple contract or cases relating to the possession of a small house or piece of land, or for the partition of a small estate?—Some of them are.

1789. Has not the heavy expense entailed on suitors who have recourse to it been a subject of objection to the retention of jurisdiction by the High Court in cases of small value?—I quite admit that. The transfer of jurisdiction has hitherto been proposed to us as a source of profit to Government by the Court-fees which would be introduced according to the system prevailing in the múfasal

1790. Looking at it from the point of view of a suitor, have not cases occurred in your experience where the value of the whole property in litigation in a partition suit has been less than the Court-fees payable in the suit?—There is no doubt about it. In administration suits whole estates are swallowed up in costs.

1791. Are partition cases very frequent among Hindus?—I should say they are not very frequent in Bombay. There are a good many administration suits, and that unfortunate rule which enables the parties to get all their costs out of the estate has had most calamitous results The Courts are beginning, I hope, to see that that rule operates most injuriously.

Mr. *Stokes.*

1792. You judge of the ability of Civilian Judges to decide questions of fact from the appeals which come before the High Court. These appeals are generally second appeals, I think?—Generally.

1793. And turn nearly altogether on questions of law?—Yes.

1794. So that the question of fact really is secondary?—Of course, you know that questions of law are so mixed up with questions of fact that it

Mr. *Stokes*—continued

The Hon'ble Sir *Charles Sargent.*

becomes necessary to look at the evidence and see how the Judge below has made use of it in applying his law.

1795. You form a judgment on your own observation of cases?—Of course but I may say that I am expressing an opinion which I have frequently heard expressed by other members of the High Court.

1796. Still your opportunity of acquiring ability in the ascertainment of fact is in no respect superior to that of men who have passed their lives in the múfasal?—That is true; but I form my opinion by reading the judgments of the Subordinate and Appellate Courts, and their mode of dealing with the evidence in the case enables me to form an opinion as to the relative value of their findings.

1797. I think you have spent most of your time in India in Bombay?—Yes, and the greater part of it on the Original side of the Court. But I have been hearing appeals from the múfasal for the last six years.

1798. Is the Criminal work satisfactorily done by the Sessions Judges?—I think so.

1799 But surely in these cases the main point is generally the decision of questions of fact?—Where there is not a jury, that is so, of course.

1800. In Criminal cases, do the Sessions Judges fail in their appreciation of questions of fact?—As a rule, I should say, certainly not. But other Judges of the Court could give you a better opinion, as I have not done much Criminal work on the Appellate Side.

1801. Have they ever sent up cases to you in which, having differed from the jury, they asked the High Court to interfere?—Yes.

1802 And has the High Court ever agreed with the Sessions Judge as against the jury?—It has done so; but it is not the practice of the Court to interfere with the verdict of the jury, unless it is very clearly against the evidence.

1803. I believe the moral effect of the European Judge sitting in appeal is considerable?—In that sense, no doubt, it is highly satisfactory; but if I were asked whether the decisions of the first Appellate Courts are better than those of the Subordinate Judges, I should say I entertain very considerable doubt. Of course the very intention of an Appellate Court is that it should be.

1804. Do you not think that in times of trouble and disturbance it would weaken the hands of Government very much if the whole Civil Judicial agency was in the hands of a class of people on whom they could not count for sympathy?—As far as the administration of civil justice in this presidency is concerned, I do not think there is danger or risk of any sort or kind.

1805. Have there not been times in the history of India when the Administration and the High Court in Calcutta were by no means on terms of sympathy?—Those were in days gone by

1806. Cannot they occur again?—I should think not

1807. As regards circuits, how many districts are there in which it would be necessary to hold Sessions Courts?—I have been told by Mr. Melvill that he thought five or six Judges would be sufficient for going on circuit.

1808. How many Sessions Courts are there?—I cannot at this moment say. These Sessions Judges would devote themselves entirely to Crimi-

Mr. *Nulkar.*

1809 I suppose the parties would know the facts better than the Judges, and if they saw that the Subordinate Judge had discerned them better than the Appellate Judge, how then would the public have that confidence in the latter which you speak of?—Of course the great mass of the people are not involved in litigation.

1810 You have in Bombay several Native gentlemen in the Government service?—Yes.

1811. Do you not think they would be well fitted to take charge of District Judgeships?—Without knowing to whom you particularly refer I cannot answer your question.

1812 Have you formed any opinion as to whether it is desirable that Natives should be put in executive charge of districts?—No: I am not conversant with the subject.

Mr. *Crosthwaite.*

1813. When the Revenue Act was passed, was there not a great deal of agitation against the exclusion of certain suits from the cognisance of the High Court?—Yes, and I believe provisoes were put into the Act in consequence.

1814. And at any time pressure might be brought upon Government to remove the existing restrictions on the Civil Court's jurisdiction?—It might so happen, of course.

Sir *Charles Turner.*

1815. The High Court has at present power to call up any case for trial for cause shown?—Yes.

1816. Do you consider it desirable to appoint to Subordinate Judgeships Pleaders of some experience?—It would be desirable, but the difficulty is to get them to accept these appointments, because the position of a Pleader of standing is much more profitable.

1817. If you could get Pleaders of some experience to take them, you would prefer to appoint them?—I cannot say that. The actual administration of justice in which Subordinate Judges have been engaged is of great importance in forming an efficient Judge.

1818. Do you consider the system of nomination is the best you could get for appointing to judicial offices?—I have no doubt it is the best for the higher appointments.

1819. And a person who has undergone the prescribed tests for a Pleadership, and has practised, would be a better man to appoint than a person who has passed these tests and has had no practical experience?—*Cæteris paribus*, this would be so.

1820. Do you consider that the Government or the High Court should have the power of nominating one outside the service to judicial appointments even up to the grade of District Judge?—Certainly.

1821. You think it desirable that Government should retain the power of appointing a man at once a Subordinate Judge of the first grade or even District Judge?—Yes; I think the Government should have the power, but should only exercise it in exceptional cases, and after due regard to the claims of Subordinate Judges of proved ability and integrity so as to give the

greatest possible encouragement to that important body of officers in the faithful discharge of their duties.

1822. And that these appointments should be made from the Bar?—Yes, occasionally, as I have stated.

1823. Do you not think you could find men at the Bombay Bar who would be quite worthy of a seat on the High Court Bench?—No doubt. Of course Native members of the High Court under this new system would be chosen from the District Judges and the local Bar, including Advocates and Pleaders.

1824. Might not even Barrister Judges be appointed from the local Bar?—They are now.

1825. When you were comparing the relative efficiency of the Covenanted Civilian Judge and the Subordinate Judge, did you refer to all grades of the Subordinate judiciary, or only the first and less experienced grade?—You may compare young Assistant Judges with the Subordinate Judges of the lowest grade and District Judges who have been many years in the country with Subordinate Judges of the highest grade.

1826. And the opinion you expressed was the result of such a comparison?—Yes, but of course always subject to exceptions.

1827. Is there anything further which you would wish to say?—I wish to add that I think a salary of ₹1,200 per mensem would be quite sufficient for a Native District Judge His highest pay as a Subordinate Judge is ₹800.

WITNESS XXVI.—21st January 1887.

Examination of the Hon'ble DÁDHABHÁI NAVROJI, Member of the Legislative Council, Bombay; Fellow of the Bombay University.

Vol IV Sec II Bombay.

The Hon'ble *Dádhabhái Navroji.*

Mr. *Stewart.*

1828. I believe you are a Member of the Legislative Council of Bombay and a Member of the Municipal Corporation? and also a Justice of the Peace, a Fellow of the University, one of the founders of the East India Association, and Vice-President of the Bombay Presidency Association?—Yes.

The *President.*

1829. You have been repeatedly to England?—Yes, I have been there altogether for more than twenty years.

1830. Would you kindly tell us if the system of appointing Native Statutory Civilians is approved of, and if not, on what grounds, and by what classes?—May I ask if these two papers of mine will be recorded as evidence?

1831. It will be more convenient, perhaps, for the purposes of our enquiry if we have your opinion in answer to our questions. I will afterwards read through the papers and mark off what portions I think are necessary. We prefer to take your answers to specific questions. Will you kindly state if the Statutory Civil Service is approved of, and if not, by what classes?—Following the lines of one of the papers submitted by me to the Commission, it is evident that the Statutory Service should cease if simultaneous examinations are held in England and India, otherwise it would be an undue favour to the Natives.

1832. Your objection then is in regard to the rules and not the Statute?—I have an objection to both.

1833. What are your objections?—The Statute should be altered and a free and open competition should be established for all, and there should be a test for moral fitness besides—something similar to the methods adopted in England

1834. Would you have the subjects of Native States admitted to the competition?—The Native States are at present freely employing British subjects in their service, and it may naturally be expected that the British should not grudge them appointments, but there is a further view, and that is a political one, as to how far the Natives of the Feudatory States can be considered natural-born British subjects; how they can be so considered in a judicial and political point of view so as to make it consistent with the Act.

1835. Do you think that the present members of the Statutory Service are not qualified for the posts to which they have been appointed?—I admit the whole thing to be a failure, but I would not undertake to speak of individuals.

Mr. *White.*

1836. Have you no consideration for approved merit in the Uncovenanted Service?—I should very much like to see some opening left for meritorious Uncovenanted servants.

Mr. *White*—continued.

1837. Do you know any direct door through which men might pass to promotion from the Uncovenanted to the Covenanted Service?—Yes, efforts were on former occasions made in this direction.

1838. You say that you would fill the Statutory Service by competition?—Yes.

1839. By that competition you would necessarily get young men untrained in the public service, and you know that under the present competitive system young untrained men do so enter. Under your scheme the men who pass the competitive Statutory Service in India would be untrained, so do you not think it would be wiser and a more economical arrangement to combine that competition with the system of nomination from the Uncovenanted Service? For instance, nominating a man of ten years' standing, so that Government would not be put to any expense in training him?—The principal object of the Statutory Service was to give an opening to the educated men in India, without their being compelled to go to England. This question was discussed at the India Office, and it was pointed out that the admission of educated Natives to official life was an important part of it. It was also contemplated that men from the Uncovenanted ranks should be selected You require a sufficient amount of high culture, of proficiency, in the young men appointed to the Statutory Service. It will be for Government to satisfy itself that an Uncovenanted servant is also a fit person to enter the higher service, and that he is possessed of all the necessary qualifications. The Statutory Service was not intended merely for men of the Uncovenanted Service, but to introduce educated Natives into the higher posts of the public service.

1840. Do you think those intentions have been fulfilled?—I do not think so.

1841. Do you not think the necessary qualifications have been possessed by the flower of the Uncovenanted Service?—I think they have been. I say when you make appointments to the Covenanted Service as a sort of encouragement, they ought to be made with very great care.

1842. Do you not think Government should exercise the power they possess when they see a man unfit for a particular position to remove him from the service?—I thought Government had the power to remove anybody who was unfit.

1843 Is it not a considerably less expense to employ tried men?—If the whole of Macaulay's speech was read, it would show that under any system without competition there would be a door open for favouritism. The object of the Statutory Service was to bring educated men into the service. You must adopt the best plan possible, and that can only be open competition. You must have men intellectually, physically, and morally fit The experience of all regarding the competitive examinations introduced in England and the

Mr. *White*—continued.

United States is that those who pass high in the examinations generally prove the best men who were obtainable.

Mr. *Ryland*.

1844. Do you hold that, without the highest educational test, it is not possible to obtain the best men for the administration of this country?—If the physical, moral, and intellectual tests can be combined by some system, then you will get the best men you can expect. You may get competent men, but you can't get the best except by a competition open to the whole people of the country.

1845. Does not the Uncovenanted like the Covenanted Service afford a fair field of selection?—A good field, but it does not give you the best men you can get. In the United States it was thought that competition was not quite successful, and accordingly a system was introduced by which they nominated certain young men for every vacancy that occurred and a competition was held between them. This system, however, did not turn out well, and then it was arranged that for every department there should be a separate examination, and that when vacancies occurred, the Civil Service Commissioners should hold an open competition and select the best men. By this means you get the man who has received the best education for each department; and if a similar method were adopted here, it would improve the service vastly. You will then perhaps be able to say whether the Uncovenanted Civilians are the best men for the posts you want to fill, but otherwise not.

1846. By an examination so conducted, would you get the men who had had the best special training?—It would be much better to have men with special training, but then the Government would have to ascertain that they had sufficiently high culture to be introduced into the higher service.

Sir *Charles Turner*.

1847. Do you know whether the system of competition for the recruitment of public offices has as yet been exclusively adopted in the United States?—Yes, it has been.

1848. How far have the recommendations of the Commissioners been carried out?—I say that Civil Service Commissioners are appointed there for making appointments.

1849. For what offices?—For all public offices. The Civil Service Commission of the United States say in their third report of 1885-86 as follows: "It could be shown statistically that those who pass highest in the examinations are likely to make the most useful public servants." "A man taken from the head of a register is far more likely to be a valuable public servant than one taken from the foot, and therefore the examinations do test superior capacity for the public service."

1850. Do you know to what extent that system is allowed to obtain; that is to say, to what position a man selected by competition can rise?—I think it is the Subordinate Service.

1851. You have for several years been engaged largely in mercantile pursuits?—Yes.

1852. Do you know any merchant who selects his clerks and agents by competition?—Individual merchants can hardly do so. When I wanted anybody, I advertised and engaged the man I thought best.

Sir *Charles Turner*—continued.

1853. Did you select your clerks by competition?—I could not hold a competition amongst quite a number of applicants; the thing would be impossible.

1854. I don't see that it is impossible.—I examined them for a while to see whether they were fit for my business and understood it.

1855. You might have submitted them to a certain examination, but not to such a competitive examination as you advocate?—Yes, in a way.

1856. Do you not see the examination you adopted as a merchant was not of the same nature as that which you would have Government adopt?—Decidedly.

1857. Are there no fundamental differences between the two? In one case you ask Government to select candidates by a general literary test ascertained by a competitive examination?—Yes.

1858. The plan you adopted was to select the man who by the questions you addressed to him you ascertained to have good business aptitude?—Yes; in reality there is not much fundamental difference between the two.

1859. Have you always found the men who were most fit for clerical labour also the best fit for administrative work?—I am only speaking generally. When you have employed a person for a particular clerical duty, and given him no opportunity for executive work, then you have no opportunity of judging of him.

1860. Have you found that some men show special qualifications for clerical work, and little capacity for executive work, and *vice versâ*?—The diversity of human intellect accounts for that. The competition I propose with the University test enables a person to undertake any department.

1861. Have you not found that some of the most eminently successful men, for instance, amongst merchants, have had very little intellectual training?—Yes, there are exceptions. Success or failure does not depend upon intellectual attainments, if the ability of merchants is to be measured by success in their business.

1862. I do not suggest that it is so universally. All I ask is this. whether it does not happen that a man whose success has been of an extraordinary degree has not sometimes had but little literary education? Success as a merchant, for instance, depends on the ability to forecast events in the market?—I think such a man would be a highly intellectual man.

1863. The man I suggest is one who may have great intellectual capacity, but without education of a literary character, and therefore a man who, in any literary competition, would probably not be successful. Admitting, as I do, that intellectual culture is a very high qualification for office, is it not the right conclusion that, while the possession of intellectual power, ascertained by the result of a literary competition, suggests the probability that the men who succeed at the examination possess qualities conducive to success in life, there are some qualifications which are also essential to success in practical life, of which the possession cannot be certainly ascertained by competition?—Those who have stood the test of a University are likely to succeed in life better than others.

Sir *Charles Turner*—continued.

1864. In offering places in the public service to competition, can you ensure that the most intellectual persons in the country will come forward and compete; that you will attract to the public service the most able men in the country?—Yes.

1865-6 Can you give an instance of any other country where employment in the public service is confined to men who are selected by competition in their youth?—I don't know of any other instance.

1867. You say the best method of selecting men for the public service is by competition. Is that principle altogther consistent with the retention of the Covenanted Service as a close service?—If the Covenanted Service is to be retained, then I say so-and-so is the best method of recruiting it.

1868. You do not advocate a close service universally?—I am not prepared to answer that. That is a point which requires a separate discussion altogether.

1869. Do you consider that the conditions of India are such as to require extra precautions to prevent favouritism and patronage?—Yes, just so; and to have a fair competition between Natives and Europeans.

1870 Is it not the practice of the Government of India, in promoting Covenanted Civilians to certain offices, to pass over some men and to select others?—Yes

1871 It appears, then, that all men obtained by competition are not of equal fitness for all appointments?—It is quite possible, or there may be favouritism.

1872. You consider there would be considerable room for the exercise of favouritism or patronage; but do you not also consider it is essential to the efficiency of the public service that there should be a power of selection secured to the Government to fill the more important posts?—After you select the best men, promotion cannot rest on competition. It becomes necessary that Government should select the best men from the experience they have had of them When the first material is well selected, the rest can be very well left to Government. After the competition has been held, Government must have the power of superseding some men or promoting them by seniority.

1873 Your scheme, then, of open competition applies only to first appointments, and has this defect, that it leaves room for patronage in promotion You insist upon moral qualifications as being indispensable for the public service?—Yes.

1874. How would you test moral qualifications?—The same way as in England. Before the candidates offer themselves, they have to provide credentials for their character and intellectual success at college.

1875 You have resided for some years in England. What is the general opinion as to the merits of English Judges?—Of course English Judges are held in the highest estimation.

1876. Do you know any other country where Judges are held in higher estimation?—No.

1877. Are you aware that none of the English Judges are appointed by competition?—Yes, but they are selected from their experience at the Bar.

1878. If you had power to select men for the public service, I suppose you would resent the accusation that your choice has been actuated by favouritism?—Yes.

Sir *Charles Turner*—continued.

1879. Don't you think that, speaking generally, men charged with the responsibility to select officers for the public service are as little guided by favouritism as you would be?—Generally speaking, Government can hardly know what the merits of a particular man may be.

1880. Is it not to be presumed that a person on whom responsibility lies will act with due regard to the efficiency of the public service?—That may be assumed. I assume that those who are charged with that responsibility will do the best they can; but I also assume that there are circumstances that might influence them not to discharge that responsibility as they should.

1881. While it may be desirable to recruit the subordinate grades of the service by such a system of competition as you propose, does it not suggest itself to you that for the higher appointments the merits of the candidates, who would certainly be less numerous, are usually pretty generally known? In that case, would you leave to Government the power of choice?—That free selection exists at present. There must be some reasons for making a choice. I have no objection at all to pick out a few of the highest posts which might be given by Government to persons in the service or outside it.

1882. Should employment in the public service in India be thrown open to all?—Yes, thrown open to all.

1883. Would you include Europeans born in England and who come out here to obtain employment, and allow them to compete?—Yes, because Natives are allowed to go to England and compete there.

1884. Do you consider that in those districts where men are ruled rather by force of character than by intellectual capacity, we should recruit by competition, limited to the province, or open to all India?—I should have it open to all India; but Subordinate Judges, I think, should be confined to their own provinces. It is necessary that they should be confined to their own provinces.

1885. Why?—Because they require to have an intimate knowledge of the country.

1886 Supposing a Bengali went to the Punjab and settled there for two or three years, employing himself in mercantile or clerical duties, which did not bring him into contact with the people of the country, would you admit him to examination for a Tahsildarship or for a post in which a knowledge of the frontier tribes was essential?—Yes, if you impose a certain length of residence as a necessary condition. I only want some test which can be applied.

1887. Do you consider that a certain period of residence would be a sufficient qualification?—Yes.

1888 But from the case I have suggested, it appears that mere residence would not be sufficient?—(Not answered.)

The *President*

1889 Will you state what dissatisfaction, if any, is expressed regarding the recruitment of the Covenanted Civil Service?—We must have a simultaneous examination in India. We necessarily don't get the best of the qualified Natives, because all cannot go to England owing to their want of means, or unwillingness to undergo the risk. With a competition here, you would secure the best qualified persons. There is a great objection to compelling boys to go to England. For this very reason I changed my whole career in life, as I was desirous of going

The *President*—continued.

to England to take charge of young boys and enable them to compete there. They have to leave their parents' home with an unformed character, and are exposed to all the temptations of England. They ought not to be handicapped in this way; and the best means of doing away with it would be by having a simultaneous examination.

1890 Would you make the examination identical?—Yes.

1891. Would you in any way alter the subjects of examination?—I am quite willing to leave that matter to the fairness of the Commissioners, though Sanskrit and Arabic should be placed on the same footing as Latin and Greek.

1892. Would you alter the limit of age?—Yes, I think the maximum should be twenty-three

1893. Would you have the examination in India at one centre only?—Yes, that would be more practical and convenient

1894 Would you put any limit on the number of Englishmen or Natives admitted to the service?—I would have no limit

1895 You would accept the results?—As far as my own opinion is concerned, I would not put any limit to the selection. A certain portion of Englishmen ought to form a portion of the service. I am willing that some provision may be made, that one-half or one-quarter must be English.

1896. Do you think that a simultaneous examination in India and England would result in a very large preponderance of Natives over Europeans?—For a long time that cannot be the case.

1897 If such were to be the case, would you view that with any apprehension?—Not, if the highest appointments were left entirely in the hands of Government.

1898. Do you think if such a result came about, the efficiency of the administration would not suffer?—Yes.

1899. Do you think the public would have the same confidence in the administration?—There is no fear about that

1900 Do you think the people in England and the Foreign Powers would have the same confidence in the administration?—That is a matter for experience.

1901. Supposing such confidence was not felt, might that not depreciate the public credit? Supposing it were to happen that the confidence of the people in England was shaken, would that not entail on India great pecuniary loss?—I think no

1902. Supposing the Statutory system was abolished, would you assign to the Uncovenanted Service the posts in the Covenanted Service assigned to the Statutory?—Some appointments must be given to the Uncovenanted Service, but I would abolish the Statutory system altogether.

Mr. *Nulkar.*

1903. If Government withdrew their direct connection with the colleges, would the degree of efficiency of the colleges be affected?—It is not desirable that Government should withdraw from higher education. If the simultaneous examination for the Civil Service is granted, there will be a large demand for education Government will be able to demand higher fees, and we will have institutions which I should like to keep under Government, for they will be able to supply the machinery which will produce the best results.

Mr *Nulkar*—continued.

1904 You know that in this presidency colleges are springing up, and also in the Native States. I would like to have your opinion as to whether they fulfil what is expected of them?—I think they do. For this reason, I say, it is essential that they should be under Government control so as to secure a high standard of efficiency. It is necessary that they should for a long time be kept up by Government

Mr. *Stewart.*

1905. Supposing simultaneous examinations were held, would it be desirable that a certain number of appointments should be given to the Natives?—I should say one-half as a beginning would be quite fair, but not as a final settlement of the question.

Mr. *Crosthwaite.*

1906 Can you tell me how many appointments are given away every year by competition in London?—I suppose from thirty to forty

1907 Can you tell me how many Government Civil Servants there are in India?—About eight hundred or nine hundred.

1908 And, approximately, how many Natives are in the Uncovenanted Service?—No

1909 Are the Natives in the Uncovenanted Service vastly more numerous than the Europeans?—I don't know the figures

1910 Are there many Europeans in the Uncovenanted Service?—Yes.

1911 I am speaking of the Judicial Service?—I don't know, but I think there are many Deputy Collectors I don't think there are any European Mamlatdars.

1912. Will you tell me whether the appointment of a Deputy Collector and of a Mamlatdar are positions of trust?—Yes, they are.

1913 You say if any limit was to be made the number of Natives in the Civil Service should be one-half?—Yes

1914 That would approximately reduce the number of English Civil Servants to four hundred?—Yes.

1915. You have seen the progress India has made during the last thirty years Do you think that progress would have been achieved if it had not been for the British Government?—Certainly we give the British Government every credit for what it has done for India.

1916 Do you think four hundred Englishmen would be enough to maintain the character of the Government?—Quite enough, because the Natives who would be introduced would be almost made English. Besides, such high qualifications would be required from the Native that he would be more appreciated by the Natives, and it would give more stability to the British rule.

1917. I admit that when a Native goes to England when young, and passes an examination there, he becomes enlightened to a great extent; but would that be the case if an examination was held in India?—Yes.

1918. What age do you propose for the candidates?—Between nineteen and twenty-three

The Hon'ble *Dádhabhái Navroji*

Mr. *Crosthwaite*—continued

1919. What hope is there of young men here being anglicised?—The mere fact of their education in English.

1920 Although educated in India?—Yes.

1921 And living with their families?—Yes The times have altered; and educated men are bringing up their children as children are brought up in England.

1922 You would allow a perfectly open competition without any restriction as to the social position of the candidates?—I would have no restriction. Few will be able to go up for the examination, and education will become dearer as the demand rises.

1923 Is your opinion against Orientalising the examination by raising the number of marks given to Sanskrit and Arabic, and admitting the vernacular languages of India, so as to enable the boy who is only half English in education, to pass?—As for that, all other subjects are sufficiently Occidental I say there should not be an unfairness in the marks given for Sanskrit and Arabic, considering what are given for Latin and Greek.

Mr *Stewart*

1924. If you decide to reserve a certain number of appointments for the Natives, say a quarter or one-half, what is your objection to letting them compete amongst themselves?—Natives should stand the whole test the Englishmen have done

1925 If you limit the number of Natives appointed, would it not be considered unfair if you stopped at that number?—Yes For the sake of the Natives themselves, I wish to secure the highest possible standard

Mr *Nulkar*

1926 You know that one great object of Lord Macaulay was to introduce such a system of competition as would secure the best educated men. Would you keep up that high standard for first appointments? You prefer the English standard to any other?—Yes.

1927 And you would leave that entirely in the hands of Englishmen?—Yes.

The *President*

1928 Would you make any difference in the Pay and Furlough rules of the Covenanted, Uncovenanted and Statutory Services?—If anybody is made a District Judge, he should get the pay of the appointment. As regards furlough, there should be some difference, for an Englishman would have at times to go to England, and it would take him six weeks to go and come.

Mr. *Ramaswami Mudaliyar.*

1929. Is there not also this difference, that he would require at times to recruit his health?—Yes, and it would, I think, be better for the Native also to go to England to get touch with the people It would be good to encourage such a thing.

Sir *Charles Turner.*

1930. Do the Natives prefer to live under English laws or Native laws?—Well, English laws are here.

Sir *Charles Turner*—continued.

1931. I believe you advocate a large substitution of Native for European officials on the ground of economy?—Yes. Strictly speaking, every farthing a Native spends remains in the country.

1932 Would it be possible to secure on a reduced salary Natives of equal ability with English officials?—Yes, I think for a one fourth less of the pay. I would not make any difference of pay up to ₹800 or ₹1,000, because then the expenditure of the Native as well as the European will not admit of any difference; but all posts above ₹1,000 should, I think, be filled by Natives at a reduced salary.

1933. Are you aware that it is impossible to obtain as High Court Judges the most eminent Native Pleaders at a reduced salary, because their professional incomes are much in excess of the salary?—Yes.

1934 Then if you employ Natives on a reduced salary, you would not get the best men, I apprehend?—It may be so

1935. In order to secure talent, you must pay the market price for it; and the price for such Native talent is, perhaps, as high as the price for similar English talent?—Yes.

1936 You say all that a Native receives is spent in India Is not a good deal of his money spent on articles imported from England?—Yes.

1937 Can you tell me whether very much of the expenditure of an English Civilian is not made in India?—Whatever an Englishman spends here is for his comfort.

1938 You are taking an Imperial view of the right to employment in the public service Are you not looking at the salary question from a narrower point of view?—You may call it that if you like The stand I take is upon the Act of 1833 and the Act of 1858.

The *President.*

1939 Why should you not take an equally broad stand as regards finance?—Certainly

Sir *Charles Turner*

1940 Is it not a fact that as Natives acquire European habits their expenditure very considerably augments?—Yes.

1941 Do you consider that a less sum of money is necessary for a Native to live upon in comfort and dignity than for a European?—No

Mr *Nulkar.*

1942 Is not India made responsible for its own administrative charges, distinct from those of England?—Every possible thing touching India, India has to pay; even for foreign wars.

The President.

1943 Have you anything further to add? As I wish my views and recommendations to be stated connectedly, I would supplement my oral evidence by the following memorandum.

The first deliberate and practical action on the question of the Indian services was taken by Parliament in the year 1833.

All aspects of the question were then fully discussed by eminent men.

Memorandum—continued.

After an exhaustive debate and an exhaustive inquiry before the Parliamentary Committee, Parliament in both Houses adopted the following enactment, and in definite and noble terms, deliberately enacted our first great Charter :—

"That no Native of the said territories, nor any natural-born subject of His Majesty resident therein shall, by reason only of his religion, place of birth, descent, colour or any of them, be disabled from holding any place, office or employment under the said Company."

It should be remarked that, as it should be under the fundamental principle of the British rule—justice to all equally—the clause makes no distinction whatever between any classes or communities of Natives, Europeans, or Eurasians, and, what is of great importance, this great Charter was a spontaneous act of our British Rulers. Macaulay says "gratitude is not to be expected by rulers who give to fear what they have refused to justice." But this Charter was not wrested by the Natives on the field of battle, or at the point of the sword, there was no heavy pressure from Natives, no important Native voice by way of agitation either in the debate or in the Committee, to influence the decision; it was the deliberate, calm, well and fully discussed act and decision of a great people and Parliament It was done with grace, and the glory is all their own.

Twenty years passed and the revision of the Company's Charter again came before Parliament in 1853, and if anything was more insisted on and bewailed than another, it was the neglect of the authorities to give effect to the Act of 1833. The principles of 1833 were more emphatically insisted on

I come now to the greater and more complete Charter of *all* our political rights and national wants. I mean that great and gracious Proclamation of our Sovereign of 1858.

I quote here the clauses which refer to the present subject:—

"We hold ourselves bound to the Natives of our Indian territories by the same obligations of duty which bind us to all our other subjects, and those obligations, by the blessing of Almighty God, we shall faithfully and conscientiously fulfil"

"And it is our further will that, so far as may be, our subjects, of whatever race or creed, be freely and impartially admitted to offices in our service the duties of which they may be qualified, by their education, ability and integrity, duly to discharge."

"In their prosperity will be our strength, in their contentment our security, and in their gratitude our best reward. And may the God of all Power grant to us, and to those in authority under us, strength to carry out these our wishes for the good of our people."

Glorious as was the manner of the Charter granted to us by the Act of 1833, far more glorious still and magnanimous is the issue of the Proclamation It was not that the Empire was on the brink of being destroyed, or that the fear of a successful mutiny compelled the rulers to yield to any dictation—no, it was at the moment of complete triumph over a great disaster It was as true to justice and humanity and to noble English instincts that the nation held out this gracious Proclamation, and thus ten times enhanced its value.

Since the Act of 1833, more than half a century has elapsed, and since even the glorious Proclamation, more than a quarter of a century has elapsed. Intellectual, moral, and physical progress has gone on steadily under the blessed educational work of our rulers Whatever may have been the justification or otherwise for the non-fulfilment of the solemn and public promises in the past, there is now no excuse to delay a faithful, honest and complete fulfilment of those promises, which in reality are our birth-right

Memorandum—continued

As far as these promises have been neglected, so far has there been failure in the financial and economic prosperity of India and in the satisfaction of the people Inasmuch as these promises have, even though grudgingly and partially, been carried out, so far the hopeful conviction of the people is maintained that justice will at last be done.

The question of the loyalty of the Natives, and especially of that of the educated classes, is now no longer a doubtful one Our rulers are perfectly satisfied that the educated are for English rule, that the very idea of the subversion of the British rule is abhorrent to them.

Our British rulers have rightly appreciated the true feelings of the Indian people generally, and of the educated particularly. It is simple truth. In 1833 the question of our capabilities and character was as yet somewhat open, our progress in education small, our feelings towards the British rule doubtful. Half a century has passed—our capacity, our loyalty, our progress in education and the integrity of the educated have stood the trial and are now undoubted.

The trial and responsibilities of office will and can alone further develop our capabilities. Let the standards of test,—mental, moral or physical,—be what they like, as long as they are the same for all—Natives and Englishmen,—all we ask is a "fair field and no favour," and the honest fulfilment of the Act of 1833 and of the Proclamation of 1858.

If this is done, I have no hesitation in saying that India will improve financially, economically, commercially, educationally, industrially, and in every way, with amazing rapidity, and will bring manifold benefits and blessings to England also. And last, though not least, India's loyalty will be firmly rivetted to British rule for the best of all reasons—self-interest as well as gratitude

Under the simple principle of equal justice to all, none could reasonably ask for special favours, and a host of complications and troubles would be avoided As in the case of every law of nature, this moral law will gradually adjust everything into natural and harmonious action and development, though, as in all transitions, some temporary difficulties may occur

Our position simply then is this :—

Here are our great Charters of 1833 and the still greater one of 1858.

The issue now is a simple one : how can the promises contained in these Charters be "faithfully and conscientiously fulfilled," so that all the subjects of our gracious Empress "be freely and impartially admitted" in all the services? Fortunately for us, the exact question has been already considered and decided by a competent authority.

Not long after Her Majesty's Proclamation of 1858, a Committee was appointed by the Secretary of State for India of the following members of the Council of the India Office :—

Sir J.P Willoughby, Mr. Mangles, Mr. Arbuthnot, Mr. Macnaghten, and Sir Erskine Perry.

Memorandum—continued

The Hon'ble *Dadhabhái Naeroji*

This Committee made its report on 20th January 1860, and had no hesitation in giving preference to a plan for holding simultaneously two examinations, one in England and one in India, both being, as far as practicable, identical in their nature, and those who compete in both countries being finally classified in one list according to merit, by the Civil Service Commissioners, as being the fairest and the most in accordance with the principles of a general competition for a common object

Here, then, are the solemn promises and their "fairest" solution before us on competent and high authority, and nothing can be reasonably final that is short of this solution

It is admitted from experience that the larger the field of competition, the higher is the standard of the results By the simultaneous first examinations in India and England, India will have the benefit of the best talent of the country The backward provinces or classes will be stimulated by emulation and ambition to spontaneous exertions, and the best help Government can give to them will be to aid them in their education. The best service that the leaders of such classes can do to their community is to encourage them to depend upon their own exertions, to help them to prepare themselves for fair and manly struggle, and thus to win their position both in the services and in other walks of life, and not under the debasing and demoralising influence of favoritism This manly course will keep them backward for a short time, but it would be the best for them in the end Favoritism cannot last long under the British administration It must break down, and these classes will have to begin their manly course then The sooner they set themselves to work in that way, the better for them, and the quicker will they come to the front and obtain whatever they may deserve

The question of the Uncovenanted Services is also very important There must be some right principle and system upon which admission to these services should be based, so that no class or community of Her Imperial Majesty's subjects may have any cause to complain that the principle of the Act of 1833, and of the Proclamation of 1858—of equal justice to all—is not fairly and fully carried out

What I respectfully ask in regard to the recruitment of all departments of the Civil Service, in both superior and subordinate divisions, is that the fourth Resolution of the first National Indian Congress of last year, which met at Bombay and very carefully considered the whole question of all the Civil Services, may be carried out The Resolution is as follows —

"That in the opinion of this Congress the competitive examination now held in England, for first appointments in various Civil Departments of the public service, should henceforth, in accordance with the views of the India Office Committee of 1860, be held simultaneously, one in England and one in India, both being, as far as practicable, identical in their nature, and those who compete in both countries being finally classified in one list according to merit, and that the successful candidates in India should be sent to England for further study, and subjected there to such further examinations as may seem needful Further, that all other first appointments (excluding peonships, village police) should be filled by competitive examinations held in India, under conditions calculated to secure such intellectual, moral and physical qualifications as may be decided by Government to be necessary. Lastly, that the maximum age of candidates for entrance into the Covenanted Civil Service be raised to not less than twenty-three years"

One of the best results of the first simultaneous examination in India and of the general carrying out of the fourth Resolution of the National Congress of 1885, will be a great impulse to education

With regard to the expenses of the visit to England, that will be a charge on the public revenues of India, because the selected candidates already get certain allowances in England during their residence The only difference will be an additional passage from India to England Moreover, such a charge will not be at all grudged by the Natives of India, it will be to improve the fitness and character of their own countrymen for their own service, and such charge will be amply repaid in the higher tone, character and efficiency of the services

The requirement for the successful candidates of India to finish their studies and examinations with the successful candidates of England is a very important matter It has to be considered by us not as a condition to be imposed by Government, and as an injustice to us, but as a thing to be highly desired by ourselves, in order that our Native officials may, in every possible way, stand on a perfectly equal footing with their English colleagues, and there may not be left any ground to cast any slur of inferiority upon them Moreover, without a visit to and study in England for some time, our officials will never sufficiently acquire a full feeling of self-respect and equality with their English colleagues, their education will not acquire that finish which it is essential it should have to administer an English system by studying that system in its birthplace itself The visit of the successful Indian candidates to England is much to be desired for our own benefit, at least for some years to come, when experience will show the desirability or otherwise of continuing it

The standard and tests of qualifications—mental, moral and physical—to be alike for all candidates Age to be the same, and all British subjects to be admitted without any disqualification of race, creed, or colour The competitions at the different provinces of India for the Uncovenanted Service to be in the same way open and similar for all

I am glad to say that in England this resolution has met with sympathy not only from non-Anglo-Indians, but from many Anglo-Indians also

The best thing I can lay before you to show this is a Resolution embodied in a letter addressed to Members of Parliament by the Council of the East India Association The Sub-Committee, which prepared this letter, and which unanimously proposed the Resolution in that letter, consisted of three official Anglo-Indians, one non-official Anglo-Indian and one Native The Resolution I refer to was this —

"The larger employment in the public services of the inhabitants of India irrespective of race or creed —

(*a*) By arranging in respect of superior appointments in all Civil departments

Memorandum—continued.

of the service, that the examination for such appointments now held in England be henceforth held simultaneously in England and in India, the selected candidates from India being required to proceed to England and undergo the training and examinations now prescribed

(*b*) By introducing, in respect to all Subordinate Civil Services for which educational training is required, the principle of competitive examinations, with such safeguards as may be deemed applicable to the particular circumstances of each province"

Expense, risk of failure and the greater risk of young lads going wrong, and the consequent unwillingness of parents to let their children go out of their own and family control and influence, are very serious objections to sending young boys to England Out of those few who have sent them some have regretted it Among certain classes of Hindus there is a religious objection The elderly people will for some time yet continue to feel it objectionable to go to England, but such youths of the rising educated generation as would succeed in the first competition will not object to go Even the general feeling is now gradually diminishing

In a hundred ways that can hardly be described a raw Native youth has difficulties, temptations, and risks

By confining the examinations to England, we get only a few of those who can afford to risk some money, but we cannot get the best of the talent and fitness from the whole country, besides it being utterly unjust to handicap the Natives so heavily The few that go are not necessarily of the best

By residence in England, young boys do often get more or less out of touch and sympathy with the people in India

These remarks do not apply to those who go at a later age, and after their character is formed and their intelligence fully developed They derive great advantage from the visit They are able to understand and study things intelligently, make comparisons with things in their own country, are vividly struck with striking differences, and are inspired with a desire to improve by them They do not cast off their touch and sympathy with their own people On the contrary, they are generally more sharpened They return with a sort of enthusiasm to do some good in their own country The kind of young men who will go to England after the first examination in India will be just the persons who will derive the greatest benefit from the visit Every moment of their sojourn will be well and profitably spent, their great stake and formed character keeping them straight and desirous to do their best

The requirement of temporary residence in England 'precedent' to first competition is the main grievance The requirement 'following' on success in India in a simultaneous examination will remove the grievance, and will not have the effect of preventing any considerable or important section who are prepared for competition from competing

Once the first competition is freely opened to all and the Statutory Service abolished, excepting so far as it is adapted to give a reasonable opening

Memorandum—continued.

for the most meritorious among the Uncovenanted servants, another special service for any class cannot be justly made, and for no long time will all classes of Hindus allow the present caste objections to continue

It is evident that the Statutory Service should cease if simultaneous examinations are held in England and India Otherwise it would be an undue favor to the Natives Any system of scholarships also to enable Natives to go to England to qualify for the Civil Service, then, would be unnecessary

No additional facilities need be given to the Native candidates to go to England The simultaneous first examination in India puts them on an equal footing with the candidates in England

The question of getting the aristocracy into the service is a very important one Their influence is great and their attachment to the rule is desirable But the exigencies and requirements, and the whole system of civilised British administration, rest upon educational, moral and physical fitness. It will be no service or kindness to put any cadet into a position for which he is not fit. He soon falls into ridicule, and leaves the service in disgust. If a cadet is well educated and competent, his own aristocratic feeling of dignity would impel him into a fair and manly contest And he would not like to be in a position to be looked down upon as inferior and as a creature of *mehrbani* (favor) If he is incompetent, Government cannot put him into a place for which he is not fit

So all attempts to draw the cadets by favor will naturally end in failure and disappointment It will be an anachronism The best way in which Government can do the aristocracy real and permanent good and a true kindness is to induce them, by every means, to give their sons suitable education, and whether they afterwards care or not to get into the services, their general advance in knowledge and intelligence will enable them to appreciate truly the merits of the British rule, and will make them intelligent and willing supporters of it The best favor, therefore, that Government can do to the aristocracy is to persevere still more earnestly in the course it has already adopted to promote education among them, and the whole problem of the true position and dignity, in the new state of circumstances, will naturally and smoothly solve itself The more they attain their self-respect, the more able will they be to preserve their dignity, position, and influence among their countrymen, and the more will they appreciate the true merits of the British rule

To a great many of the aristocracy a military career would be more congenial, and it would be very desirable to adopt suitable means in this direction to draw them to become attached and devoted, in their self-interest and self-respect, to British rule.

It is very desirable that some prizes should be held out for marked, meritorious, and able service in the Uncovenanted Service.

Any scheme for the purpose must be such that the person promoted, being thus considered qualified, should afterwards be on a footing of equality with regard to pay, &c, &c, with the Covenanted servant occupying a similar situation The promotion to be open on the principles of 1833, without regard to race or creed The recommendation of any provincial Government, with satisfactory reasons, to be subject to the confirmation of the Viceroy and the Secretary of State.

The Hon'ble *Dádhabhái Navroji*

Memorandum—continued

Not more than one such promotion should be made in any one year in any one province—or some maximum must be fixed.

In the year in which such promotions are made, the number of appointments to be competed for at the first regular competitive examination of that year should be lessened by the number of promotions

In such promotions, probation will not be necessary, as Government would not select anybody for such a prize, where capacity and fitness for business is not already marked and proved.

The question of admission from the professional classes is rather a difficult one Those who succeed in their profession are generally not likely to seek service, and those who would seek service are generally not likely to be superior men. Then, after severe competitions and suitable qualifications are required from those who enter the service at the regular door, and who for that purpose devote themselves to the necessary preparation, it becomes unjust to them to open a side-door for others It may be a matter for consideration, which I think it is already, whether, after the first general competition in England and India to test high culture and capacity, a division should not be made, out of the passed candidates, for Judicial and Executive services, so that their subsequent preparation for two or three years in England may be devoted in the proper direction The point to be borne in mind is that if a side-door is opened the principle of competition and fairness will receive a serious blow, and nepotism, favoritism, interest, &c., will force their way into the services,—the thing most to be deplored.

There may arise sometimes a case, such as of some important political mission in which a certain individual, owing to connection, influence or position, is indicated as specially fitted for the task. Power should be reserved to Government with the sanction of the Secretary of State to make such extraordinary appointments outside the services—though it is desirable to avoid this as far as possible The peculiarly special fitness becomes a special reason for the occasion.

For the high Covenanted posts, it is not desirable to restrict the Natives to their own provinces, and this cannot be done with a general competition at simultaneous examinations in England and India. We must get the advantage of the best and fittest from the whole country, and then they may be distributed as Government may think best, or the present system may be continued by which the selection of the provinces is left to the candidates in the order of their merit in the first competition. But even then the Government has the power of making transfers.

Memorandum—continued.

In brief what I have to urge is that the principle of 1833 and 1858 must be the foundation of the whole edifice, and every scheme be based upon and in accordance with it. We should not, after half a century of progress, be now deprived of our great charter in the slightest degree. Once this principle is faithfully adopted, Government can easily arrange to devise suitable schemes to secure the best results. For the Covenanted Services the machinery already exists, all that is necessary is to hold the first competitive examination simultaneously in India and in England. And for the Uncovenanted Services, a Civil Service Commission may be devised, to prepare suitable schemes in detail for every department and carry them out.

The chief point which I desire to urge is this Let Government adopt any scheme of competition, only let every one—European or Native—have a free and fair field, so that neither should be in any way handicapped, and all be subjected to the same tests.

No distinction of race, creed or colour being left, Government will be relieved of all the troubles and complications that must otherwise arise, and the whole machinery of Government will settle itself into smooth work under a just and sound principle, with benefit to the country and glory to the rulers.

As I have often said, the question of the services of foreign agency is a question of the highest importance for the economic condition of India, and the material condition of the masses It is *the* one "evil incident to a foreign rule" which requires to be *minimised as much as possible*, if English rule is to be a true and great blessing to India.

WITNESS XXVII.—21st January 1887.

Examination of G. W. FORREST, Esq, B.A, Professor of Mathematics, Deccan College, Bombay.

Mr. *Stewart*

1944. You are Professor of Mathematics in the Deccan College?—*Yes.*

1945 What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—I have no opportunity of acquiring a knowledge of the prevalent feeling among all classes in this presidency, but the feeling amongst the educated classes is one of dissatisfaction.

1946. What are the grounds upon which any such feeling is based?—The feeling is due to a suspicion of jobbery from which no system founded on nomination can be free. The Bombay Government have taken the trouble to procure "men of proved ability and merit," and have confidentially consulted Educational officers as to the merits of the candidates; but it is impossible to make the large majority, who are disappointed, believe that the selection of the candidate is not solely due to influence at head-quarters The appointment of men who have taken no University degree has naturally created discontent among all the young men of the presidency who have devoted money, time, and labour to acquire a liberal education. The educated Natives also dislike the Statutory Service, because they feel it will always be regarded as inferior to the service recruited in England

1947. Has the Statutory system had the effect of securing men, who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—The list which I append shows that the Statutory system has not had the effect of securing men who, in point of education and natural ability, are superior to the average of those appointed to the higher ranks of the Uncovenanted Service. The list also shows that they are of the same social status

1948 Do you consider that nomination should be 'confined to persons of proved merit and ability?—It should be confined to men of proved merit and ability.

1949 How do you consider that merit and ability should be held to have been proved for this purpose?—By a certificate from the Principal and Professors of the College in which the man had been educated, and by a degree in honors in the University

1950. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately be regarded?—It would be regarded with favour by the educated Natives. The persons nominated by Government, however, would, as a rule, have a scanty chance of success.

1951 In preference to either of the above systems (nomination and limited competition), would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native

Mr *Stewart*—continued.

community?—A system of competition, pure and simple, would commend itself to the educated class

1952 If competition (whether limited or open) is preferred, should there be one competition for all India, or separate competitions in each province?—One competition for all India.

1953. If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several provinces?—The fundamental idea of competition is that the appointment should be won by the man who can pass the best examination. To attempt to devise a scheme of due proportion would be destructive to open competition.

1954. Having regard to the varying educational standards reached in the several provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some provinces being more or less excluded from a due share of appointments?—If there were one general competition, every province would attempt to raise its standard of education to the level of the Civil Service standard, as the schools in England have done. The mere fact of a province being excluded would show that the province was backward in civilisation, and therefore a province in which European Civil Servants should be chiefly employed, till the inhabitants had become more educated.

1955 Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social and physical fitness?—The standard for age in all these systems should be twenty-three years of age In the case of nomination and limited competition, the test of intellectual capacity should be a University degree in honors In the case of open competition in India, a University degree in honors. In the case of identical question papers being used in England and India, the intellectual test would be the same, for no one who was not capable of taking a degree in honors would have the slightest chance of success. In all cases a testimonial from the Principal and Professors of a College, and Doctor's certificate as to physical fitness, should be required.

1956. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation?—There should be a period of probation of two years passed either in the Covenanted Service or in preparing and passing departmental examinations.

1957. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—The person selected should undergo special training.

1958. If so, should the special training be carried out in India or in England?—Most certainly

Vol IV Sec II Bombay.

G W. Forrest, Esq

*Mr. *Stewart*—continued

in England. Selected candidates should be required to go through a three years' course of study at Oxford or Cambridge. What is wanted for a public servant everywhere, and more than anywhere else in India, is an education to perfect all his faculties, and there is no place where he can receive an education approximating to this ideal except at our ancient Universities A lad who lives at the University for three years gains culture not only from the schools but from contact with the intellectual minds of men who are accustomed to ponder over and canvass most scientific, political, and social problems. I have fixed three years, because it will ensure more certainly than at present the habitual association of the selected candidates with the candidates for high honors. There must be a tendency under the present system, where the majority of candidates only reside for two years, and during that time attend no lectures except those specially arranged for the final Civil Service examination held in London, not to form acquaintances so readily as might be desired with the most intellectual men outside their own body. With a three years' course it would be easier for them to qualify for an honor degree without unduly interfering with their special studies, and to make the same lecture serve both for the Tripos and the Civil Service examinations Thus by lengthening the course they would be both in social and intellectual life not a body apart but in the fullest sense University men. In fact, they would be honor men holding scholarships from the Indian Government.

1959 If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—It would be possible, but by no means advisable The Natives who share in the Government ought to be men who derive their ideas of English social and political life, not from books but from living in England,

1960. Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—The educated classes, who, though not large, are important, regard it as one of the most important privileges conferred upon the Natives of India by the English Government.

1961. What is your opinion as to giving Statutory appointments to Natives, who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—The mere fact of a man going to England and failing shows that he is unfit for the Covenanted Service. To admit him to the Statutory Service is an admission that the latter is an inferior service.

1962. What class or classes of Natives in your province readily go to England?—All classes who can afford it.

1963. Are objections entertained to going to England, and, if so, what are they, and by what classes in particular are they felt?—By a small number of extremely orthodox Brahmans.

1964 If a fixed proportion of appointments were allotted for Natives at the examination in England, do you consider that in view of the objections against a voyage to England and residence there, the cost thereof and the chances of failure, a sufficient number of suitable candidates from your province would be forthcoming to make

Mr. *Stewart*—continued.

the competition a real competition?—The number would not be sufficient to make it a real examination.

1965. If the examinations were distinct, what should be the limits of age for the Native examination?—The limits of age for the Native examination should be nineteen and twenty-three.

1966. What should be the conditions, nature and subjects of the separate Native examination?—The conditions should be a certificate of character from the Principal and Professors of the College in which the student has studied A Doctor's certificate as to physical fitness and a University degree in honors as to intellectual fitness. The nature and subjects of the separate Native examination should be the same as in the present competitive examination.

1967 How would you regard a scheme for a simultaneous examination to be held in India?—I would have the same examination in India as in England The M A. here does not pass nearly as difficult an examination as an honor's man who passes at Cambridge; and there is nothing here corresponding with the classical Tripos.

1968 Do you think that to enable Natives to succeed in large numbers in an open competition in India, there should be a very much higher educational standard than at present?—Very much.

1969. Would you have the papers identical?—Yes, I should hold the examination in Bombay and take the most elaborate precautions that the questions should not be divulged, and have them entrusted to the highest Government servants.

1970. How about the *viva voce* examination?—I would sacrifice it altogether.

Sir *Charles Turner.*

1971 Supposing we took four men at the head of the list and only two were to be chosen and that their marks for paper work were equal: how would you decide their merits?—You would hardly ever find the marks equal.

1972. You bracket three or four men together very often?—Oh, but then there is a difference in the number of marks. I don't think you could have a *viva voce* examination in India as well as in England, because there would be no uniformity.

1973. Do you consider that in order to give Indians a reasonable chance of success at the competitive examination the age must be considerably higher than at present and that that would bring in better men?—Yes, you must raise the age and that would bring better men.

1974 Honors' men of Indian Universities are considerably over nineteen years of age?—They are from twenty-one to twenty-three.

Mr. *Stewart.*

1975. If there were forty appointments, would you approve of ten, fifteen, or say twenty of them being given to Natives; would you limit the number?—The agitation would still go on and the Natives would still be dissatisfied.

1976. If you offered ten appointments in India, would that not act as an impetus to education in India?—Yes.

1977. Would you have the competition in India open to Europeans and Eurasians?—I would have it open to Europeans, Eurasians, and Natives,

Mr *Ryland.*

1978 Have you the same means of judging of a man's moral qualifications as in England?—Certainly not. I consider that Government have not done what they ought to do, that is, to have resident Professors and boarders.

Mr. *Nulkar.*

1979. What is your opinion about Government withdrawing its control from the higher institutions?—As a Professor of a Government college, I should say that we must not be independent of the Executive.

1980. There are two Government colleges in this presidency. What object would you have them fulfil chiefly?—To keep up a high standard of education.

1981 Is there no way of securing these ends except by having the colleges under Government control?—There is no other way but by having them under the direct control of Government.

1982 If the competitive examination were held here, do you expect an undue proportion of Indian candidates would be successful?—The number of honors' men is so few that I don't think we would have many for another twenty-five years or so. If the examination was equal to the honors' degree at Oxford or Cambridge, then the men who passed would be equally as good.

1983 As regards the *viva voce* examination, do you think it would be possible to put the same questions, or to keep up the same standard?—It is not possible always to put the same questions to every pupil.

1984 Would it not be necessary to send out written instructions under seal?—The expense would be great.

Mr. *Crosthwaite.*

1985. The papers would have to be kept very strictly in charge of responsible officers?—Yes, with the very greatest care.

1986 Did you ever know of an Oxford or Cambridge man getting hold of the papers?—No.

1987. Or of a Sandhurst man?—No.

1988. Why does the contrary happen here. Is it owing to the carelessness of the examiners or the dishonesty of the candidates or both, or of the Post Office officials?—I really do not know.

1989. Do you not think this is a great argument against having an examination in India?—Men who appear for the Civil Service examination are not of that class. I can now trust a Fellow to conduct an examination at the Deccan College, which you could not have done some years ago.

Mr *Ramaswami Mudaliyar.*

1990. Have you ever heard a scandal about the papers for a higher examination getting out?—Yes, there was one last year about the paper for the Medical Degree, but it was not proved.

Sir *Charles Turner.*

1991. How many people do you think in this presidency could go to England to compete under the present system without a supplementary training?—About three or four.

1992. With a reasonable chance of success?—Yes.

The *President.*

1993. Would any be able to go from your college?—Two or three, I should say.

Sir *Charles Turner.*

1994. And from the whole of India?—I don't know I am only speaking of the Bombay Presidency.

1995. How many men do you think would have a fair chance?—They would not have the slightest chance if they went home at nineteen.

1996. Then it would be useless at the present time to have a simultaneous examination in England and in India, because no students would be successful?—Not unless you raise the limit of age.

1997. Supposing the age were raised to twenty-three, and the standard of education improved, how many men do you think would compete with a reasonable chance of success?—I should say ten or twelve in the Bombay Presidency.

Mr *Stewart.*

1998 Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters, in any respect place Native candidates at a disadvantage as compared with English candidates?—The Native candidates are placed at a disadvantage with regard to the limit of age (seventeen to nineteen), because a Native parent naturally does not care to send his son to a distant land away from all home control at the extremely juvenile age of fifteen to be crammed for the service To send a son to England requires great self-sacrifice on the part of an Indian parent, and very few care to undergo this sacrifice on the chance of a boy being successful The following is a list of the subjects and the marks given for each of them:—

English Composition	300
„ History	300
„ Literature	300
„ Logic	300
Political Economy	300
Mathematics	1,000
Latin	800
Greek	600
French	500
German	500
Italian	400
Two branches of Natural Science { Chemistry, Electricity and Magnetism }	500 each*
Sanskrit	500
Arabic	500

"The marks assigned to candidates in each branch will be subject to such deductions as the Civil Service Commissioners may deem necessary in order to secure that a candidate be allowed no credit at all for taking up a subject in which he is a mere smatterer."

"Marks assigned in English Composition and Mathematics will be subject to no deduction."

N B—It is the practice to deduct 100 from the marks obtained in each subject except Mathematics and English Composition.

*Not more than two of the following branches of Natural Science —

Chemistry	500
Electricity and Magnetism	300
Light and Heat	300
Mechanical Philosophy, including Astronomy	500

Mr. *Stewart*—continued.

It would be fairer to the Native candidate if the same number of marks were given for Sanskrit and Arabic as for Latin and Greek But, on the other hand, it must be borne in mind that Sanskrit and Arabic Examiners in England are apt to be much more lenient than the Latin and Greek Examiners.

1999 If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates, and, if so, what should the limits for Native candidates be?—There should be no difference in the limits of age.

2000. If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—European candidates would have just grounds of complaint.

2001. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question paper being used at both examinations?—If Government were bound by no promises, a small Covenanted Service recruited from the best trained ability that money could procure in England, supplemented by a parallel service recruited by nomination and competition in India, with a provision in the scheme for the admission of distinguished Native members of the higher ranks of the Uncovenanted Service, would, to my mind, be the best solution of a difficult and complicated problem. But Government are bound by solemn promises made during the past thirty years. The admission of Natives to a Covenanted European Service is an anomaly which may prove highly mischievous and embarrassing. But it exists, and to withdraw a privilege is a very different thing to granting one To deprive the Natives of this privilege would create great discontent among all classes who are capable of discussing political problems It would certainly create great dissatisfaction among the men who have taken advantage of our system of higher education. This is a small class, but it is a rapidly increasing class and an influential class, and we must be careful to have the new intellectual force with us and not against us. It is only natural that these men should aspire to a larger share in the government of the country. They ask for no privileges, but in this presidency all they want is a fair field and no favor. Having to send their sons to England to pass the Civil Service examination, they argue, is not granting them a fair field, on account of the expense attendant on a visit to England, and the physical and moral dangers attendant on early separation from home These are their objections to the present limit of age. Their request that the limit of age should be raised to twenty-three does not seem to me unreasonable. Raising the limit of age to twenty-three would procure for the service in England higher trained ability. It would enable University men who had taken an honor degree and who did not care for the monotony of a college don's life or the extreme dulness of briefless barristerhood to compete for the service. It would probably, again, attract men like Peile, Pedder, Richey, West, who entered when the limit of age was twenty-three If a Native gains success in a competition with men of this calibre, he certainly shows his intellectual fitness to share in the administration. The successful candidates would be those who had received a liberal education No Native who had not taken a high degree at our University would have a chance of success. In fact I do not think any Native graduate at present would have much chance of winning a place in the service. The standard of education in our colleges would have to be raised. This would be in itself an incalculable benefit to society, because it would reduce the number of superficial graduates sent forth into the world An examination, however, tests only the intellectual capacity of a man, but for an Indian administrator certain moral and physical qualities are also requisite. It would, therefore, be requisite to frame very strict rules as to a certificate of character from the Principal and Professors of the College to which the candidate belonged, and a certificate of a medical man as to physical fitness.

Mr. *Stewart*—continued

2002. How would this method of selection be regarded by the Native community generally?—It would be regarded with great favor by the class who have taken advantage of our system of education. The Mahomedans for a time would not like it, but they would see the necessity of training their sons in English modes of thought It seems to me impossible to frame a scheme in which there would be absolute justice between class and class.

2003. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—I would admit both classes freely to either examination. A certain number of Eurasian and European lads enter our colleges, and there is no reason why they should be debarred from the highest career in a land in which their fathers have done good service for the State.

2004. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system, as introduced in 1855, to secure?—The Government Colleges and the Free General Assembly's and St Xavier's Colleges are capable of giving that high class education, though they do not at present give it because the standards for our University degree examinations have not yet reached that level.

2005 Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—It would at first most certainly. But the Army seems to me the place for the cadets of these families. The educated Natives in this province are the majority of them descendants of men who were the brains of the administration in the days of Native rule. The fighting men were another class, and their descendants are the possessors of the broad fields which their ancestors won by the sword. If they wish to be public servants they must learn the value of education Some of them have already learnt it, but Government will prevent others from doing so if they proclaim the fact that nomination is more powerful than ability and culture.

2006. Under a system of open competition in India, would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—Yes. In a system of open competition in India the tendency would be to lower the standard of examination to the level of the standard of education prevailing in India, instead of raising the standard of education in India to the level of the Civil Service standard at home. And this alone would cause the service recruited in India to be regarded as inferior to the service recruited in England.

Mr. *Stewart*—continued.

2007. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—The system would be regarded with dissatisfaction by the educated Natives. They feel that any service formed in India would be regarded as inferior to the service recruited in England.

2008. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—If the Natives are to have a larger share in the administration of the country, many reforms will have to be made in the existing system of education. The intellectual and moral progress of Indian society during the past quarter of the century is a fact which few reasonable persons would deny. That this progress has been accompanied by certain evils is also apparent to all. But that the evils are in a great measure those of our own making is a fact which has not been sufficiently realised. The Government thirty years ago established high class education in India, but have refused to understand its needs and to carry it out thoroughly. It has founded schools and colleges, but it has shrunk from the trouble and cost requisite to make them efficient. No Native will make a useful and loyal public servant unless he has acquired English habits of mind, thought, and life, and he can only acquire them by daily contact with English teachers. Natives have the requisite scholarship to be head masters of our high schools, but it is impossible for them to be in entire sympathy with European modes of work and thought and to keep touch with the intellectual progress of England. Public schools in England have proved the best training for public servants, and we want in this presidency a public school where the strictest discipline will prevail, where neat and accurate work will be demanded, and where encouragement will be given to manly sports. The Principal and Vice-Principal should be men who have made their mark in the Educational world at home, and should be appointed to the second and third grades of the Education Department. They should reside at the school. Having established a model school, Government might withdraw from the management of some of the minor high schools, and leave them to local care in a proper State organisation. The process of reconstruction must not however stop at the high schools. The discipline at the Government colleges requires to be made more strict, the education more thorough, and the contact with European Professors more close. The time has come when Government can say "You have your own institution to which you can resort, but if you enter our colleges, you must be prepared to undergo a severe course of instruction and to conform to strict rules and regulations." The avowed aim of Government colleges should be to produce worthy citizens of a great and growing Empire. They should not be men full of heterogeneous opinions gathered from a multitude of books, but men of sound learning, capable of making use of their knowledge. They should be men who by daily contact with Englishmen have insensibly imbibed a national spirit. It would be suicidal for a foreign Government, at the same time that it admitted Natives to a large share of the administration of the country, to abandon its direct control over higher education.

Mr. *Stewart*—continued.

2009. In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal, and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—No.

2010. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—No.

2011. Do we now obtain for Government service Natives of the classes who under Native rule carried on the Civil administration of the country?—Yes, in this province.

2012 Can you make any suggestions regarding the recruitment of the Uncovenanted Service, by which we mean Mamlatdars, Deputy Collectors, and Subordinate Judges?—I have not had much experience of Mamlatdars; but as to the Subordinate Judges, of course everybody speaks of them in praise, and they are educated men

Sir *Charles Turner*

2013. Are any Sub-Judges M.A.'s?—There are some M A.'s and some B.A.'s.

Mr. *Stewart*

2014 Do you know if any graduates have applied for the post of Mamlatdar?—There are some now

2015 Would you recruit these posts by nomination or by competition?—By nomination and competition.

2016. And would you recruit from the province; or would you allow men to compete from the other provinces?—I would have the men remain in their own provinces.

2017. You are not in favour of the Statutory system?—I am not. I would make the Covenanted Civil Service examination as hard as possible; and I would reserve a few appointments for Uncovenanted men who have made their mark.

Mr. *Ryland*.

2018. Would you abolish the distinction of Covenanted and Uncovenanted?—No, I would not, because there must be Covenanted servants in India.

Mr. *Stewart*.

2019. Would you allow the recruitment from all natural-born subjects of Her Majesty; or only from Natives as described in the Statute?—From all natural-born subjects.

The *President*.

2020. If the son of an Officer who had served in India were to offer himself as a candidate, would you admit him into the Uncovenanted Service?—Most certainly. We are getting a very growing class of Europeans in India, for whom some provision must be made.

Sir *Charles Turner.*

2021. You say that the Native Subordinate Judges give great satisfaction?—I say so from what I have heard.

2022. Do you think it important that we should still have District European Judges?—I should say so.

2023. In respect of the advantage the Native Judicial service receives from European supervision: do you think it advisable to retain European Judges?—Most decidedly.

Mr. *Stewart*

2024 Would you make any difference in the pay of the Statutory Civilians and Covenanted Civilians?—Yes, if the Statutory Service was retained.

Sir *Charles Turner.*

2025. Have you heard any opinion expressed as to the honesty of the Subordinate Judges and the officers in the Revenue service?—I have heard the highest opinions expressed about them. I have not heard any opinion expressed about the Revenue branches of the service.

Sir *Charles Turner*—continued

Mr. *Stewart.*

2026. You must have known many graduates; do you know how they live, and what salaries they expect when starting in life?—A B.A would expect R60, and an M.A. from R150 to R250.

Sir *Charles Turner.*

2027. Do you consider the pay of the Educational department sufficient to secure the services of the best men?—No.

2028. Is it not a fact that Native members of the Educational department leave it to get appointments elsewhere on higher salary?—Yes, it is a fact.

2029. Do you think it possible to secure the services of the best Natives for any considerable salary less than that given to a European?—Do you mean in the Uncovenanted Service?

2030. In the public service generally?—Yes, I should say so.

WITNESS XXVIII.—21st January 1887.

Examination of the Hon. Ráo Báhádur MÁHÁDEV GOVIND RANÁDE, M.A., LL.B., Member of the Legislative Council, and Special Judge under the Deccan Agriculturists' Relief Act, Poona.

Mr *Stewart.*

2031. You are a graduate in Arts and Law, a Member of the Bombay Legislative Council, and a Special Judge under the Deccan Agriculturists' Relief Act, are you not?—Yes.

2032. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The existing system of appointing Natives as Statutory Civilians to posts in the Covenanted Civil Service is not approved.

2033. If it is not, what are the grounds of disapprobation?—The grounds of disapprobation are—

(*a*) The mode of nomination followed does not secure the best men available.

(*b*) Capacity and fitness for the work are subordinated to family and other considerations.

(*c*) The selections are made in the exercise of official patronage, and there is not much room left for competition.

(*d*) The men selected by nomination are not looked upon as members of the Civil Service generally, and form in fact a subordinate branch of the Civil Service, with limited prospects and inferior pay, privileges and powers

(*e*) The constitution of the service has had a prejudicial effect upon the promotion from the Uncovenanted ranks of officers of proved merit and ability for whom this Statutory provision was first intended.

(*f*) In many individual instances the choice has not been made with discretion, or in accordance with the Statute or the rules.

2034. Are the defects of the existing system (if any) susceptible of remedy—

(*a*) by an amendment of the rules;

(*b*) by an amendment of the Statutory provisions in that behalf;

or should those provisions be repealed?—The object of the Statute 33 Vic, Chapter 3, Sec. 6, primarily was to give additional facilities for the employment of Natives of India of proved merit and ability. The Statutory rules of August 1879 profess to have been passed in the exercise of the powers conferred by the Statute, and yet they provide for the appointment to Covenanted posts of persons other than those of proved merit and ability. It is doubtful if the rules are quite legal, but supposing them to be legal, they defeat the main object of the Statute. Any system of appointment which falls short of the declarations of 1833 and 1858 is necessarily defective, and the defects can only be completely remedied by the repeal of the Statute and recourse to fresh legislation.

I would, however, not advise fresh legislation, but would retain the Statute and abrogate the rules and make fresh ones for the sole purpose of appointing to Covenanted posts from the higher ranks of the Uncovenanted Service, where alone Natives of proved merit and ability can be found. For the Natives of India ask for an equality with their English fellow-subjects in the matter of a share in the administration, and this can only be obtained in two ways. the first is by opening the door of the Covenanted Service by admitting to it Indian youths under a scheme which I advocate, and which I will mention hereafter, the second is by promoting old and experienced Natives of India from the Uncovenanted Service The two schemes should go hand in hand as part of a single plan.

Mr. *Stewart*—continued.

2035 If the provisions of the Statute 33 Vic, Chapter 3, Section 6, are not repealed nor substantially amended so as to take away the power conferred on the local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised, or in respect of the sanction required for appointments made thereunder?—I have no objection to the subjects of Native States being included in the expression "Natives of India." All the advantages of allegiance to Her Majesty are obtained by subjects of Native States by a six months' residence in British territory and obtaining a certificate of naturalisation. The Native Chiefs readily avail themselves of the services of British subjects, and it is unbecoming in the Paramount Power to refuse to reciprocate with the Native Princes.

I do not think any other change is desirable. I regard domiciled Europeans and Eurasians as included in the expression "Natives of India." In the matter of obtaining appointments they have, I believe, to be treated as Natives of India, and they should be so treated in respect to salaries, pension, and other respects.

2036. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—If the Statutory system be retained, the selected candidates should certainly be encouraged to visit England, with a view to add to their qualifications for the service, by a grant of allowances or scholarships. Some small distinction should be made between the emoluments of nominees trained in England to compensate them for the loss of promotion; &c., in India

2037. Do you think many would avail themselves of that encouragement?—Gradually they would.

2038 Are any objections felt to going to England in this Presidency?—They are not so strong now: they are dying away.

Mr. *Crosthwaite.*

2039. You are a Brahman?—Yes.

2040. You say that Statutory Civilians are excluded from the higher ranks. I am not aware of that. You suggest that two doors should be open to natives: one by the competitive system and the other by the Statutory, which is not open to the English at all. Is it not so?—The appointment of this Commission shows that, as a matter of fact, the higher service has not been open to natives.

Mr. *Crosthwaite*—continued.

2041. What was it that was intended for them?—It was intended to reserve most of the places for Englishmen, and then to fill up the rest 10 per cent. from the Covenanted and 15 per cent. from the Uncovenanted.

2042. I do not find that so?—Yes; you will see it in Lord Lytton's papers.

2043. I am speaking of the Statute, and the law, as it stands at present, which regulates the competitive system and does not exclude the Natives?—They are practically excluded from competition, and Statutory servants fail to get the highest appointments.

2044. Is that declared by the rules?—No; but it is within our common experience.

2045 Then you speak of "equality." What do you mean by that?—That the Statutory Civilians should be treated the same as the Covenanted Civilians, and that they should be allowed to rise to the higher ranks of the service.

2046. The Statute allows Natives to enter the Service without an examination and does not allow Englishmen. do you think that means equality?—Englishmen have a chance of getting the majority of the appointments.

2047. But they must pass an examination?—Yes, but they get five-sixths of the appointments, to the Natives one-sixth.

2048 You would have a certain number of appointments reserved for Natives of India?—Yes.

2049. Must a certain number of appointments be reserved for Englishmen?—Yes.

2050. As you go upon equality, have you any objection to alter the Statute so as to allow Europeans to be appointed under the Statute 33 Vic., Chapter 3, Sec. 6?—Certainly not.

2051. Supposing an alteration was made so as to restore equality in other ways, say by having an examination in India?—If equality is practically realised in the results, I should only be too glad to let the whole service be open to anybody who is Her Majesty's subject.

2052. Would you object to the Statute being so altered as to enable Government to appoint men who are not Natives of India as now defined to posts in the Covenanted Civil Service?—None of the Natives have contemplated the possibility of Natives ever being in the majority. If it ever comes to that, that Natives are in the majority, then I would be the first to advocate that there should be equality.

Mr. *Stewart.*

2053. What is your permanent pay as a Judge?—Rs. 1,733. (*Sic*)

2054. You hold a very high appointment?—Yes. I have been twenty years in Government service.

Sir *Charles Turner.*

2055. You do not mean to say that a number of places are to be given to one race and only some to another?—All officers of ability should have equal chances of getting higher appointments.

2056. Do you think it essential that Government should reserve to themselves the power of correcting inequalities in this respect?—Yes.

Mr. *White.*

2057. In allowing Government this power, do you assume that there would be no abuse of patronage?—I don't myself assume that.

Mr. *Stewart.*

2058. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Dissatisfaction is felt, and very strongly too, with the existing system of recruitment for the Covenanted Service on account of its manifest injustice to the Natives of India. The restriction of age to nineteen limits the field of competition to Indians who have resided in England from early boyhood, or who have gone there from High Schools at a tender age, amidst pecuniary and caste difficulties, to be exposed to a severe climate and the temptations of life in England without the safeguard of domestic guardianship. Indian parents are of course unwilling to send their sons to England amidst these difficulties on the mere chance of success. The unsatisfactory state of the Indian High Schools to which I have alluded places Native candidates at a great disadvantage, and makes it impossible for them to compete successfully with the public school boys of England.

The English language, in which the examination is conducted, is acquired by English youths naturally and without effort; whereas Indian youths have to spend years in acquiring it. The study of English literature costs English youths far less time and trouble than it does to Natives of India.

Undue importance is given to European classics and vernaculars. Higher marks are given to European than Indian classics, and the Persian language is excluded altogether. Except the Indian candidates' own vernacular, the other vernacular languages of India should be introduced into the examination on an equal footing, carrying the same marks.

2059. Should any, and, if any, what, change be made in that system?—The changes in the system which Native opinion unanimously seeks, are:—

(*a*) The examination should be held simultaneously in England and in India, in both places open alike to Europeans and Indians.

(*b*) The age limit should be raised to 23, in the interests of both Native and European candidates, and for the advantage of the administration generally. Indian classics, with Persian added, should be placed on the same footing as the European classics, and Indian vernacular on the same footing with European vernaculars in respect of marks allowed. With these changes the examination should be one and the same for all. The *vivá voce* portion in India should be entrusted to one or more of the Civil Service Commissioners deputed to this country. The papers may be examined in England, and the names of the passed candidates should appear in one and the same list, and the Indian candidates selected for the Civil Service should proceed to England and stay there for the probation period, and pass their second examination in England.

2060. Do Natives of India labour under any, and, if any, what, disadvantages in competing for employment in this branch of the Service?—

Mr. *Stewart*—continued.

The disadvantages under which Natives of India labour are chiefly—

(*a*)—(1) The poverty of the people.
(2) The necessity of learning foreign languages.
(3) Caste prejudices.
(*b*)—(4) Want of examination centres in India.
(5) Restriction of age to nineteen.
(6) Undue importance given to European languages.
(7) Backward state of secondary education to which I have alluded.

It is impossible for the Government to remove the first three disadvantages, and therefore they are bound all the more to remove the last four, which it is in their power to do.

2061. By what changes may those disadvantages be minimised or removed?—The adoption of the scheme which I propose will, I think, minimise the disadvantages, but cannot entirely remove them. Otherwise Lord Lawrence's scheme of nine or more scholarships will have to be established and passage-money given to natives of India But unless examinations be held in India, the limit of age raised to 23, and standards revised to give them a fair chance of competition with English youths, other helps will not be adequate or effective.

2062. If an examination is held in India,—

(1) Should it be identical with that held in England?

(2) Should it be held at one or more centres in India · should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations?

(3) If such an apportionment is made, on what principles is it to be regulated?

(4) Should there be an apportionment between the residents in the territories of the several Administrations respectively, or between the members of the principal religious sects?—

(1) I would strongly insist on the examinations being the same in England and India. The difficulty of holding oral examinations in India can be met by the deputation of one or two Civil Service Commissioners to India.

(2) and (3) It will be quite sufficient to hold the examination in India at one place only. Bombay seems to be the most central and convenient place Bombay is nearer to England, and is connected by railways so as to make a journey to it easy and quick.

The candidates in England and in India should compete with one another and be selected in order of merit. There should be no apportionment of the appointments to be competed for.

(4) And there should be no apportionment of appointments on the territorial or religious principle Such an apportionment would be incompatible with the principle of competition and undesirable on other grounds It would launch the Government into endless difficulties. A badge of inferiority will attach to the persons appointed, and Government will be liable to accusations of favoritism and unfairness.

In the scheme proposed by me, I have stated my opinion that the Natives of India should not be deprived of the concession granted by the Statutory Rules of 1879, and that a minimum of one-fourth of the annual appointments should be guaranteed to the Natives of India. If the number of successful candidates in England and India for a particular year be less than the minimum, it should be made up by the appointment in that year of Uncovenanted members to Covenanted posts by the Government of India. In the latter class of appointments all the provinces should have their fair share by rotation.

Mr. *Stewart*—continued.

Vol. IV. Bombay.

The Hon'ble Ráo Báhádur Govind Ranáde

I would strongly insist on successful candidates being sent to England. It appears to me absolutely necessary that they should be subjected to special training in England in contact with Englishmen. Their voyage to England and stay there will be evidence of their force of character, and will enable them to be imbued with English ideas and made acquainted with the highest forms of civilisation. It will also purge them of prejudice and conceit, and prepare them for the work of administration in India.

The young Natives obtained under the existing system of the open competition in England are not the best as regards character and capacity, who could be obtained under any system For, under the existing system, the field of competition is limited to wealthy people, and those who have overcome their caste and religious difficulties. But they are undoubtedly good specimens of their class in every respect.

2063 Will you let us hear your scheme?—Supposing each year forty recruits are required for the Civil Service Under the present rules one-sixth of these places are reserved for Natives and filled up in India, I would increase this minimum to one-fourth and place the maximum at one-third. If the first forty men included the full complement of Natives, namely, ten, I would not allow any places for that year to be filled by nomination in India. If the number included fell short of ten, for example, if it was five or six, I would make up the number ten by supplementary nominations in India. If the number exceeded ten, the minimum, but was less than the maximum thirteen, I would select the first ten Natives, and reject the others for the same reason As I expect that the number of passed candidates for many years to come will not exceed the minimum, and will often fall short of it, there would thus be abundant room for continuing the nomination system for a number of years so as to allow Government to satisfy the wants of the backward classes and provinces and keep up the continuity of the present system without any violent change In return for the partial surrender required from the Indian people, they will have their hold confirmed upon a fixed number of places each year. The English opinion demands with some justice that the tone and spirit of the service should be essentially European, and that as a guarantee of this principle, provision should be made for retention in English hands of a certain number of higher offices and of a similar number of inferior posts to serve as training ground For this purpose, the promotion of separate services is not necessary. Government will always have the right of nominating the best men to the higher posts. The maximum and minimum arrangements will provide against the remote danger of the service being swamped by Natives. Further, the Mahomedan population as well as the old nobility will not have any reason to complain. The places to be filled by nomination should be distributed equally or alternately between Uncoven-

Mr. *Stewart*—continued.

anted Officers and men of noble birth and good position and professional fitness. In the course of a few years these backward provinces and classes will learn to help themselves and be encouraged to take their place in the open competition When that time comes the nomination system will of itself cease to be operative. The tone of the service will be determined by the competition men, and there will be no danger of a separate subordinate service. The proposal to divide the number of places between the candidates examined in England and in India will not work satisfactorily, as the division will more or less be liable to change from time to time and might end in a separate service It would moreover leave no room for the aspirations of the Uncovenanted officers and men of good families and professional qualification, as also for the backward classes generally, for whom Government desire naturally, on political ground, to find employment. The apportionment therefore should be regulated not upon a division of places to be separately competed for, but upon a recognition of the claims of the Natives to fill up the minimum number each year as far as possible by competition, and where that failed by nomination.

Sir *Charles Turner.*

2064. You consider that two-thirds of the Public Service should at present be English?—Yes.

2065. You would qualify that number by retaining the Statutory system, so that Government might reward men of approved merit in the Uncovenanted Service, and that power be reserved to Government to appoint to posts members of the backward classes, but of really influential families?—Yes.

Mr. *Ryland.*

2066. You admit that the administration of India must necessarily be of a perfectly English character Would this be maintained if simultaneous competition in India and England were held?—Yes. It is admitted that it would be maintained if the administration was two-thirds in English hands.

2067 Are not the Subordinate and Executive branches almost entirely held by Natives?—Yes.

Mr. *Ramaswami Mudaliyar.*

2068 The complaint is that the examination in England places Natives at a disadvantage Do you think that the Natives of India would be satisfied with the scheme you propose?—As I have said before, I take a general view of the matter. I think it necessary to say that if choice is given to the Natives, some will stick to competition, others will stick to nomination.

2069. You say if forty candidates were selected, ten of them should be Natives. Supposing twenty Natives passed and ten of them were rejected, would not that give deep dissatisfaction to the ten who were rejected?—Yes.

2070. And would not that dissatisfaction be greater than that which is now felt because the examination is not held in India?—No: there would be mutual losses and gains. If Government notifies, in the first instance, that one-third of the places will be the maximum open to Natives, there will be no reason to complain of unfairness.

Mr. *Ramaswami Mudaliyar*—continued.

2071. Supposing, for the next ten years, no man was found successful in the competition test and so ten men would have to be nominated: do you think you would find so many fit men?—Yes.

Mr. *Crosthwaite.*

2072. Do I understand that you quite approve of all the selections made under the Statutory system?—Not all of them.

2073. Do you think you would get as efficient men by nomination as by competition?—No.

2074. Then if you did not get men to pass the competition test, you would sacrifice efficiency?—If I did not get the most efficient men, I would take the next best. But I want ten places for Natives more or less efficient.

Mr *Stewart.*

2075 Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Chapter 3, section 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service should be recruited only from Natives of India as defined in 33 Vic., Chapter 33, section 6, and not from all natural-born subjects of Her Majesty. My reasons are—

(1) In the present condition of India the best paid and most responsible posts will be held chiefly by Englishmen in the Civil and other services, and it will be unjust to the Natives of India that other posts should also be given to Englishmen not domiciled in India. If the higher class of Englishmen are appointed, their appointments will render the Government liable to an accusation of jobbery and favoritism. If the lower classes of them are appointed, they will set a bad example to the whole service.

(2) The employment of Natives will be cheaper and more efficacious for the work they will be called on to perform.

2076 Should recruitment be provincial?—As a rule, the Administrations should give preference to residents of their own territories.

2077 What would you do with the posts reserved for the Statutory Service if that service were abolished?—If the Statutory Service be abolished, the proportion of offices assigned to the service should certainly be allotted to the Uncovenanted Service.

Mr. *Ryland.*

2078. You have in your scheme given the Statutory Service to the Natives, and you also endeavour to give to them a large share in the Uncovenanted Service?—But the English would hold the majority of the Covenanted posts.

Mr. *Ramaswami Mudaliyar.*

2079. Do you think if an account were taken between the Europeans and Natives in the Uncovenanted Service, you would find the proportion of Europeans larger?—Almost all places where the salaries are over R400 are held by Europeans.

Sir *Charles Turner.*

2080. Where did you get your information from on that point? Is it from the articles appearing in the *Indian Spectator*?—Yes, and from the Civil List.

Sir *Charles Turner*—continued.

2081. Are you sure that the *Indian Spectator* is quite correct?—There may be some mistakes in it.

Mr. *Stewart.*

2084. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted Branches? If such distinction should be made, on what principle should it be regulated?—The principle upon which the salary question should be settled is that the remuneration of an officer shall depend on the requirements of the office and not on his personal position. I would fix the official scale of pay on the principle that the office would ordinarily be filled by Natives and extraordinarily by Europeans, or persons trained in England, who, in consideration of the special circumstances, should get extra remuneration in the shape of a bonus, or Indian allowance, or under some other neutral denomination This principle, if initiated, may be gradually adopted. This will show what extra expense has to be incurred in securing foreign agency.

If the principle be not adopted, still I think a distinction should be made in the salaries of Civil Servants and persons appointed to Covenanted posts I do not think that what is called the two-thirds rule should be applied uniformly in all cases. That rule is intended to be applied to the more highly paid offices. I would apply the two-thirds rule to salaries above ₹2,000, and make no deductions in salaries of ₹1,000 and less A deduction of $\frac{1}{6}$, $\frac{1}{5}$, $\frac{1}{4}$ and $\frac{1}{3}$ should be made on offices carrying more pay than ₹1,000, ₹1,500, ₹1,700 and ₹2,000, respectively, taking care that promotion from a lower to a higher grade not only does not involve an actual decrease of pay, but secures such reasonable addition as the Government may think fit to give in the circumstances of each case.

Mr *Stewart*—continued.

2085. Should any distinction be made in the Furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or any other, and on what ground?—I am unable to offer any opinion of value on this point.

2086. Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service, suitable to Natives obtaining office under the Statutory rules?—Some distinction is necessary, but it should be liberal enough to encourage Uncovenanted Natives to visit England.

The *President.*

2087. Are you aware what the retiring allowance given to Covenanted Civilians is?—£1,000 per annum.

2088 How much of that is contributed by a Covenanted Civilian?—One-fourth.

2089. Have you heard that probably most Civilians pay more?—I am not aware of that.

The Hon'ble Mr. *Quinton.*

2090. Do you think that the higher grades of the service are uniformly paid too highly? Is the salary in your opinion excessive in all cases, or to a greater extent in some cases than in others?—In some cases more than in others.

2091. Yet you would make a reduction of the salaries by 25 per cent?—I would make it only in the higher grades.

2092 Would you make the reductions uniformly. For example, take the case of a High Court Judge or of a Member of Council do you think a reduction of 25 per cent. would be equally advisable in both cases?—It may be necessary to make the reduction more or less according to circumstances.

WITNESS XXIX.—21st January 1887.

Examination of MAULVI CHERAGH ALI, Revenue Secretary to H. H. the Nizam's Government, Hyderabad.

Mr. *Stewart*

Vol IV Sec II Bombay

Maulvi Cheragh Ali

2093. You are Revenue Secretary to His Highness the Nizam of Hyderabad?—Yes.

2094. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved? If it is not, what are the grounds of disapprobation?—The appointment of the Public Service Commission to devise a scheme which may reasonably be hoped to do full justice to the claims of the Natives of India to higher and more lucrative posts in the public service, as well as to re-open the question of their admission to offices formerly reserved for the sole enjoyment of the members of the Covenanted Service, is one of the best and soundest acts of policy of the British Administration in India within the last thirty years, and is calculated to induce the Natives to rely with greater confidence on the good will of the Supreme Power and to weld the Empire into one The Statute 33 Vic, Chapter III, section 6, being a special measure for introducing Natives into the higher service, and awarding a just appreciation to deserved merit, is a great boon and is spoken of with gratitude and approval towards the British Government. Any policy which will give the leading Natives of India a personal interest in the maintenance of the administration should enhance its stability. The existing system of appointing Natives as Statutory Civilians to the posts reserved for the Covenanted Service, on two-thirds of its emoluments, is disapproved by the educated class of Natives on the ground of the selection of incompetent persons for the purpose, and essentially on account of the humiliating difference in the salary, promotion and retiring annuity. The Statute is generally approved, but the rules framed under it are objected to and require modification.

2095 Are the defects of the existing system (if any) susceptible of remedy, (*a*) by an amendment of the Rules; (*b*) by an amendment of the Statutory provisions in that behalf, or should these provisions be repealed?—The amendments required are that persons of proved merit and ability from the Uncovenanted Service, from the professional class, from the nobility and gentry of the country, from private persons of good rank and position, from families of tried loyalty and distinguished service, or from those whose ancestors had high posts of responsibility under the Moghal Empire, or in Indian Native States, and other persons of high educational attainments should be nominated on full pay, and not on two-thirds of the allowances granted to the Covenanted Civilians holding the same posts Subjects of Native States should be eligible if that is not so now.

2096. If the provisions of the Statute are not repealed, nor substantially amended so as to take away the power conferred on the local administrations, should they be amended in respect of the description of the persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—No alteration whatsoever is required in the Statute

Mr *Stewart*—continued.

2097. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—All such selected candidates should not be required to proceed to England for training, but they may be encouraged to do so, especially when they are selected from who are not legal practitioners or members of the Uncovenanted Civil Service In such circumstances a trip to England will add much to the qualifications of the nominees.

The Hon'ble Mr. *Quinton.*

2098 How would you encourage them to go to England?—By giving them passage-money and founding scholarships.

The *President.*

2099. Are you from Northern India?—Yes, but am now employed at Hyderabad.

The Hon'ble *Mr. Quinton.*

2100. What part of Northern India do you come from?—Lucknow. I lived first in the Panjab, where my father was in the British service: then at Mirat, and then at Lucknow. I was myself for twelve years in the British service.

Mr. *Stewart.*

2101. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service? Should any, and if any, what, change be made in that system?—The existing system of recruitment for the Covenanted Civil Service is regarded with dissatisfaction by the educated Natives of India. The changes required by them in the system are:—I. that the competitive examination should take place in India, or at least simultaneously in India and in England · II. that the limit of age should be raised to twenty-five, as it is at present for the Statutory Civilians, or at least to twenty-three III that the subjects for examination should be altered in this way, that, together with the classical and modern languages of Europe, Arabic, Persian, and other modern languages of India should be introduced, and the maximum number of marks allotted to Latin should be allowed for Oriental classics that a decided preference should be given to pure mathematics over the mixed mathematics in which the candidates are at present coached up and that Oriental languages and learning should be put on a level, for the purpose of administering India, with Western literature and Western languages.

But my own individual opinion is that though an examination in India only, or one held simultaneously in England and India, may appear just or plausible to the Indian public, yet if the bar to the practical utilisation by the Natives of India of the Civil Service competition be removed once

Mr. *Stewart*—continued

for all, either the competitive examination will have to be abandoned or the Civil Service surrendered to the Natives Thousands of Natives would compete and come out successful, while the English candidates would be driven off the field by the Indian intellect and by the stress of numbers. In my opinion it would be good policy on the part of the Natives of this country not to hanker after the competitive Civil Service in England, or to seek to remove the disadvantages under which they labor in vieing with Europeans in European languages, but to rest content with gratitude with that part in the administration of their native country which is held out to them in the shape of the Statutory Civil Service with certain modifications suggested elsewhere. A second political drawback to examinations in India is that communities backward in education will be great losers. Communities with a high educational standard will come forward in a great majority on the strength of their advanced education to secure the lion's share of the State patronage, to the great disadvantage, political, social, and religious, of the less educated classes I advocate an equal distribution of administration amongst all people of India, be they Mahomedans, Hindus, Parsis, or Eurasians, who outside their own province do not know one another, who, from the very nature of a continent like India, do not understand the languages of each other, nor have any sympathy with the traditions and national literature of the respective classes.

2102 Do Natives of India labor under any, and if any, what, disadvantages in competing for employment in this branch of the service?—The Natives of India do labor under serious disadvantages in competing for employment in this branch of service The disadvantages mainly spring from the following causes All reformatory efforts must be directed to remedy them :—

(1) The limit of age being from seventeen to nineteen years
(2) A voyage to England
(3) A residence there for three years
(4) To compete in the classical and modern languages of Europe
(5) The heavy expenditure entailed on a sojourn in England

2103 By what changes may those disadvantages be minimised or removed, *e g* —

(*a*) by the establishment of scholarships and allowance of passage-money to Native candidates?

(*b*) by altering the limit of age?

(*c*) by adding to the subjects of examination or by altering the maximum marks obtainable in certain subjects?

(*d*) by holding simultaneously examinations in England and India?—Public opinion would approve of the following remedy, but I am personally against the first —

(1) To hold competitive examinations in India only, or simultaneously in England and India.

(2) To raise the standard of age to twenty-five

(3) To alter the subjects of examination for Natives by placing Persian, Arabic, Sanskrit and other modern languages of India side by side with the classics and languages of Europe. The maximum number of marks in Oriental classics should be the same as that assigned to Latin at present

Mr *Stewart*—continued.

(4) The establishment of scholarships and passage-money can only partially minimise some pecuniary hardships of certain Natives of India

Even if simultaneous examinations be held in India and England, the limit of age and subjects of examination ought to be altered, besides which successful candidates ought to be allowed passage-money to England.

2104. If an examination be held in India,—

(1) Should it be identical with that held in England?

(2) Should it be held at one or more centres in India?

(3) If an apportionment is made, on what principle is it to be regulated?

(4) Should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects?—If an examination is held simultaneously in India and England, it should be identical in respect of subjects, as suggested above The examination should be held at various centres in India, and the candidates of England and India should secure places in the service higher or lower in proportion to their efficiency and merit. If a certain number of appointments be set apart for candidates at the respective examinations, the apportionment should be half to each In the portion reserved for the Natives of India, a special provision ought to be made in favor of the Mahomedans to secure them a certain percentage of offices in the service of the State

2105. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—If an examination is held in India, the successful candidates should be compelled to proceed to England to complete their training and add to their qualifications They should be, under these circumstances, allowed passage-money to England, and the usual allowance of £300 should be raised to £400.

Mr *Nulkar.*

2106. Is a foreigner in Hyderabad looked upon with jealousy?—Yes, by the Natives of Hyderabad

2107 Is any inconvenience felt as regards the public service owing to this feeling of jealousy?—No

2108 Generally speaking, Mahomedans are a backward class What are the causes?—The general cause is that they will not take advantage of tuition in English schools, parents do not like to send their children among the lower classes, and there are superstitious feelings besides These feelings, however, are fast dying out.

2109. Would you advise any specific remedies which it is in the power of Government to devise, to help the community so far as their education is concerned?—Yes, certainly. There are many ways in which they might be helped, and among them is this, that children of the Mahomedan gentry might be given some appointments of high rank

2110 That is as regards the nobility What about the middle and lower classes?—The same answer applies to them

2111 What is the cause of the comparative absence of Mahomedans from Government employment?—Want of education.

Mr. *Nulkar*—continued.

2112 Would you lower the educational test in favor of Mahomedans?—No, I would not.

Mr. *Stewart.*

2113 Should the Uncovenanted Service be recruited only from Natives of India, as described in Statute 33 Vic., Chapter 3, section 6, or from all natural-born subjects of Her Majesty, and should the recruitment be by competition, or by nomination, or by both systems combined; and, if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—It should be the *sine qua non* of the policy of Government not to employ Europeans in posts which can be efficiently filled by the Natives of the country.

The recruitment of the Uncovenanted Service should be left as at present, *i e.*, by nomination and examination. Subject of Native States should be eligible as for the Covenanted and Statutory services.

2114. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such administrations, respectively, or with a preference for such residents?—The recruitment should be confined chiefly to the natives of the territories under different Governments and Administrations.

2115. If the existing Statutory Service be abolished, should the proportion of offices assigned to that Service be allotted to the Uncovenanted Service?—If the existing Statutory Service is abolished, the proportion of offices assigned to that Service should be allotted to the Uncovenanted Service.

Mr. *Ryland.*

2116 If it should be a *sine qua non* of the policy of Government not to employ Europeans in posts which can be efficiently filled by Natives, then, according to your argument, no Europeans should be admitted at all?—There is already a rule that no European should be employed on a salary of R200 and upwards unless by sanction of the Secretary of State.

The Hon'ble Mr. *Quinton.*

2117 How are Uncovenanted appointments made in Hyderabad?—By nomination, and afterwards the men have to pass departmental examinations

The *President.*

2118. What do the Tahsildars get?—R150 to R200 A Deputy Collector gets from R250 to R300

2119. What is the lowest pay a judicial officer gets in Hyderabad?—A Munsif gets R200.

Mr. *Stewart.*

2120 Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service, according as the posts are held by members of that branch of the Service or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated?—There should be no distinction in the salaries of Covenanted and Statutory Civilians for the same post. Any distinction between the salaries of the two classes of Civilians will make the less paid agency inferior to that enjoying higher rates I know the requirements of Europeans in India are greater than those of Natives, but I view it in another light. The question of pay and emoluments is a matter of social status and official precedence. Salary should be the gauge of the importance of various offices. Native and European integrity and qualifications are placed on the same level, but not their emoluments, unless by paying Natives less than Europeans for the same posts of responsibility and respectability Native integrity be placed on a much higher level, which, I believe, is not the case. The requirements of Natives after they return from England become wider, inasmuch as they imbibe European ideas and European ways of living which were unknown to them when they left India. Even the rising generations of India, whether Mahomedan, Hindu or Parsi, who have taken to English comforts in their ways of life, have multiplied their requirements in a greater degree than the orthodox people of the same community. Larger requirements or serving in a foreign country under various unfavorable circumstances seem to me to constitute no ground for a higher rate of salary when the posts held are the same. In Non-Regulation Provinces the scale of salaries for Covenanted Civilians is lower than in Regulation Provinces. If a more economical scale of emoluments is required, the scale of the salaries of the entire Civil Service should be revised.

Mr. *Stewart*—continued.

2121. Should any distinction be made in the Furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other and what ground?—There should be no distinction in the Furlough rules applicable to the Statutory Civilians while proceeding to Europe, or to Covenanted Civilians according to the nationality of the officer.

2122. Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory rules?—The privileges in regard to pay, promotion and retiring annuity, and the general conditions of office as given in the Civil Service covenant, are suitable to Natives obtaining office under Statutory rules.

2123. Is there anything further you would wish to add?—I should like to say in conclusion that I would retain the Statute 33 Vic, chapter III, section 6, for the appointment of Natives of India of proved merit and ability to posts reserved for Civilians without passing the Civil Service examination in England, with equal salary, leave and annuity; the appointments so filled should be not less than one-third of the number of officers required every year for Civil Service in India until more Natives are admitted to the competitive examination under the required facilities stated above. If this is not done, I would propose that the posts of Assistant Collector in the schedule of appointments reserved for Covenanted Civilians should be transferred to the Uncovenanted list.

WITNESS XXX.—21st January 1887.

Examination of R. G. OXENHAM, Esq, M A, Principal and Professor, Deccan College, Poona.

Mr *Stewart.*

2124. You are in the Educational Department and Principal of the Deccan College?—Yes.

2125. What is the prevalent feeling in your province regarding the existing Statutory system?—Dissatisfaction, I believe.

2126. What are the grounds upon which any such feelings are based?—The main ground upon which this feeling is based is that this system is one of patronage, in which favor rather than merit is, or is thought to secure success I have found young men, whose character and attainments seemed to qualify them for the public service, unwilling to sue for that personal favor understood to be requisite.

2127. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—Assuming the Statutory Service in some form to be retained, competition might be combined with nomination. For example, if the local Government and University nominated three candidates, respectively, for each vacancy, and the selection was decided by competition between these six candidates, public confidence in the efficiency of the service would be strengthened, and the status of the service raised.

2128. Has the Statutory system had the effect of securing men, who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—Not so, far as my experience extends.

2129. Would you amend the Statute?—I think it ought to be amended so far as to include subjects of Native States.

Mr. *Stokes.*

2130. Do you think that the Statutory Civilian should be compelled to go to England?—Most decidedly.

Mr. *Stewart.*

2131. Would a system of competition be favorably regarded? If competition, whether limited or open, is preferred, should there be one competition for all India, or separate competitions in each Province?—Competition, whether limited to nominees or open, should, I think, be for all India, or at least that the standard should be uniform whether in each case the candidate was competing for an appointment in some one province or for general service. The public interests would be best served by securing the best candidates. There is not, I think, reason to anticipate that any one province would obtain a monopoly, and I presume that by due share of appointments is not to be understood the share due to the numerical proportion of the Natives of each province to the total population of India.

2132. Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—The establishment of such scholarships would be popular and probably useful. Instead of maintaining this distinction between Statutory and other Civilians, it would be far better to offer such scholarships or cadetships.

Mr *Stewart*—continued.

2133 Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—Native candidates would be at a disadvantage, unless some Oriental languages, *e g.*, Sanskrit and Arabic, were allowed equal weight with Greek and Latin.

2134 If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates, and, if so, what should the limits for Native candidates be?—As to limit of age, the balance of opinion preponderates, I think, in favor of raising the existing limits Completeness of training and development of character are more probably secured by a regular course of school and University training than by a short period of general education at school followed by specialised cram designed to prepare for the Indian examination, and only incidentally, if at all, aiming at any general development, moral or intellectual This consideration seems of special importance in view of the nature of Indian service, where rare opportunities of leisure and culture, frequent isolation, and a harassing routine of office work are the conditions of that service in the early stages of the officer's career who may afterwards be required to deal with wide questions of administration and policy where previous training and development, intellectual and moral, would be of the highest value, and the absence of such previous training be gravely prejudicial.

2135 Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I believe an examination in India would be most popular Neither Natives nor Europeans should be excluded from competing either in England or India.

2136. Would you have the examination in one centre?—Examinations in each presidency would be desirable. Allowance for longitude would be necessary to prevent telegraphic communication of questions westwards.

2137. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—Assuming there is an open competition, it would, I think, be inexpedient to reserve any number of appointments for candidates in the several examination centres. The best candidates should take the appointments offered

Mr. *Stewart*—continued.

Vol IV. Sec II. Bombay.

R O Oxenham, Esq

for competition This question, I presume, impliedly suggests that some provision should be made against an undesirable proportion of Native appointments I believe this to be unnecessary, both because English candidates will always have, at least, equal chances of success, and because the underlying question is not touched. The question that must be faced is, are or are not Native officers eligible for any and every appointment in the Civil Service? In the one case no provision limiting the proportion of Native officers is necessary In the other case all such provisions are futile. If it is regarded as essential to appoint European officers to certain high administrative posts, it is well openly to avow this policy The Government would not lose popularity by the candour of avowal Of the many educated and thoughtful Natives with whom I have discussed this question, I have not found one who hesitated to admit the political necessity of acting upon this policy until the conditions of Native society and the national level of intelligence and civilisation have been changed and developed.

2138 If an open competition is held in India, what should be the preliminary qualifications in regard to age, physical, moral and social fitness and in other respects? I think nineteen to twenty-three would be judicious limits From every candidate I would require certificates of physical vigor and moral character.

2139 Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c, should not also be different?—As to pay, Native officers would be as well remunerated as Europeans in India with two-thirds or even half the pay drawn by their foreign brother officers. This deduction being applied to all salaries in excess of some junior class as *e g*, R500 a month. As to leave, the rules for Natives of India in India should obviously be analogous to those for Natives of England in England. The leave rules of English Civil Servants in the most coveted departments, *e g*, in the Treasury, could not be held illiberal if made applicable to Indian Civil Servants in India.

2140. To what extent does the Uncovenanted Service in your province include in its ranks persons eligible on the ground of proved merit and ability for appointment to offices ordinarily reserved for members of the Covenanted Civil Service?—The conditions of the Indian services have so completely changed since the time when Civil Servants were distinguished as Covenanted and Uncovenanted, that it would argue blindness to the future to attempt any scheme for remodelling the public service based upon a principle of division certain to be abandoned for others more scientific The first and most obvious of such divisions is into superior and subordinate, and of Civil Servants personally into Natives and foreigners. Existing divisions into departments could be maintained or modified, and with regard to the nature of the duties imposed, the rates of pay would necessarily vary. Uniform rules for leave might reasonably be assigned to the subordinate service, as the class of Europeans employed would have an Indian domicile as a rule In the superior service uniform rules for leave certainly and probably for pension could be framed for all officers according as they were Native or European Such a system would correspond with the actual facts and exigencies of the public service, and need involve

Mr. *Stewart*—continued

no additional charges but the reverse, and would relieve Government of a whole class of administrative problems frequently recurring, pressing for solution, but rendered insoluble by the impossibility of framing rules for any system on the principle of assuming that system to be other than it is.

Mr. *Stokes.*

2141. Should the Uncovenanted Service be recruited only from Natives of India or from all natural-born subjects of Her Majesty?—From all natural-born subjects

2142 And by competition or nomination, or both combined?—There should be competition after nomination

2143 Whatever system be adopted, should the recruitment be provincial or open to all in India?—As regards the Uncovenanted Service, I think it would be necessary to limit the recruitment to each province itself.

The *President.*

2144 You would not exclude a man from the Bombay Presidency from obtaining an appointment in another presidency?—I would leave that to the discretionary power of the Government

Mr. *Nulkar*

2145. Do you think that a large number of Native candidates would succeed in passing if the examinations were held in both India and England?—Many more would succeed in passing than under the present conditions.

2146. Do Indian colleges produce the same results as the English colleges?—I don't see why they should not

2147 Supposing Government withdrew from direct control over certain colleges which are Government institutions, would the present standard of education be maintained?—I should rather think it would not

Mr *Ryland.*

2148. By competition for the Covenanted Service in this country, would you obtain the same material as in England?—You must allow for the necessary difference between Europeans and Natives

The *President.*

2149 Does not the Uncovenanted Service in the Bombay Presidency contain a large number of men of approved merit and ability?—Most decidedly

Mr *Ramaswami Mudaliyar.*

2150. As regards Europeans and Natives, is there not a greater difference of pay in some departments than in others?—Of course.

2151 Do you think there should be a reduction of pay on that ground?—That would be a very unreasonable ground for reduction There should be more highly paid officers in the so-called Civil Service; and it is always to be remembered that as regards very high appointments, such as members of the Legislative Council and Judges of the High Court, it would be very inadvisable not to give enough to attract thoroughly competent people

Mr. *Ramaswami Mudaliyar*—continued

2152 Do you think you could get a good Native District Judge for half what is now given to a European ?—I think you could for ₹1,000 a month

Mr. *Stewart*

2253 How far is the existing system of education in the higher schools and colleges in India well adapted for training young men for the public service? Can you suggest any improvements ?—I see no reason why the existing higher schools and colleges in India should fail to afford such training. This is on the assumption that the University standards and the efficiency of the higher educational institutions are fully maintained.

Mr. *Stewart*—continued.

2154 Do we now obtain for Government service Natives of the classes who under Native rule carried on the Civil Administration of the country ?—I believe that this is a fact which careful collation of the historic data available with modern Civil Lists would prove conclusively, though the reverse is often alleged.

2155 Have you any thing further to say ?—No

WITNESS XXXI.—21st January 1887.

Ráo Bahádur KHANDERÁO C. BEDARKAR, B.A., LL B, Acting Judge, Small Cause Court; Deputy Registrar, Bombay High Court, Appellate Side.

Mr. *Stewart*.

Vol IV Sec II Bombay.

Ráo Bahádur, *Khanderáo C Bedarkar*

2156 You are Deputy Registrar of the High Court and Acting Judge of the Small Cause Court?—Yes.

2157 What is the prevalent feeling regarding the Statutory Service?—The prevalent feeling in the presidency of Bombay regarding the existing Statutory system is one of dissatisfaction. The feeling is confined to the educated classes.

2158 What are the grounds of dissatisfaction?—The grounds upon which the feeling is based are—

(*a*) That the principles upon which the nominations are made are such as do not always secure the best men who can be got for the remuneration offered

(*b*) That the principles upon which the nominations should be made are not embodied in the Statute.

(*c*) That the appointments do not secure membership in an organised service.

(*d*) That the appointments are made under a system of Government patronage in which too much importance is attached to family and class considerations, and there is no room for merit.

(*e*) The system defeats the original object of 33 Vic, Chapter 3, which was to promote people of proved merit and ability

2159. Is the feeling directed against the statute or the rules framed under it?—The feeling of dissatisfaction is directed against the Statute as well as against the rules framed thereunder. The Statute removes the disability, but does not enunciate the principle of admission in a full and complete form or give a reality to the benevolent intentions of the Legislature The mode of carrying out these intentions should not be left to the various Governments and Administrations, but must be laid down as part of the Statute itself. It should, of course, be open to the Governments and Administrations to supplement the Statute by instructions, not inconsistent with its provisions, for the purpose of more effectually carrying out the provisions of the Statute. Much depends on the mode of working. If the Statute and the rules framed thereunder had been worked in the spirit in which the Statute was enacted, the clamor which now exists for enrolment into the Covenanted Civil Service and for transfer to it from the Uncovenanted branch would undoubtedly have been less strong and less widespread than it is now. The Natives of India feel a very strong desire for enrolment in a general service, for it secures to them membership in an honorable and useful body and satisfies their natural aspirations

2160 Would you amend the definition of the term Natives of India?—I think section 6 of the Statute supplies a definition of the words Natives of India which describes with sufficient clearness, fulness and accuracy the various classes of persons for whose appointment to Covenanted posts it is

Mr. *Stewart*—continued.

desirable to provide. I understand 'Eurasians' are included in this definition, and I would not object to include in it the subjects of Native States. These can now gain all the advantages of British subjects by obtaining a certificate of naturalisation.

2161. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers?—Yes, they consider that the former hold a more honorable position than the latter, but a less honorable one than the Covenanted Civilians. The members of the Uncovenanted Service regard the present Statutory system with disfavor, inasmuch as it gives a superior status to men who are in no way superior to them in social rank or intellectual acquirements, and some of whom would not otherwise have got the emoluments which they now receive as Statutory Civilians.

2162. Is there any friction between Statutory Civilians on the one hand and Competitive Civilians, English and Native, and members of the Uncovenanted Service on the other?—No, but at the same time a cordial feeling is wanting. The ordinary Civilians look upon the Statutory Civilians in much the same way as upon the higher members of the Uncovenanted Service. The Statutory Civilians have never tried to conduct themselves towards the latter as if they belonged to a superior class, and hence there is a fair amount of agreement between the two classes.

2163 Has the Statutory system had the effect of securing men who, in point of education, or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—No, they are mediocre men as a rule The result of the Statutory system has not been to secure the services of men of better social position and better family than those who usually accept posts in the Uncovenanted Service. People who fail in securing inferior Uncovenanted posts scramble for appointments as Statutory Civilians.

2164. On the assumption that the Statutory system is retained, would influential sections of the Native community regard appointment to the Statutory Service by nomination with favor?—Yes, if candidates be selected from them. Disappointed sections would regard such appointments with great disfavor. The Native community generally would prefer nominations being made from the higher rank of the Uncovenanted Service.

2165 Should there be a period of probation?—No classes would or could properly object to a period of probation in the case of the nomination of freshmen, but in the case of nominations from the Uncovenanted Service a period of probation would be regarded as both objectionable and unnecessary The object of requiring persons to undergo probation is to exclude incapables and afford suitable training The higher ranks of the Un

covenanted Service, especially the Judicial branch, has now attained a state of efficiency which would give an ample field to Government for the appointment of none but capable and trained men. A system of nomination with or without probation is not likely to secure well-qualified persons, but it is not impossible. The result will depend upon the mode of nomination. The nomination system adopted by Government in regard to the appointment of Statutory Civilians has not resulted in securing the best men available. Sufficient experience has not been gained to judge whether the persons appointed in this presidency are well-qualified officers. All of them do their work well. There has neither been conspicuous success nor ignominous failure, and, probably, in the short course of their existence, nothing has occurred to put them on their mettle.

2166 Should nominations be confined to persons of proved merit and ability? If so, how should these be proved?—I am decidedly of opinion that nominations should be confined to persons of proved merit and ability. In the case of new men a University degree may be considered sufficient proof of merit and ability. In the case of men from the Uncovenanted Service a certificate from the High Court for judicial and from the Commissioner of Division for administrative officers should be required. For first appointments a system of limited competition amongst persons nominated for this purpose by the Universities would be favourably regarded. I would not advise Government to put its nominees in competition with those of the Universities, for the latter are more likely to succeed in an examination and their success would bring discredit on the nominees of Government. I should prefer Government making their final selection out of persons nominated by the Universities. This procedure will most effectually lead to the best men in point of knowledge, ability, and character being secured; and will satisfy public opinion better than any other. The community have come to regard the Universities with great respect and confidence, and Government will probably not object to the adoption of a system which is the least liable to jobbery, the most efficacious in the discovery of the best men, and which will reserve to them the final voice in the selection.

2167. Would a system of open competition be preferred?—I do not think that a system of open competition, pure and simple, will commend itself to the Native community in preference to the system which I allude to above; but it is likely to be preferred to the present mode of nomination by the Government. A competition, pure and simple, may bring to the front clever crammers devoid of sound scholarship and general education. This result is of course very much to be deprecated in the interests of the Government as well as of the people. The intervention of the Universities which test a young man's abilities through a succession of years, in the various branches of general and special knowledge, is a desirable guarantee for the selection of the most capable and the best trained men. If the Universities be required to nominate a sufficient number for the selection of Government, the Government may then hold a competitive examination and select the fittest candidates.

2168. In the case of an open competition should there be an examination for all India or separate provincial examinations?—If open competition be preferred, there should be one examination for all India If competition through the Universities be preferred, there should be a separate competition for and in each province. In a system of unlimited competition it is, I apprehend, impossible to ensure a due proportion of appointments falling to the population of the several provinces The principles are incompatible.

2169. Having regard to the varying educational standards reached in the several provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some provinces being more or less excluded from a due share of appointments?—No. It will be absolutely necessary to limit beforehand the number of appointments to each province, if it is desired that each province shall have its fair share of appointments. I do not, however, advocate such a measure; nor a measure which will restrict the choice to a particular class or classes of the communities For some time the inhabitants of the provinces now backward in education will suffer, so will the backward classes, such as the Mahomedans, in each province, but it is not desirable to restrict the power of selection either way. The backward will continue in their backwardness until they are brought seriously to realise the necessities of their situation. They only require to be awakened to the new state of things and led onwards by a sympathetic movement; and the result will be a fair adaptation of both the educational standards and the distribution of appointments The unification of India ought to be the goal to be attained in the general interests of the subjects of the empire regarded as a whole

2170 Whatever the system of selection, what preliminary qualifications would be necessary in regard to age and physical, moral, and social fitness?—I consider it necessary that under all of the three systems of nomination, limited competition and open competition, the tests of age, intellectual capacity, and moral, social, and physical fitness should be exacted in the case of first appointments.

I would require satisfactory certificates—

- that the candidate's age is not more than twenty-five;
- that he is a graduate of an Indian or English University;
- that he is of good moral character;
- that he belongs to a respectable family;
- that he has no disease, constitutional affection, or bodily infirmity unfitting him, or likely to unfit him, for the service; and that he can ride and perform journeys on horseback.

2171. What are your views as to probation and special training?—I consider that in the case of fresh men there should be a probation of two years passed in the ranks of the Covenanted Service There should be no probation in the case of persons taken from the Uncovenanted Service I do not consider that after selection and before entering on probation the person selected should undergo any special training. If any special training is to be given, that must be during the period of probation and before entering on regular duty. I do not think that the special training should be carried out in England.

Mr. *Stewart*—continued.

2172. If the training is carried out in India would it be possible or advisable to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—It would be possible but not advisable to establish an Indian Civil Service College on the basis of the Haileybury College or any other institution.

2173 Would you encourage nominees or selected candidates to go to England?—I would certainly encourage nominees or selected candidates to visit England, with a view to add to their qualifications for the service, by the grant of allowances or scholarships. If it be decided that there should be no examination in India for the Civil Service, then I should decidedly be in favour of the establishment of scholarships tenable by Natives of India in England for the purpose of enabling them to qualify for the Civil Service. Some small distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or who have gone to England to add to their qualifications and those who have not.

2174 Do you think it likely that advantage would be taken to any great extent of an opportunity, if offered, of residence in England at a University for two years with a sufficient allowance?—No.

2175. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system for the admission to the Civil Service of persons from the higher ranks of the Uncovenanted Service?—Yes, but the system should be abolished for the admission of outsiders. It is unfair to cut down the aspirations of those men in India who have long looked forward to admission to the Covenanted Service on the faith of the Acts of Parliament and the Proclamation of the Crown There should be no restrictions or conditions after such appointments. Seniority and fitness in the highest sense of the term should be the only two principles upon which the promotions of persons admitted to the service should be made to rest. It would be mischievous and impolitic to say that a certain class of men shall rise so far and no higher. It is unnecessary to set out the promises given authoritatively in 1833, 1858, and 1870. It is equally unnecessary to say that no distinction should be made between the Natives of India and any other class of British subjects. The Government of India and the Government in England are in earnest that the Natives of India should be admitted freely and impartially to offices the duties of which they may be qualified by their education, ability, and integrity duly to discharge. To this there can be no restrictive conditions save one, and that is that the admission should be consistent with the maintenance of British supremacy. If this requires that the very highest administrative posts should for some time be ordinarily filled by Englishmen, by all means let them be so filled. Let there be also a fairly ample but not exclusive field to give the necessary experience and training to younger men from whom the few required to fill those posts may be chosen. But save and except such posts, the Natives of India as subjects of Her Imperial Majesty demand that all others shall be not theoretically but practically open to them in fulfilment of the solemn pledges repeatedly given. If the Natives of India are not to be the slaves of the British but their fellow-subjects holding equal rights of citizenship with them, then it follows that the only posts from which they can be excluded are those which if filled by them will interfere with the maintenance of the Empire consisting of Great Britain, Ireland, and India. Nothing less will satisfy them; nothing less will be consistent with the pledges given. Englishmen and Indians must rise or fall together If there is at present a difference between them in intellectual, moral, social, or physical fitness, the effort of all must be to minimise and ultimately to annihilate that difference in a spirit of honourable emulation, and not to add to it by perpetuating institutions whose tendency is to widen the gulf. Keeping the Natives of India at arm's length, constantly reminding them of their inferiority by deeds and words, using them as subservient instruments in furtherance chiefly of the interests of the superior classes, are sure to be prejudicial in the long run to the true interests of both The preservation of the Empire requires the hearty, willing, spontaneous and loyal co-operation of all classes of Her Majesty's subjects. A coercive predominance on the one hand and forced submission on the other are not conducive to that end. It has pleased Providence to unite India with Britain, and what the Indians want is a permanence of that unity in the best sense of that expression, and an orderly unification of a free people, not the unnatural and barbarous composition of slaves and their masters. It is of course not to be supposed that all are to be brought down to the same dead level The inferior and weak amongst the Natives must look up to the superior and strong among the British just as the inferior and weak amongst the British would look up to the superior and strong among their own class. The inferiority and weakness are to be got rid of by fusion with the superior and strong, not by a severance from them. For the tree to be healthy there must be a free circulation of the sap. It is a suicidal and short-sighted policy to separate the Natives of India from the other subjects of the Empire and keep them at a distance. The declarations of the Crown and Parliament are the outcome of the wisdom of the greatest statesmen England has produced; and it behoves the statesmen and administrators upon whom their mantle is cast and on whom rest the destinies of the British and Indian peoples to carry them out in a firm spirit so as to lead to a real and glorious unification of the greatest Empire the world has ever seen.

Mr. *Stewart*—continued.

Mr. *Stokes.*

2176. Would you include the subjects of Native States in the definition of Natives of India?—I would have the subjects of Her Majesty feel the allegiance they owe to her; but would make a concession in regard to the subjects of the Native States. Even now a subject of a Native State can get a certificate of naturalisation after a six months' residence in British territory.

2177 If the Statute were retained, would you compel candidates to go to England?—No, not necessarily.

2178 Should there be a general reduction of the higher salaries, or should each particular case be subject to adjustment?—The two-thirds rule seems to meet with approval, but there should be a general uniformity in the matter of salary.

2179. Do you think as good men can be got on a reduced salary?—Individually the present men are about the best specimens of their class; but if there was a larger field of selection, better men might be got.

The *President.*

2180. Have you ever been to England?—Never.

Mr. *Stokes.*

2181. Would you send your son to England?—I would.

The *President.*

2182. The difficulties are not such as they were?—No; they are lessening.

Mr. *Stewart.*

2183. Is the competition of Natives at the examination in England favourably looked upon by large and important classes in India?—No; in consequence of the caste difficulty and unwillingness of parents to expose their children at too early an age to the danger of the English climate and the temptations of society there.

2184. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—No; provided that, simultaneously with the examination in England, an examination on the same question papers is held in India for admission to that service.

2185. If additional facilities are given, what form or forms should they take, and what conditions, if any, should be attached to them?—If it be decided that there shall be no examination in India, then additional facilities are necessary, and I would revive the system of scholarships instituted in the time of Lord Lawrence and increase the age of Native candidates to twenty-four. This is the least to which the Natives are fairly entitled in the circumstances of the case. I would give no special preference to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition. Nor would I, on the other hand, subject them to a special disability. Their selection or rejection must be based upon grounds quite distinct from their performance in England. Assuming it to be advisable to appoint to the Statutory Service Natives who have failed in the English competition, such persons should, of course, be subjected to the same training and final examination as the successful candidates. And they should be subject to the same incidents as apply to other persons appointed under the Statutory rules. The Parsis are the only class who go to England readily from the presidency of Bombay. Objections are entertained to going to England, and particularly by the Brahmins, Khetris, and Banias. The objections, however, are not of a very serious nature, and they have a tendency to decrease from year to year. There should be one examination for all candidates, English and Native alike, and the standards and conditions should be the same in every respect. If they were different it would not be possible to compare the results in the two examinations so as to bring out one list in the order of merit. A difference in either the standards or the conditions will create a feeling of superiority and inferiority and prevent the formation of an *esprit de corps*. The Natives of India ask for equality on the ground of justice. They ask for no favour. They consider it a greater hardship to have to send their boys to England under religious, social, and pecuniary difficulties at a tender age, to be exposed to a severe climate and the temptations of life in foreign cities, unprotected by familiar and

Mr. *Stewart*—continued.

sympathetic guardians, than the hardship felt by Englishmen of coming out to India and living here in the position and under the circumstances in which English Civilians live. They cannot be expected to send to England a sufficient number of their children to make an examination for them a real competition. They want the examination to be held and appointments made in India, and they would be prepared to send their children to England to enable them to be imbued with English ideas and to acquire the special training in contact with Englishmen. Assuming only one examination in England for both English and Native candidates, I consider that the subjects and standards of examinations and the conditions as to age place Native candidates at a disadvantage as compared with English candidates. The state of lower education in India is backward and far from satisfactory. Even the most precocious and naturally-gifted Indian boys, as a rule, lack the qualities of manliness and self-dependence for the development of which Rugby, Eton, and Harrow are so remarkable. The teaching is defective, especially in regard to the development of the youthful faculties in a steady, ordinary manner. Routine and cramming give no room to originality and thought. There is the superstructure without the solidity of foundation, the plaster and varnish without the stability of substance. Most of the head masters of the high schools in the presidency are my personal friends, for their moral and intellectual qualities I have the greatest respect. But in the interest of my countrymen I desire that for some time longer we should have at the head of the high schools really superior Englishmen who will encourge manly sports, broad ideas, feelings of fair play, growth of originality, and discourage all that is mean intellectually and morally. A desire to acquire sound scholarship and a contempt for shallow cramming for the purpose of getting over a particular examination should be implanted in a boy's mind from the very time that it begins to open. Our high schools, as they exist at present, are not quite what they should be, and therefore the Indian students leaving school are at a considerable disadvantage with the public school men of England. To remove the disadvantage our schools should be remodelled on the above lines, and the Educational Department, in apportioning their grants-in-aid, should not exclusively look to the result as arrived at by means of their stereotyped examinations. If higher limits of age were fixed for Native than for European candidates the latter would have a substantial ground of complaint.

2186. At what ages do Natives usually pass the F.A., B.A., and M.A. Examinations, respectively at Indian Universities? And to what classes do the students usually belong?—I believe the average age at which Natives at the Indian Universities pass the F.A. is twenty-one, the B.A. at twenty-two, and the M.A. at twenty-six. Indian graduates are usually drawn from the relatives of public servants, such as Subordinate Judges, Mamlatdars, Sheristadars, and Karkuns; the relatives of professional men, such as Pleaders, Doctors, Engineers, money-lenders and traders; and the priestly class. The majority of the graduates are Brahmans; but the Parsis supply the largest proportion in comparison with their numbers. The supply from the Sirdar and aristocratic classes is probably the smallest; and that from the agricultural classes is almost nil. I think there is no B.A. from that class and but one L.C.E.

Mr. *Stewart*—continued.

2187. Do you advocate a competitive examination in India simultaneously with the competition in England, the same question papers being used at both examinations?—I do.

2188. How would this method of selection be regarded by the Native community generally?—Favourably, unless the result shows that a sufficient number of Native candidates have not succeeded

2189 If you advocate such a system, would you restrict the competition in India to Natives and that in England to English candidates; or would you admit both classes freely to either examination?—I would admit all subjects of Her Majesty freely to the examinations in England and the examinations in India, and would have no objection to the admission even of the subjects of the Native States.

2190. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system, as introduced in 1855, to secure?—I consider that colleges affiliated to the Universities are capable enough of giving the high class education which it was the object of the competitive system introduced in 1855 to secure. With the improvement in the high schools their capability will also improve.

2191 Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—An open competition in India will enable the Brahmins and Parsis to pass a good number of the youths of their communities. This would be the natural result of merit existing among them, and so far they would gain some decided advantages. There would, however, be no undue preponderance of any one class or caste in the public service. A majority of the officers in the service at present are either Parsis or Brahmins, as the major portion of the graduates and undergraduates are derived from those communities. I think an open competition in India is objectionable both on political and administrative grounds. Cleverness in answering questions, especially at a single examination, should not be made the chief test of fitness for admission to the Indian Civil Service I would limit the competition to the University nominees. The introduction of unlimited competition may tend to retard general education, prejudicially affect the acquisition of sound scholarship, and encourage superficial cramming in set subjects. In India admission to the Civil Service is likely to be regarded as the highest goal of ambition by the educated youths of the country, and the tendency of education throughout its length and breadth will be to reach it by the quickest and shortest path, and to stop after the goal has been once attained. In England the pick of its youths are not attracted by the allurements of service. They have nobler and higher aspirations The introduction of an open competitive examination will not deter cadets of leading families from aspiring to enter the ranks of the Civil Service. In the Bombay Presidency, exclusive of Native States, there are very few families which will regard the introduction of the members of the poorer families to the service as a real grievance operating harshly upon their traditional dignity or privileges. The backward will complain; but to listen to their complaint is to keep them in their backwardness for ever. A system of open competition is inconsistent with the idea of providing for certain classes

Mr. *Stewart*—continued.

of the people according to their locality or creed, or the possession of any other distinctive feature. If the competition is to be open and unlimited, I would have one examination for all India. If the competition is to be limited to the University nominees, as I advocate that it should be, then I should prefer examinations being held at the chief seats of Government in India. Successful candidates at an examination in India, if not put on the same list and footing as the successful candidates in England, will undoubtedly be regarded as occupying an inferior position.

2192 Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—I should look with disfavour upon a system which mars the prospects of the higher officers in the Uncovenanted Service, and which makes any kind of distinction between the successful candidates in England and India. For freshmen I would have only one door of entry, *viz.*, success at the final examination in England of persons appointed on the results of the examination at the English and Indian centres.

2193. What preliminary intellectual age qualification would you fix?—If an open competition was established in India, I would raise the limit of the candidate's age to twenty-three, and would regard an Arts degree at an English or Indian University as the lowest test of education requisite for the candidature.

2194. And as regards moral, social, and physical fitness?—I would require a certificate from the High Court or a Commissioner of Division that the candidate is of good moral character and social position, and that he has no disease, constitutional affection, or bodily infirmity unfitting him, or likely to unfit him, for the Civil Service of India He should also be able to perform journeys on horseback.

2195 Should the subjects of the examination be the same as those prescribed for the competitive examination in England?—They should be exactly the same.

2196. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c, should not also be different?—Persons appointed at the simultaneous examinations in India will have to go to England for at least two years after appointment, and no difference should be made between them and their English comrades in regard to pay, leave, pension, &c. Well-to-do Natives have to satisfy the claims of relatives and dependants to a much larger extent than Englishmen.

2197. Should successful candidates go through a period of special study in India like English candidates who spend two years in special preparation?—I consider that the candidates selected in India should be imbued with English ideas in contact with Englishmen For this purpose they should be given passage-money and the same allowances as the candidates selected in England and be subjected to the same training. Their probation should be passed in the ranks of the Covenated Service.

Mr. *Stewart*—continued.

2198. To what extent does the Uncovenanted Service in your province include in its ranks persons eligible on the ground of proved merit and ability for appointment to offices ordinarily reserved for members of the Covenanted Civil Service?—My acquaintance with the Judicial branch of the Uncovenanted Service is greater than with the Executive and Political departments. But it is sufficiently general to enable me to say that several persons exist in all these branches of sufficient merit and ability to fit them for promotion to appointments ordinarily reserved for members of the Covenanted Service. In the Judicial branch especially there are several who have shown conspicuous merit and ability.

2199. If there are such persons in the Uncoven anted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay?—They could not be.

2200. Under the existing rules as to pay, &c, how would such appointments be regarded by Uncovenanted officers?—Not favorably by Uncovenanted officers generally; but the junior members would, I think, be willing to forego pay for the sake of the advantages which admission to the Civil Service might afterwards bring.

2201. What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service?—To meet the expectations and aspirations of deserving members of the Uncovenanted Service, the Statutory system should be retained and provision made to give them a substantial increase of pay compatible with the requirements of the office. It need not be fully equal to the pay drawn in that office by the members of the Covenanted Service, but the difference should be small and not marked, and in every case the officer promoted should receive some increase in pay. A provision should also be made for the compulsory retirement of officers appointed to the reserved places after a service of thirty years and at the age of fifty-seven except under very special circumstances The promotions to the reserved posts should be made from the higher ranks of the Uncovenanted Service, but should not be restricted to any particular classes of appointments. And there should be no probation in their case. If promotion from the Uncovenanted to the Covenanted Service be confined to the higher ranks of the former service, it is not necessary to require the officers to be promoted to pass through the lower grades of the Covenanted Service. No one should be selected for the higher Covenanted offices except on the ground of ability and merit. In view of the distinct pledges given from time to time, any dissatisfaction created amongst members of the Civil Service by the fact of such promotions would not be reasonable. In providing for such promotions, the Government will be giving what is justly due to the Natives of India in the Uncovenanted Service and what they have been long led to expect. No such provision should be made for Europeans, as the introduction of outsiders is not necessary in the case of this service. No special provision is necessary in the case of Eurasians, who should be treated as "Natives of India" in every respect. Both the services should be open to all natural-born subjects of Her Majesty, including, perhaps, the subjects of Native States in alliance with Her Majesty.

2202. Is the rate of pay, ₹200, granted to Statutory Civilians during probation and on final appointment, respectively, sufficient?—I think it is sufficient.

Mr. *Stewart*—continued.

2203. Would these rates of pay be suitable in the case of persons appointed to Covenanted posts from the Uncovenanted Service?—They would be unsuited and inadequate to men taken from the higher ranks of the Uncovenanted Service; and they would also be inadequate in the case of persons appointed from the professional classes. At the same time I do not think that the claims of professional gentlemen are equal to those of the Uncovenanted Service. In the case of Uncovenanted officers appointed to the lowest grade of the Covenanted Service it should be provided that at the time of appointment the officers should not suffer in pay In the case of professional gentlemen it would be impossible to adjust their salaries without a considerable pecuniary sacrifice.

2204 How would you treat in regard to pay such persons if appointed to any of the higher Covenanted posts without being required to pass the lower grades?—Persons appointed from the higher Uncovenanted to higher Covenanted posts would be at the time of appointment near the time of retirement, and in their case promotion should always carry a substantial increase of pay. A hard-and-fast rule would not be suitable in their case The qualification of having satisfied the tests required by the examination in England should be considered as on a par with the qualification of approved service for over twenty years in the Uncovenanted Service. The Natives of India, especially in the higher ranks of society, have to satisfy demands from which Englishmen are free. No doubt the Natives meet such demands voluntarily, but if they do so it is to their credit.

2205 At what age do you consider that Natives appointed to Covenanted posts otherwise than through the competitive channel in England should be entitled to retire on pension?—At the age of fifty-five retirement should be optional, and after a length of twenty-five years of service, whichever is attained earlier. After fifteen years' actual service, one-third pension should be allowed under the conditions existing at present. At fifty-seven retirement should be made compulsory, and after thirty years of service, whichever is attained earlier.

2206. What amount of pension should, in your opinion, be granted to Natives so appointed if they serve the prescribed period for voluntary and compulsory retirement, respectively?—₹5,000 a year should be the amount of pension after an active service of twenty-five years; and ₹6,000 a year after an active service of thirty years, except in the case of officers drawing a salary of ₹1,000 per mensem and upwards, whose pension should be uniformly ₹6,000 a year.

2207. If, before serving the prescribed period for pension, they are compelled to retire on medical certificate, what gratuity, if any, would you give them?—If before serving the prescribed period for pension, retirement takes place on medical certificate, a gratuity equal to the amount of one year's salary should be given.

2208. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—I have already expressed a somewhat unfavourable opinion in regard to the efficiency of the schools. The state of the schools necessarily operates prejudicially on the efficiency of the colleges; and I should suggest the remodelling of

Mr. *Stewart*—continued.

the schools to give to the boys under really good English leadership a higher tone, a greater force of character, a more genuine love of learning for its own sake, a contempt for mediocrity and meanness, cramming and slavish imitation, and a desire for the nobler aims and ambitions of life But at the same time I am of opinion that many youths, especially those favoured by nature, do receive as good an education as was contemplated by Lord Macaulay's Committee in 1854.

2209. Do we now obtain for Government service Natives of the classes who under Native rule carried on the Civil administration of the country?—We do now obtain for Government service Natives of the classes who under Native rule carried on the Civil administration of the country.

2210. How far would any system of appointment which involves a journey to and residence in England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—The Native community would view unfavourably any system of appointment which involves loss of caste as a condition of entering the Civil Service.

2211 How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to and residence in England?—The Native community would also view unfavourably such a system on the ground that it restricts the field of selection to the wealthiest classes.

2212. Are the Natives who go to England from your provinces for purposes of education limited to the wealthier classes?—The generality of those who have gone to England for purposes of education belonged to the wealthier and well-to-do classes. In some cases poor people have gone with the aid of friends or public benefactions.

2213. Are they limited to any particular section of the community or to any particular creed?—The Parsis have gone in the greatest number, but a few Brahmans and others have also gone.

2214 Does a voyage to or residence in England involve the loss of social position or other unfavourable consequences in the case of any section of the Native community?—In the case of Brahmans and Banias a voyage to England does involve the loss of social position and caste. There is a certain amount of a feeling of alienation with regard to them They are slightly out of touch and sympathy with their fellow-countrymen on their return to India, But with the progress of education and social reform the feeling will wear away in process of time.

2215. Would the requirement of a temporary residence in England as a condition precedent to or following on appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—At present it would.

2216 If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to and residence in England?—If it be decided that examinations for the Civil Service shall be held in India simultaneously with those in England, then no provision

Mr. *Stewart*—continued

is necessary in favour of high-caste Natives, even though the Statutory system be abolished *in toto*.

2217. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes?—If that system is discontinued, the introduction of the members of the professional classes will give a just and reasonable ground of complaint and dissatisfaction to the members of both the Covenanted and Uncovenanted Services.

2218 Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—In the presidency of Bombay no special provision in favour of members of high families is either necessary or expedient, and therefore no power should be reserved to Government in their behalf, nor is any reservation of power to Government desirable on behalf of the professional classes. The requisition of a thorough knowledge of English will not make the field of selection in any case unduly limited Persons whom the Government wishes to favour for political or other special reasons should be rewarded in a special way, such as by grant of title or land

2219 What is the scheme which you wish to bring forward?—The Natives wish for admission to the higher status of the Covenanted Service, though not necessarily to the topmost places. A scheme which would satisfy the Native community, and which I should also regard with approval, would be the following: There should be simultaneous examinations in England and India, the Indian centre to be at Bombay as the most central place in India, the examination to be in the same question papers and on the same conditions, open to all subjects of Her Majesty of all classes whatsoever, including perhaps the subjects of Native States in alliance with Her Majesty. The *viva voce* examinations should be conducted by one or two Civil Service Commissioners deputed to India. The examination in England to be an open competitive examination. The examination in India to be confined to candidates nominated by the Universities. The Government of India, through the local Governments and Administrations, can arrange with the Universities to nominate candidates annually. No limitation need be placed on the numbers to be nominated by the Universities. This will give a practically unlimited scope for competition, properly safe-guarded, so as to prevent everybody scrambling for the Civil Service to the detriment of general education and sound scholarship. The maximum limit of age to be raised to twenty-three Other conditions to be the same as hitherto required for the examination in England, but the standard should be revised by the addition of Persian carrying four hundred marks; and the Urdu, Bengali, Telugu, Tamil, Marathi, Guzerati, Kanarese, and Sindhi languages carrying each three hundred marks; and by the raising of the marks for Sanskrit and Arabic to the same limit as that for Greek, *viz.*, six hundred It is obviously unfair that the benefit which is given to English youths in respect of their knowledge of the French, German, and Italian languages should be denied to the Indian in respect of the vernacular languages of India Successful candidates to be placed in one list. The successful candidates at the examinations in India to be

required to go to England and subjected to the same training and examinations as the English candidates, for a period of two years. The candidates finally selected, both English and non-English, to be placed in one list in the order of merit and declared to have entered the Covenanted Civil Service of India. The conditions of service, pay, promotion, leave, pension, &c, should be the same for all But I should have no objection to a general and uniform reduction of all salaries by a fixed proportion, say, a fifth or sixth of the present rate. I should also have no objection to a special personal allowance being granted to certain meritorious English officers in addition to the pay of the office. The Statutory system should be revised so as to admit to Covenanted posts only Uncovenanted Natives of proved merit and ability When once appointed their promotion should be regulated on the same principles as those of the members of the Covenanted Civil Service Their pay on first appointments may be somewhat less than the pay of the posts if filled by Covenanted Civilians, but always such as to carry some increase over the pay previously drawn. On promotion also the Uncovenanted Natives should be assigned a somewhat smaller salary than their Covenanted predecessors. Their Leave and Pension rules should be those of the Uncovenanted Service. A minimum of one-fourth of the annual appointments should be guaranteed to the Natives of India. If the number of successful Native candidates in a particular year be less than the minimum, it should be made up by the appointment of Uncovenanted members to Covenanted posts.

2220. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favour of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having, on general grounds, fairly equal claims, in the following or any other order, to (*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M.A.?—In favour of giving a preference to members of families of tried loyalty and distinguished service, and persons of good social status and influence.

2221 What is your own opinion as to giving such preference?—My own opinion is in favour of the scheme above sketched out. But if several candidates obtained equal marks, the considerations as regards the giving of preference to members of families of tried loyalty and distinguished service and persons of good social status and influence, ought certainly to guide the decision.

2222. How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates?—Unfavourably.

2223. If the Statutory system were maintained, and if a probationary period were required from nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases,—*e g*, in the case of a person who has done good service in the Uncovenanted ranks?—There should be no probation in the case of a person who has done good

service in the Uncovenanted ranks; nor in that of persons selected from the professional classes.

2224. On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of the competition in England be regulated?—On the same principles as promotions of Covenanted Civilians, but their pay should be less as above stated.

2225. Would you regulate such proportion only by considerations of fitness and approved personal merit?—I would regulate such promotions on no other grounds than those of fitness and approved personal merit.

2226 Should Natives appointed to Covenanted posts be required to pass the departmental examinations?—Natives appointed to Covenanted posts from the higher ranks of the Uncovenanted Service should not be required to pass the departmental examinations All others should be required to pass them I say this from an observation of the working of the departmental examination system for a period of twenty-three years, and from experience derived as examiner when acting as Registrar of Her Majesty's High Court at Bombay for nearly two years. The Committee for departmental examinations always has upon it an Uncovenanted officer of experience; and promotion to the Covenanted posts from the Uncovenanted Service implies that the officer promoted has necessary ability, knowledge, and experience, and is of an age at which examination is superfluous on the one hand and ridiculous on the other, and will not be an accurate test of qualification In regard to fresh men the existing rules are appropriate and sufficient

2227. What rule in regard to passing the departmental examinations should be applied in the case of persons appointed to Covenanted posts on the ground of merit and ability proved in the service of Government or in the exercise of a profession?—In regard to persons selected from a profession, it should be left to the discretion of Government whether they should be required to pass the departmental examinations. In the case of some persons it will be quite unnecessary; in that of others appropriate and necessary.

2228. Should subjects of Native States be eligible for appointment to Covenanted posts in British India?—I do not think they should be excluded Native Chiefs readily avail themselves of the services of British subjects, and it does not benefit the paramount Power to deny a similar indulgence to subjects of Native Chiefs. Any subject of a Native State can, moreover, virtually become a subject of Her Majesty by a residence for six months in British India.

2229. What system, if any, is at present adopted in your province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship?—No system has been adopted in the Bombay Presidency. Such persons are appointed honorary Magistrates without any remuneration.

2230. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—I am well acquainted with the system of appointments to the Subordinate Judicial Service, and am of opinion that it is favourably regarded by influential sections of the Native community.

Mr. *Stewart*—continued.

The rules framed by the Government and the High Court are admirably adapted for the appointment of none but meritorious and able men in a fixed order. In the matter of promotions the Government utilises the experience of the High Court in obtaining proof of merit. No supersession is allowed except on the ground of proved incompetence. Jobbery and corruption in regard to first appointments or subsequent promotion are impossible. The result is the formation of a body of Judges who administer justice ably and impartially.

I am less acquainted with the Executive Subordinate Service. But my impression is that Native Society is not well satisfied with the system of appointments and promotions therein. It leaves a large scope for the operation of the whims and caprices of the appointing and promoting authorities. It lacks method and definiteness. Complaints are occasionally heard of favouritism superseding seniority and merit

2231. To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judicial Services, respectively?—All classes of Native society except the agricultural and servile and artisan classes supply recruits to the Subordinate Service. The Brahmans, Khsatryas, and Vaisyas supply the largest numbers; the Shudras and the Mussulmans the smallest number. The Parsis, in proportion to the extent of their population, supply a very large share.

2232 To what extent do Natives of good family and education in your province offer themselves as candidates for subordinate judicial and executive appointments?—Freely and in considerable numbers.

2233 Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—They do not.

2234. How far are such appointments in your province restricted to persons *bonâ fide* resident in (and connected with) the province?—Officers in the presidency of Bombay are chiefly *bonâ fide* residents of the presidency or of Native States connected with it. But no one is excluded on the ground of residence abroad.

2235. How far are the professional classes represented in the subordinate executive and subordinate judicial services, respectively, in your province?—Very few people are appointed to the subordinate services from the professional classes. Such appointments are extremely rare.

2236. Do members of the professional classes in your province readily accept employment in those services?—Members of the professions are thriving and eschew such appointments.

2237 Whatever system or systems may at present be adopted for the purpose of regulating appointments to the subordinate executive and subordinate judicial services, respectively, are any class or classes of persons expressly or practically excluded from such appointments?—Except Mahomedans and the lowest classes of Hindus, no classes are particularly excluded; but none are expressly excluded

2238. Is it the case that certain classes of Uncovenanted appointments are practically reserved for Natives of pure descent owing to the fact that conditions are imposed which have resulted in shutting out Eurasians and other Statutory Natives of mixed descent?—I do not think that the exclusion of Eurasians and other Statutory Natives of mixed descent has led to the practical reservation of Uncovenanted appointments to Natives of pure descent. Eurasians, except in extremely rare instances, have never sought Mamlats, and have voluntarily preferred to seek employment in the Survey, Customs, Salt, Abkari, and other departments. Their capacity and taste have led them in that direction, and not any conditions imposed upon them It has been said that the European community, whose sons are educated in India, is essentially a poor community, and that very few parents can afford to give their sons a University education under any circumstances. If that is so, the major portion of the Hindu and Mussalman community is poorer still, and the difficulties of educating their children are proportionately greater. A large proportion of school-going Brahman children beg for cooked food from door to door, seldom getting more than a couple of ounces of rice and dâl from one house. When I say that in Bombay or Poona such children can be counted by hundreds, I give but a moderate estimate of their number. Regarding domiciled Europeans and Eurasians as Natives, I do not think that there is any rule which operates with exceptional harshness in excluding them from any class of appointments or reserving them exclusively to Natives of pure descent.

2239. Is it, in your opinion, necessary that there should be a proportion of Europeans either in the subordinate executive service or in the subordinate judicial service, or in both of those services?—I do not think that it is necessary. The Europeans who are likely to be so employed are inferior in many respects to the Natives, and their presence will only serve as a bad example.

2240 Are you in favour of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the subordinate executive and to the subordinate judicial services?—I am decidedly in favour of such a rule. It operates to a great extent in regard to appointments in the judicial branch and has secured its present state of high efficiency. In the executive branch high educational capacity is utilised to a limited extent, and is sometimes viewed with disfavour. The rules which existed previously to 3rd September 1885 reserved all Mamlats to graduates The rules of this date assign two-thirds of the Mamlats to University graduates and one-third to men in the service. In regard to Deputy Collectorships power is reserved to Government to select either from the class of Mamlatdars or outsiders, and the educational test is superseded by that of the departmental examinations. What I should wish for is a combination of the educational and departmental tests in regard to the selection of Mamlatdars as well as Deputy Collectors. No age restrictions would seem to me to be required.

2241. Is it possible to devise any one system which would be equally applicable to all provinces, having regard to the varying educational standards reached in the several provinces and the varying conditions prevalent therein?—I do not think so.

2242 Do you advocate the requirement of a probationary period, and if so, what should be the incidents of such period as to duration, pay, and in other respects?—In the case of judicial appointments the Bombay system approaches per-

Mr. *Stewart*—continued.

fection. It does not require any probation. In the case of executive appointments, the appointing authority should be given a discretion to require a probation or dispense with it.

2243. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for subordinate judicial and executive appointments in the Uncovenanted Service?—I would strongly object to it.

2244. You would restrict the recruitment to the men of each province?—For the Uncovenanted Service I would. It would be better for the people to know these officers and for the officers to thoroughly understand the people around them.

The *President*.

2245. Can you explain why there are so few Mahomedan subordinates in the service?—Because they are backward in education.

2246. Can you explain why there are so many Brahmans in the subordinate services?—For the very opposite reason. They have hereditarily acquired the habit of learning.

The *President*—continued.

2247. Do you think it right to give 50 per cent. of the appointments to one particular class?—The appointments should be given to the men best fitted to do the work.

2248. Has it been found that the Mahratta Brahmans do not do their work efficiently?—No.

2249 Has there been a marked improvement in the Mamlatdar service?—Yes, since the graduates have come in

2250. Do you think a University degree the best guarantee for fitness?—Undoubtedly so.

2251 You would exclude from the service all domiciled Europeans?—Yes.

2252. Are you aware that a large class of Europeans have virtually made India their home?—I think the expression "born and domiciled in India" should be modified so as to include those who have made India their home

2253. Supposing a man was eventually to go to England?—In that case I would exclude him.

2253½. Have you anything to say as to furlough?—As regards furlough, I would encourage Uncovenanted Servants to go to England, for it is very desirable that they should be given the same privileges as the others.

WITNESS XXXII.—22nd January 1887.

Examination of K. R Bamanji, Esq., Statutory Service, Assistant Collector of Kaira.

The *President.*

Vol IV. Sec. II Bombay.

K R. Bamanji, Esq.

2254. You are Assistant Collector of Kaira?—Yes.

2255. Of what service?—Statutory.

2256. When were you appointed?—In 1882

2257 On what pay?—I got R200 at first.

2258. What are you drawing now?—R320.

2259. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The people do not approve of it The principal reason assigned is that the appointments are not enough according to the views held by several people here

2260 Is the Statute approved as it stands?—I am not able to give any opinion in that respect, as I have not had an opportunity of speaking to anybody as regards the Statute.

2261. How would you alter the rules so as to meet that objection?—If the views of the people are to be met, I do not think anything but open competition will satisfy them, a simultaneous examination held in India and England.

2262. That would abolish the Statutory Service altogether?—That would abolish the Statutory Service altogether. That is what people want, as far as I can make out.

2263. What is your own opinion?—I do not know that the people are yet prepared for open competition. You may get very good men intellectually, but here we have nothing like the public schools in England, and unless people who pass in an open competition here are forced to go to England and kept there for two or three years at least, and undergo a special training there, I do not think open competition will work in India at all I certainly do not think you will get very good men if the system is to be adopted without sending candidates to England. If candidates are sent to England after selection, you would get as good men as are now in the Statutory Service.

2264. Do you hold a University degree?—No.

2265 Supposing there had been no Statutory Service, would you have been unwilling to have entered the Uncovenanted Service?—I do not know that I should have cared to enter the Uncovenanted Service. My reason is that it is not such a good service as the Statutory Service is Of course there are some good appointments, but it is not everybody who can get them, whereas in the Statutory Service, up to a certain grade, every one has a chance of a good appointment, provided he is not disqualified in other ways.

Mr. *Ryland.*

2266. Your only objection to entering the Uncovenanted Service is that there are not sufficient good appointments?—No; they are few, and there are, so to speak, a good many men to compete for them.

2267 If the Uncovenanted Service was improved?—I do not say it would not be as good as the Statutory Service in that case. I do not think the Service of itself gives rise to any objection. There are appointments in the Uncovenanted Service as good as Statutory Civilians are likely to get.

2268. The class of men you get for the Uncovenanted Service are as good as you get for the Statutory?—There are so many grades in the service. If you took the lowest, you could not say a man who is in that grade in the Uncovenanted Service is equal to a Statutory Civilian.

2269. Take Mamlatdars?—I do not think they would come up to the men you have in the Statutory Service in any way. I have had some little experience of Mamlatdars, graduates of the University here, and I think, certainly, they are very inferior to men you have in the Statutory Service, socially, intellectually, and in every way you can think of.

The Hon'ble Mr. *Quinton.*

2270. Did you say inferior to Statutory men?—Yes.

Mr. *Stewart.*

2271 Were you even in England?—Yes, for three years. When I left India the limit of age was twenty-one I went home in order to compete for the Covenanted Service. After I got there the age was cut down to nineteen. I lost the two best years of my life and had to give up the idea. I suffered by the reduction of the limit of age.

2272. Have you cause to complain that you have been treated by the members of the Civil Service in any manner differently to the way in which they treat members of their own body?—No, I have no reason to complain personally. I think they have treated me well. I do not think the pay is sufficient I think it is decidedly low. It does not matter whether a man is Native or European, he must spend a certain amount at the beginning; when he gets higher up the two-thirds scale will work well enough, but at the beginning the pay is too low.

Sir *Charles Turner.*

2273. Where were you educated?—In Bombay. I was in a proprietary school here, and I was in St. Xavier's School for some time. I then went to England and worked under Mr. Small for one year for the Civil Service.

2274. Your English accent is very good?—Perhaps the reason I speak English so well is because when I was a youngster I went to our English girls' school where Parsi boys were admitted, and I commenced the study of English at an early age.

2275. Is it common for Parsis to commence the study of English at an early age?—They commence at a very early age, much earlier than they used to do. I dare say they do amongst Hindus too. I do not know much of the Mahomedans, but I should think Mahomedans of better position commence the study of English at an early age

Sir *Charles Turner*—continued.

2276. Do you think it is any drawback to Native candidates who now desire to compete for the Civil Service if they do not acquire the study of English at a sufficiently early period of their lives?—It is a drawback. I have experenced this with members of my own family, little boys I should have liked to have placed in English schools where English is taught were found backward and not able to understand what they were being taught, and therefore it was necessary to teach them English first to enable them to understand what they were taught in those schools. It would not do for a lad to attend English schools, even primary, unless he understood something of English.

Mr. *White*.

2277. Will you kindly tell me whether that reduction in the age of candidates for the Civil Service in England was not a very sudden measure?—I am not sure as to dates, but I think it was prescribed in 1876, and it came into force either in 1877 or 1878. I believe there was one year or two years' notice given, but I am not sure which now.

2278. You are aware, of course, that other persons were in your position, Eurasians and others who were studying for the Civil Service at the same time?—As far as I am able to remember, only one man was studying at the time, Mr. Badshah. He got in.

2279. Dr. Kees' son?—I do not know of his case.

The *President*.

2280. Coming now to the Covenanted Civil Service. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—There is certainly the objection to sending people to England. There are also other disadvantages.

2281. Will you enumerate them?—The Indian lad has to prosecute all his studies in a foreign language, then there is a long stay in a foreign country of which he knows nothing, and the heavy expense of sending boys there, and the limit of age.

2282. What change would you make in regard to age?—I think twenty-one would be a fair limit as the maximum.

2283 What other changes would you make to minimise these difficulties?—I would give higher marks to Sanskrit and Arabic in the examination than they now carry.

2284. Are these all the changes you would make?—I think so. I do not think scholarships of much use so long as the limit of age is kept as at present. Of course, if we come to the next question of simultaneous examinations, there can be no doubt, if you consult the wishes of the majority of the educated few, they desire open competition in India; but any system of open competition, if not accompanied by special training in England, will be a failure as far as I am able to judge.

2285 How would you meet these difficulties about going to England, *i e*, the expense, and the religious and social prejudices?—Successful candidates in the open examination in England now get something like £150 a year. If a similar allowance were made to candidates who passed the open here, the difficulty as to expense would be greatly reduced. Caste objections are not insurmountable. There have been instances where men in the service and private persons have gone to England and been re-admitted into caste. In process of time caste objections will be removed. Those who desire to obtain the higher appointments should be compelled to go to England. It is a kind of contract—on the one hand the people of India want to get into the higher posts in the Civil Service; on the other hand Government must see they get the best qualified men, and the condition is that the men who desire such posts shall go to England. If they do not they must go without them.

The *President*—continued.

2286 Are you in favour of an examination in India accompanied with the condition that the men should go to England?—Yes, I am in favour of it.

2287. If that system is adopted, would you hold the examination in one place?—Yes, in one place only; the place might be changed every year; if it were held, say, this year in Calcutta, the next year it might be held in Bombay I do not think that would inconvenience candidates or examiners

2288 If you held an examination in India, would you apportion the appointments between the Indian examination and the English examination, or would you have one list?—I would make no difference. I would give half or two-thirds of the appointments to men in England, the remaining number to men in India, throw both open to all in England and India, and to provide against any chance of a majority of the Natives getting in, Government should reserve to itself the power of assigning a limit whenever they like.

2289. If you allot a certain number of appointments to one examination and so many to the other, what is the advantage of having the examinations identical If you say one-third is to be reserved for the examination in India and two-thirds or half for the examination in England, is there any advantage in having the examinations identical? Why should there not be two examinations?—It would change the standard to some extent. If you have two examinations the test would not be the same.

2290. If you adopt the same standard, by your principle do you not run the risk of having to exclude men who in the one examination might be better than certain men who passed in the other?—You cannot legislate for a class, you must legislate for the whole of India.

2291. Suppose you say half the appointments are to be reserved for competition in England and half in India: it might so happen that there would be a very large number of men in the English competition or Indian competition who were better than the half who got in by the other examination?—If you had different tests

2292. Suppose there were forty appointments, twenty to be competed for in England and twenty in India, and suppose there were twenty-five candidates in India who gained 3,500 marks and upwards, and supposing there were only ten candidates in India who gained 3,500 marks and upwards, you would have to exclude a certain number of better men in India in order to put in the proportion of Englishmen: is that not a greater objection than changing the standard?—There might be some objection on that score, but I do not see how it could be remedied.

2293. Would there not be a sense of injustice?—I do not think so. Men who competed would know

The *President*—continued.

what they were going to get, and they should take all the consequences

2294 Have you met any of the young men who have succeeded in the competitive examination in England?—Yes, I know one in Bombay, one in the North-West Provinces, and I knew one in Madras who is now dead.

2295 Do you think if an examination were to be held in India you would get better men?—Certainly not better men, because the men I know were in England for a very long time, and, if I remember rightly, two had had the benefit of education at public schools there.

Mr. *Ryland.*

2296. As I understand the view you have now propounded, you would prefer the competition in England exclusively as the better scheme of the two?—Certainly.

2297 It is only an alternative scheme that you know propose?—Yes.

Mr. *Nulkar.*

2298. I think you say you would have two lists?—Two lists for the two examinations.

2299 You say that a simultaneous examination in India would not result in getting better Native Civilians than are got now: is that your opinion?—Yes, you certainly will not get better men than you get now by competition as it at present exists A man who passes the competitive examination goes to England at an early age, attends a public school there, and has the benefit of six or seven years' education.

2300 That involves the opinion that, under no scheme, can a man educated in India be equal to one educated in England?—I am talking of India as at present You have no high schools, you have no training colleges as in England If you had, then the necessities of the case might be different; but as education exists in India, the men you obtain by open competition in England are certainly better than you would get here

2301. We are now talking of Native candidates. Supposing a simultaneous examination were held in India, would not that result in affording a larger field of selection than is open at present?—Of course it would.

2302. Is it not the fact that the larger the field the greater the chance of getting the best men?—That must be admitted to a certain extent

2303. If the field of selection were extended to India, is there not a chance or even a probability of getting better Natives?—I do not know if you bear in mind what I said a little while ago. If you have open competition followed by a special training in England, I admit you would get quite as good men as you do now. But I am asked if the men you get at present, as the system exists now, are good enough for the service, or if you will be able to get better men hereafter. I answer you cannot get better men than now, you may get equally good men but not better.

2304 Supposing the field is extended to India, and those who pass are sent to England to finish their training, probably for two years, as English candidates have to do now. Under those circumstances, would not the field of selection be extended, and consequently the chances and probabilities of getting better men than are now obtained from

Mr. *Nulkar*—continued.

the present limited field be increased?—No, I do not think you will get better men, for this reason, any advantage you may get in numbers will be more than counterbalanced by the special training a man would get under present arrangements. I think six or seven years' study in England is a great advantage for a Native lad.

2305. That training is not now absolutely necessary in all cases. Some clever lads may go there and pass in a year?—I do not set much store on passing the competition alone. What I mean to say is that the competition is one of the tests; training in an English school is another test. Combine the two and you get very good men: with one alone I do not think you get good men.

The Hon'ble Mr. *Quinton.*

2306. Why would you fix the maximum age at twenty-one? We have heard an objection that Indian parents dislike sending their children early to England as there is a want of supervision over them. At what age would you have to send candidates to England in order to enable them to compete at twenty-one?—I went at seventeen, and without egotism I think I may say I had a very fair chance if I could have gone up.

2307. But you may have been steady. Do you think Indian parents, as a rule, would be willing to send their boys home at seventeen?—It all depends upon what education they had before they went home. If their education was backward, they would have no chance if they went to England at seventeen.

2308. I mean the absence of supervision as regards the boy's conduct in England, the want of people to look after him, to keep him straight and from the chance of falling into bad ways and bad company?—I do not know that a year or two would make much difference in that respect If a boy is inclined to vice, he may acquire vicious habits at whatever age he goes to England. I think it would require four years to enable a boy to pass in England if he went at seventeen.

2309 If you had this examination in India simultaneously with the English examination, what would be the effect on the appearance of Native candidates in London? Would any go to England for the open competition?—I do not know what view other people would take; but, for my own part, if I had a boy, I should prefer to send him to England, unless you have here the same institutions that you have there.

The *President.*

2310. Did you live in England with friends?—Yes I lived with European friends in a private family.

Mr *Stewart.*

2311. Will you tell us how much it cost you to live at home?—The first year I was reading for the Indian Civil Service, I think it cost me £350.

2312. Including books and education?—I think so. I do not think there would be much difference in the case of a Hindu. He would have to put aside all his caste prejudices and caste restrictions, and to accommodate himself to the circumstances he found there.

Mr. *Crosthwaite.*

2313. Do you know the number of appointments given to competitors annually?—Yes, about thirty-five to forty over the whole of India—five for each presidency.

2314. If you divide by half as you propose?—I do not propose one-half exactly. I would not take more than a half.

2315 Do you think the prospects of getting twenty appointments would be sufficient to induce people to establish better schools and places of education?—I do not think that you would have better schools; but I think, certainly, the demand would create a supply. You would get men out here who would train youths for the Indian Civil Competition just the same as you have in England

2316. Do you think the offer of twenty places would be enough?—The number of pupils would be very much greater.

2317. Do you think the offer of twenty appointments would attract sufficient pupils?—Yes, the competition here for those twenty places would, I think, be very great; and though, of course, it is difficult to give an opinion, I should be inclined to think that anybody coming from England to train men for the Indian Civil Competition would certainly find it worth his while if you had twenty places given to India every year.

2318. Do you think by that system we should get as good men as we get now?—Yes, as good men as you get now, but I would not say better men.

2319. You do not think it would affect the efficiency of the men obtained in England?—No, I do not think so.

The Hon'ble Mr. *Quinton.*

2320. Are you in the Revenue branch?—I am.

2321. How soon must you make your choice whether you will go into the Judicial or not?—I do not intend to go into the Judicial so far as I am concerned.

2322. Coming now to the Uncovenanted Service. Would you recruit only from Natives of India as described in Statute 33 Vic, Chapter 3, section 6, or from all natural-born subjects of Her Majesty?—I should leave it as it is.

2323. Would you recruit by nomination, competition, limited competition, or how?—Just as it is done at present. We have certain educational tests and certain departmental tests.

2324. Would you recruit by provinces only, or in India generally?—No, from each province.

2325. Supposing the Statutory system was abolished, what would you do with the appointments now held by Statutory men? The one-fifth of appointments given to the Statutory, would you give them to the Uncovenanted Service?—That all depends on whether you have open competition here or not. If so, the men should enter by competition, and competition alone. If not, those places at present given to the Statutory Service should be given to the Uncovenanted Service. If there is an open competition, I would give them to the Covenanted.

Mr. *Ryland.*

2326 You are aware that there is a large class of Europeans and East Indians living in the country, and so far as can be judged, intending to remain here: would you exclude them from entering the Uncovenanted Service?—No, I would not. There are many in the service who are Europeans, whether domiciled here or not.

2327. At present they are excluded? I do not at all see why they should be excluded.

Mr *Stewart.*

2328. You have several Mamlatdars under you at present: are any graduates?—Only one; the rest are not graduates.

2329. Are you in favor of the present system of recruitment of Mamlatdars more or less directly from graduates?—Certainly, intellectually they are a better class of men, as far as work goes: it is a great help to have a Mamlatdar who can write a decent English letter and send in a decent report in English.

2330. Do you find that they do their work, the current work and matters affecting the collection of revenue, with the same accuracy?—As far as that goes, I do not think the old men were a bit worse than the men you have now.

2331. Were they not better in some ways?—They were, in some matters. I have had some exceptionally good men who were not graduates.

2332. Have you heard that the preference given to graduates caused great dissatisfaction to men who aspired to become Mamlatdars?—Yes, certainly, there are men who look forward to Mamlatdarships now who are not likely to get them under the rules. There was a Tahsildarship in my own office vacant. I wanted a man from the Account and Revenue Department. This man was passed over and a graduate put in, who did not know the work as well as the other man did.

2333 Do you think the period of probation for a Mamlatdar is sufficient?—I do not think it is

2334 In the district where you are serving now how many European officers are there?—In the Revenue Department none except the Collector.

2335. You are the only Assistant?—I am the only Assistant.

2336. Of what caste is the District Deputy Collector?—He is a Parsi; the Huzur Deputy is a Parsi too.

2337. There are four officers Parsis and one European?—Yes.

Sir *Charles Turner.*

2338. Have you supervision over the Revenue work of the Mamlatdars?—Yes.

2339 You say there was a case in which an old official was passed over in favor of a young graduate. Was the old official active?—Yes, I had him on trial for a few days in my office.

2340. Was he able to do the out-of-doors work?—Oh yes.

2341. You say in some respects the old Mamlatdars were better than the new men?—They certainly were men who had a greater insight into the work than the graduates, they knew all the work except the Criminal I think graduates are well up in Criminal work, but in Revenue work they are certainly not better than the old Mamlatdars.

Sir *Charles Turner*—continued.

'ol. IV. ec. II. Bombay.

K R Ramanji, Esq

2342. Have you had any complaints made to you as to the moral character of the Mamlatdars—their official morality: I am now speaking generally?—That is a question which I cannot very well answer. Personally, I have had no knowledge except rumour.

2343. As to the general opinion, what do you say about it?—The general opinion about Mamlatdars—there may be exceptions—is that they are not entirely above board in everything

2344. Is the general opinion more unfavorable to the old or to the new candidates?—I think there is not much difference as to that. I am talking about the question of honesty. I do not think there is much to choose between them.

2345. You do not think there is much improvement?—I should not say so.

Mr. *Crosthwaite.*

2346. This new class of Mamlatdars, the graduate class, how long is a graduate under training?—About one year He serves for six months in the Treasury Department and six months on general duty.

Mr. *Stewart.*

2347 He becomes Revenue Karkun six months, Treasurer six months, and general duty Karkun six months?—He must be a long time out-Karkun before he gets the appointment

2348. The old Mamlatdars were men of great experience, were they not?—Yes, they were.

2349. You would hardly expect a graduate Mamlatdar after a short training in accounts and general duties to equal in experience the old Mamlatdar?—No, but you asked how I found them.

2350. Yes, but in your opinion is that the reason? To a great extent that is the reason.

2351. Do you think, as an officer of some experience, that is a good way, a sufficient way, of training Mamlatdars?—It all depends upon how long he works as out-Karkun before he gets a Mamlat. Sometimes he works eighteen months as out-Karkun before he gets his Mamlat; in that case he is a better Mamlatdar than a man who only puts in six months.

Mr. *Stewart*—continued.

2352. Has not the Mamlatdar many out-door duties?—Yes, he has a great deal to do with *Jamabandi*, the collection of revenue.

2353. Are there any complaints against Mamlatdars as to corruption. I believe in your district there are hundreds of false complaints?—Any number of them.

2354. Unless fully investigated, you would not take much notice of them?—No, certainly not.

Sir *Charles Turner.*

2355. Have you any landed estate?—None whatever.

The *President.*

2356 You have already said the initial pay of a Statutory Civilian is too low, but for the higher grades sufficient?—Yes.

2357. Would you make any difference in the case of an Uncovenanted Officer who was promoted to a Covenanted post, or would you apply the two-thirds rule? Suppose, for instance, there was a District Officer who happened to be an Uncovenanted Servant, would you give him the same pay as the Covenanted Officer?—Yes.

2358. Would you make any difference in regard to the Furlough rules?—Statutory Civilians have different Furlough rules to Covenanted Civilians. I think those for Statutory Civilians are not sufficient. I think all men you get in now would like to go to England, and it is very advisable they should have as many opportunities for going as possible, as much for their mental benefit as for the benefit of health to Europeans.

2359. Do you consider the privileges as regards pay, promotion, and retiring annuity for the Covenanted Service suitable for the Statutory Service?—Certainly

2360 Have you anything else you would like to add?—No.

WITNESS XXXIII.—22nd January 1887.

Examination of SYDENHAM SMITH, Esq, Pleader, Poona, Representative of the Poona Branch of the Eurasian and Anglo-Indian Association.

Mr. *Stewart.*

2361. On behalf of what Association do you appear?—The Poona Branch of the Eurasian and Anglo-Indian Association

2362. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The majority of the people do not concern themselves about the matter. Amongst those who do, there is a general feeling of disapproval. The grounds of disapprobation are—there is no guarantee that the nominees are worthy; there is a general impression that they are nominated as the result of influence and favoritism rather than merit and ability; the Eurasian body have been overlooked. As a *means of recruiting* for the public service, I am not in favor of the continuance of the Statutory provisions. I would retain the power for the purpose of rewarding proved merit and ability in the ranks of the Uncovenanted Service. If retained, I would amend the Statute by eliminating the words "born and" in the definition of Native of India I would add to the rules by providing that only certain persons should be eligible for nomination Their eligibility to be ascertained by a Committee. Each candidate should (unless for special reasons which should be stated) have passed the First Arts examination in any University in India, Great Britain or Ireland This Committee should examine into the intellectual, moral and physical fitness of candidates by exhaustive enquiries, and report to the Governor in Council or chief representative of Government, who would not be bound to recommend all or any of such to the Governor-General in Council, provided he recommend none other but such as had so passed. This portion of the rules should not be made applicable to persons appointed from the Uncovenanted Service for proved merit and ability, but none such should be appointed who had not been at least ten years in the service, otherwise the Uncovenanted Service would be made the means of easily evading the tests above required. When the nominee has been provisionally appointed by the Governor-General in Council, I should require him, save in the case of those promoted from the Uncovenanted Service after ten years' service, to pass two years at least in an English University. During his residence in England the nominee should receive a stipend for his support and his passage to and from England, and, on leaving, obtain a testimonial of his moral behaviour during his residence. On his return to India he should be placed in a position similar to that of an officer who had entered by the competitive test. I would modify the third paragraph of the rules by requiring that all who thus enter the Civil Service should be appointed to places, I would say provinces, other than those of their birth and early residence, for the obvious reason that they would be beyond the influence of friends and relatives. They would thus develop self-reliance; they would not be subject to the constant temptation to try and get their people into office, they would be conscious that they were closely watched and would thereby be required to

Mr. *Stewart*—continued.

put forth their best effects. Perhaps after ten years they might be entitled to ask for a transfer to their native place.

Vol IV. Sec II Bombay.

Sydenham Smith, Esq

2363. On the whole, are you in favor of the retention of the Statutory system?—No.

2364. Are you in favor of the appointment of approved men of ability in the Uncovenanted Service in substitution for it? Would you substitute that for the Statutory system?—Yes.

2365 You have said that if Statutory Civilians except those selected from the Uncovenanted Service, should be appointed they should proceed to England?—Yes.

The *President.*

2366 You say eligibility is to be ascertained by a Committee, and that each candidate should (unless for special reasons which should be stated) have passed the First Arts examination in any University in India, Great Britain or Ireland. Do you mention Great Britain, India or Ireland as indicating the general character of University examinations, or do you mean it exclusive of the Universities of other countries?—Exclusive of other Universities.

2367. You would exclude Colonial Universities?—Yes, I would.

2368. There are some Englishmen who study at German Universities?—I do not know that I had that in my mind I may say, with all due respect to American Universities, that I would not accept such as had been passed there, or perhaps in other parts where the degrees are easily obtained; therefore I would restrict it to those Universities that have an established reputation.

Mr. *Stewart.*

2369. Is any dissatisfaction felt with regard to the recruitment in London for the present Civil Service?—No, not that I know of.

2370. Then it is generally approved?—Yes.

2371. Is the limit of age approved at present?—No, as I mention further on, it should be increased to twenty-one.

2372. Leaving the minimum limit the same, namely, seventeen?—Yes.

2373. Do Natives of India labour under any disadvantage with regard to the place at which the competition is held? Do they find any hardship in going to England to compete?—Yes, Natives of India labour under the following disadvantages—(1) distance from the seat of examination; (2) the chances of success are small as the tests are high and the expense of going to England great, consequently the risks of failure are such as to discourage many from running them; (3) the youthful age at which candidates have to leave their homes; (4) and, in the case of pure Natives, by having to study in a foreign language; (5) religious scruples against leaving India.

*Mr. *Stewart*—continued.

2374. How do you propose to mitigate these hardships, would you give passage-money or not?—Not by establishing scholarships, as it would be a waste of public money in every case of failure and would create the idea that the appointments were of little value and Government had to offer inducements to obtain men to qualify for them. By altering the limit of age to twenty-one. By no means lower the standard or lessen its probative value. Political Economy and Indian History should be added. By holding simultaneous identical examinations in England and India This is the opinion of the Association—personally I am of opinion that there should be only one examination, and that in England, for the following reasons: the danger of the examination papers being tampered with, the question whether the schools could afford sufficiently high culture, the necessity of having different *viva voce* examiners, the different degrees to which education has attained in the different provinces, and the advantages to be derived by a residence in England, by seeing English home life, and imbibing its principles.

2375. You say that the Association is in favor of a simultaneous examination in India as well as in England?—Yes.

2376 Do they mean the examination in India to be identical in every way with that in England?—If an examination is held in India it should be identical with the one held in England.

2377. Would you have it at one centre for the whole of India?—It should be held at one centre. The candidates should compete one with another. there should be only one list, and the names appear in the order of merit. I should deprecate the apportionment of appointments to the respective examinations, as it would assuredly be the cause of invidious comparisons and disparaging remarks

2378. Should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects?—I should not make apportionments either to religious sects or to territories, but would leave the appointments in the hands of the Governor-General, who would, of course, be guided by the local Governments as far as he thought expedient. I would put it in the hands of the Governor-General in Council rather than the Secretary of State, as if the Statutory provisions are retained he will have the appointing of some and should have of all.

2379. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—If the examination is held in India, the successful candidates should be required to spend two years at least in an English University, as suggested for nominees under the Statutory provisions if retained, and be five years in actual work before being invested with appellate jurisdiction or first class magisterial powers, be he European or Native.

2380 With regard to the Uncovenanted Service, by which we mean Mamlatdars, Deputy Collectors and Subordinate Judges, how would you propose the recruitment for those posts?—The Uncovenanted Service should be recruited only from Natives of India as defined in the Statute 33 Vic., Chapter 3, section 6, if amended as proposed

Mr. *Stewart*—continued.

by the elimination of the words "born and." I should divide the Uncovenanted into two classes—placing those drawing less than ₹100 into the lower and those drawing over ₹100 into the higher grade. There should be an elementary examination for the lower and a severer test for the higher. Then I should provide that heads of departments might select from successful candidates, but not necessarily in the order in which they passed, for some may be more suitable in one office and others more suitable in other offices. That in order to pass from the lower to the higher grade, the aspirant must pass the severer competitive test of the higher grade; besides these there may be departmental tests if required.

2381 Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—I would make no rule with reference to the residence of candidates in the territories in which they desire to serve—provided they pass the competitive tests provided for that territory: to do otherwise would be to introduce unnecessarily lines of separation, instead of removing them as far as possible.

3382. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I hold that the posts now allotted ought to be given to the Uncovenanted Service, together with as many others as can possibly be removed from the Covenanted Service, which should be reduced to a mere directive controlling service, and that the rest be included in one Public Service in which the Natives of India as defined in the Statute, *viz.*, Chapter 3, section 6, and modified as suggested, shall have equal rights.

2383 With reference to the pay of the Uncovenanted Service, should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by the members of the Statutory or Uncovenanted branches?—I should make no distinction between European and Native. For to become a member of the Uncovenanted Service, one must be a domiciled resident of India, and while it may be that a European's personal expenses are greater than the Native's, it is true that the Native has many more persons dependent on him, and I would avoid the friction that would ensue by a difference of pay, as being more injurious than the comparatively little extra expense.

2384 You would give a Statutory Civil Servant the same pay as the Civilian who has won his post by competition, provided he was in the same post on the same pay?—I would give Statutory Civilians the same pay as the men who had passed the competitive test, because I think the friction which would otherwise ensue would be more costly in the end than the additional expense.

2385. With regard to Furlough rules, would you make any distinction?—I do not think I should make any distinction.

2386. Have you any other question you desire to refer to?—No: I think my opinion has been fully expressed.

WITNESS XXXIV.—22nd January 1887.

Examination of J. F. FERNANDEZ, Esq, Manager, Morarji Gokuldas Spinning and Weaving Company, Bombay.

The *President.*

2387. You were for some time Deputy Collector and City Magistrate of Ahmedabad. what are you now?— I am a pensioner: I retired from the service on the 1st of July.

2388 Can you say whether the present Statutory system is approved?—No; so far as my information goes, it is not at all approved by the people.

2389. What do you mean by the people? By all classes, or only those who have thought about it and the educated classes?—Generally by the educated classes, people of the districts. They think members of the Statutory Service do not hold the same position as Covenanted officers.

2390. Is the objection to the Statute or is it to the rules made under the Statute? I think the objection is to the mode of appointment.

2391 What are the objections to the mode of appointment?—That all classes are not admitted. Among the Statutory servants selected for the Bombay Presidency, there are three Brahmans, two Dekkanis, and one Guzerati that excludes all other castes of Hindus, and that is the grievance felt by Hindus.

2392. How would you obviate that?—I would obviate that by a system of selection. I have prepared a scheme.

2393. State generally the principles you would adopt—I do not advocate any amendment in section 6 of the Statute, and would maintain it in its integrity. But I would propose the total abolition of the Statutory branch of the Civil Service as introduced by Lord Lytton's Government, and substitute for it a service to be called "The Secondary Civil Service" This service would, in a great measure, correspond with the present Uncovenanted Service, and appointments to it should be made by nomination. I do not see in what other way concessions could be made to the growing clamour of the educated classes of Natives consistently with a due regard to the interests of India generally.

The Statutory Service is, in my opinion, a failure It is fundamentally opposed to the provisions of section 6 of the Statute, because the men appointed to it are not men of "proved merit and ability." There is already a feeling of discontent showing itself among the Statutory servants in consequence of the difference in the pay given to them, and this bodes no good India is not a Colony, and cannot be treated as such. In the Colonies the population has risen from European immigration, and the people there possess all the characteristics of their parent stock—characteristics which make a people great in resources and self-reliant in difficulties. The population of India is widely different in every respect. It is deficient in all those characteristics, speaking in a broad sense. At any rate, these characteristics cannot be said to be the national characteristics of even an infinitesimal portion of India To transfer men from the Uncovenanted Service to the Covenanted Service—and it is in the Uncovenanted Service alone that it would be possible to find men of

The *President*—continued.

"proved merit and ability"—would be tantamount to trampling upon the rights of the existing members of the Covenanted Service and depriving some of them of promotion justly due The effect of the scheme I propose would, as regards the Bombay Presidency, be that the maximum number of men drafted into the Covenanted Service from the Secondary Service, say two or one every year, according to the requirements of the public service would, allowing for casualties, amount to about forty, or, say, about a fourth of the total number of Covenanted Servants kept up in it, and this ought to more than satisfy all reasonable expectations, considering, as matters at present stand, and must stand for many years to come, that the highest and most important posts in the administration are to be reserved for Europeans. The annual (additional) cost to the State would barely amount to ₹18,000, which is much less than the amount which scholarships, to be created as inducements for proceeding to England, inseparable from other schemes, are likely to cost, so that my scheme may be viewed as being not only economical, but also as ensuring an efficient staff of "Natives" in our administration.

Vol IV
Sec II
Bombay

J F Fernandez, Esq

The Secondary Service men drafted into the Covenanted Service would be of a fairly mature age and of some experience of the world, and they may, in the majority of cases, be considered to be old enough to rise above the faults to which youths are liable when elevated at one bound to a position of honour and social standing, and we should be providing a practical field for obtaining, for the administration of the country, "Natives" of "proved merit and ability"—a matter of some moment, bearing in mind that we have no such guarantee in the case of the young men who come out in the Covenanted Service through the channel of competition in England, whether Europeans or Natives.

I calculate that a Secondary Civil Servant drafted into the Covenanted Service will, if his health does not fail him, be able to put in at least about twenty-three years in that service, so that by the time he retires he will have attained the post of a Collector or District Judge or Accountant General.

The entrance door to the Covenanted Service will still be open by the competitive system in England to all young "Natives" who may desire to get up the ladder all at once. If a concession in respect of age were considered advisable in their case, the limit might be fixed at twenty years, and this should be extended to Europeans as well.

The following is a sketch of my scheme for the Secondary Civil Service, which I submit, with all deference, for consideration.—

I. All persons, whether "Natives" as defined by the Statute, or natural-born subjects of Her Majesty owning allegiance to the British Crown, should be eligible for this service, provided they are above the age of eighteen and under the age of twenty-one years. (The service might be made accessible to the subjects of Native Chiefs in subor-

The *President*—continued

dinate alliance to the Government of India under certain conditions)

I make "allegiance to the British Crown" an essential condition, because I do not see why, in a service of the British Government, the subjects of other European Powers in India should have admission, more especially when employment in it is to lead to high posts in the administration of British India.

II. The test for admission should be a University degree with a certificate of moral character from a person of some standing in society, or a Government officer. (In the case of Eurasians and Mussulmans it might be advisable to lower the University standard to the first B. A , for, say, five years from the date of the organization of the service This concession might perhaps be carried a little further in the case of Eurasians since English is their mother-tongue, the matriculation test being considered sufficient)

III. Twenty persons, or, say, one from each district as regards the Bombay Presidency, inclusive of Sind, may be selected for the first year, care being taken to bring under selection a diversity of castes or sects After that the number may be regulated according to public requirements, the range of selection being maintained as in the first year. If a district has not had a chance of coming within a year's selection, it should be allowed preference in the next year's selection.

IV. The stipend to be given to the person so selected may be, for the 1st year, ₹50, for the 2nd year ₹60, for the 3rd year ₹70, and for the 4th year ₹80 per month.

The stipend proposed will hardly be enough for a Eurasian or European subject of Her Majesty, but I would not advocate any distinction between them and the Hindus, Mussulmans, or Parsis in the matter of emoluments. Considering the prospects held out by the Secondary Service, their friends would no doubt be glad to help them

V. During the first year they should be attached to a Collector's Office to learn the routine work as carried on in the correspondence and account departments. they should be placed under the orders of the Head Clerk and the Head Accountant.

VI. During the second and third years they should each be appointed to a Mamlatdar's Kacheri to do duty as Treasury Karkun and General Duty Karkun, the person so appointed receiving the pay of the Treasury Karkun, *plus* the difference between this pay and the stipend he may be entitled to under rule IV., the pay alone counting towards pension

As a rule, a Treasury Karkunship is always available every year in a Collectorate.

VII. During the third year they should be required to pass the Lower (Departmental) Standard Examination. In case of failure, one year's grace may be allowed Failure to pass within this period of grace should be attended by removal from the service

VIII. After passing the Lower Standard Examination, they should be appointed to Head Karkunships in Mamlatdar's Kacheries as vacancies occur, the person so appointed receiving the pay of the Head Karkun, *plus* the difference between this pay and the stipend he may be entitled to under rule IV, the pay alone counting towards pension.

As a rule, a Head Karkunship becomes vacant every year in a Collectorate.

The *President*—continued.

IX. Within a year from passing the Lower Standard Examination, they should be required to pass the Higher Standard Examination. In case of failure, one year's grace may be granted. Failure to pass within this period of grace should involve a forfeiture of the stipend and a forfeiture of promotion to a Mamlatdar.

X After the passing of these examinations, they should become eligible for promotion to Mamlatdars, a list of the passed men being kept for the whole presidency in the Offices of the Divisional Commissioners according to the date of passing, but no appointment should be made except on the recommendation of the Collectors under whom they may be serving, the Commissioners referring to the Collectors before making an appointment. If any of the passed men desire to join the Judicial Department, they should be required to pass the District Pleaders' examination before being declared eligible for a Subordinate Judgeship, and their names should be entered in a separate list, to be kept in the office of the Registrar, High Court, or in the office of the Private Secretary to His Excellency the Governor.

A District Pleader's test ought to be sufficient. It is very desirable, for obvious reasons, that our Sub-Judges should have some practical knowledge of the working of the Revenue Department Such a training is given to Covenanted Civil Servants before they are appointed Assistant Judges

XI Three years' service in a Mamlatdari or a Sub-Judgeship should entitle a Secondary Civil Servant to be selected for the Higher or Covenanted Civil Service, provided he is under his thirty-first year of age, but no appointment should be finally made unless the person selected has spent two years in England, undergoing a course of training, as well as studies, laid down by Government. The number for selection every year may be regulated by the requirements of the public service, say two for Bombay, three for Madras, and so on; sometimes less,

I consider a residence and a course of training and instruction in England most essential in giving tone and strength to character, and inculcating in the minds of our future administrators a sense of duty and honour, as well as honesty of purpose.

XII. No Secondary Civil Servant should be selected for the Higher or Covenanted Service unless he has been reported by the Collector or District Judge as being, from his general character, ability, and industry, fit for promotion to it. Each Collector or District Judge should be required to send to Government every year, through the Divisional Commissioners or the High Court, the name of one Secondary Civil Servant whom he might recommend, the selection resting with Government. Preference should be given to men who shall have shown a creditable proficiency and facility of expressing themselves in the English language to ascertain which an examination might be held in Bombay.

XIII. After two years' residence and training in England, provided he has been favourably reported upon by the authorities under whom he has been placed, and has passed the tests laid down by Government, a Secondary Civil Servant should be appointed finally to the Covenanted Service of a presidency different from that to which he belongs, or from which he might have been sent. If not favourably reported upon, or found deficient at the examinations held in England, he should be allowed to go back to the post he held before leaving India, and he should, like his fellow-servants in the

The *President*—continued.

Secondary Service, become eligible for promotion to a Deputy Collectorship, or to the higher grades in the Subordinate Judicial Service, as the case may be.

A Native in power would scarcely be a free agent if surrounded by his kith and kin and caste influences. Besides, he would, in his own province, fail to command the respect he would have in another province.

XIV. On appointment to the Covenanted Service the person appointed should begin from the bottom of the list, and be made eligible for promotion in the same way and receive the same pay and allowances* as the members of the service receiving their appointments direct in England. He should be allowed six months† to learn the language of the district to which he might be attached, if unknown to him, and be given a charge on passing. If appointed to the Financial Department, he should be required to pass the ordinary departmental tests.

XV. The two years spent in England should be reckoned as leave on half-pay, the extra money required during a Secondary Civil Servant's residence there being given to him as a loan without interest, repayable by him on return to India by instalments which might be fixed by Government according to the circumstances of each case.

I do not advocate any State aid beyond these loans and payment of passage-money to and from England. Any further aid would cause discontent among the other servants of the State.

XVI. Furlough or leave after date of appointment to the Covenanted Service, whether on private affairs or on medical certificate, not to exceed three years during the whole course of service from that date. This besides the ordinary privilege leave. Two of these three years, if spent in Europe, America or Australia, to count towards pension, otherwise the whole of the three years to be non-qualifying.

XVII. Retirement to be compulsory from the date of the completion of the fifty-fifth year of age.

XVIII. As regards pension, if regulated by the rules of the Covenanted Service, no distinction should be made. If otherwise, the scale might be as under:—

	Per annum. ₹
(1) For 20 years' actual or qualifying service and upwards in the higher Covenanted Service .	5,000
(2) For 15 years' actual or qualifying service and under 20 years in the higher Covenanted Service .	4,000
(3) For 10 years' actual or qualifying service and under 15 years in the higher Covenanted Service	3,000
(4) For 7 years' actual or qualifying service and under 10 years in the higher Covenanted Service .	1,800
(5) For service under 7 years	A gratuity according to the pleasure of Government.

By these means a Secondary Civil Servant will be able to put in about, say, twenty-five years in the Covenanted branch, and during that period of course he will be able to get to a Judgeship or Collectorship or Accountant-Generalship.

* I would make no difference whatever as regards pay and allowances.

† During this period he should be attached to the Collector of the district, or the First Assistant Collector, to acquire a knowledge of the peculiarities of the district.

Mr. *White*.

2394. You said the compulsory retirement should be made at the age of fifty-five. Do you think there are any men in the public service at that age who are in good health, who necessarily have great experience, the retention of whom would be an advantage to the Government and the State?—If European Officers as Civil Servants are made to retire after the completion of fifty-five years of age, I do not see why a Native should not be made to retire at the same age as well. If you give these concessions, the Natives of this country will remain in service up to sixty or sixty-five years. There would then be a block in the service altogether.

Vol IV. Sec. II. Bombay.

J. F Fernandez, Esq.

2395. It would be a very costly system to Government if that was introduced: you would lose men of great experience?—That is the rule with the Civil Service just now, and I do not see why it should not be applied to all other persons.

2396. As a matter of principle, would it not be as well to allow their retirement to be deferred to the age of sixty?—If you do that for Natives, I would go further and make it applicable in the case of Europeans as well. Then you would have to abolish the rule affecting Civil Servants.

2397. You are aware that in the Civil Service, although some men are allowed to stay on to sixty, it depends on the will of the department to recommend them for further service. But after fifty-five, men are not allowed to take any leave?—So far as Europeans are concerned, it may be a grievance that they are not allowed leave. But to persons belonging to this country, domiciled in this country, it would be no hardship if they did not get leave after the age of fifty-five years. I have known of people who have gone from the beginning of their service to the end of it without one day on leave.

2398. But when a man is over fifty-five he may stay away for a week owing to illness: if he stays away he loses his appointment?—That depends on whether his absence is reported.

The *President*.

2399. The theory being that after fifty-five years a man is not fit for service, that he is kept on is only on the ground of efficiency. If he falls sick he is regarded as not efficient?—If he happens to be sick, his absence is reported to the head of the department. If a gentleman occupies a high post, say a Deputy Collectorship or a Subordinate Judgeship, and he happens to be sick, all that he has to do is to remain away from his Kacheri or Court.

2400. If the present limit of fifty-five is kept, you would apply it to all classes?—Yes.

Mr. *Ryland*.

2401. You have no objection to the age being increased so long as the man is efficient?—No; and then it should be extended to both branches; to persons recruited from the lower service into the Covenanted Service, as well as to those who enter the Covenanted Service in England.

Mr *Nulkar*.

2402. You said you would apply a somewhat lower standard to certain classes who are backward?—Yes.

2403. Who are they?—Mussulmans and Eurasians. Among Hindus I would apply it to

Mr *Nulkar*—continued.

Kunbis, provided they could produce a certificate as to the time they attended school.

2404. You have served in Guzerat a great deal. A good portion of the Brahmans there are also backward, are they not, as compared with the Deccan? —With regard to the Deccan, you have only two sects as among the Brahmans.

2405 Are they not backward?—In a certain sense they are In Guzerat there are two classes, who, from time immemorial, have monopolised all the services' they are Nágars and Kayasths. Brahmans are divided into eighty-six sects, but the other classes simply devote themselves to the professions of their forefathers, or they do not think of Government service. Recently, there has been a tendency for people from those provinces to come forward and seek Government employment

2406 Would you include them among the backward classes?—Yes.

2407. If you apply a low standard to all these backward classes, amounting to 8 per cent. or more, does not the service run the risk of being deteriorated? I advocate this concession only for a short period, five years, not beyond.

2408 Does not the service run the risk of being swamped, flooded in these five years?—If they were found inefficient, that is to say, if they did not come up to the standard requisite for appointment to a branch of the Covenanted Service, they would remain where they were in the Uncovenanted branch

2409. What is the object of fixing these five years? Simply to enable them to make up for their deficiencies. If they saw that Government was inclined to extend its patronage to them, they would take advantage of education, and five years would be sufficient to enable any of them to see their sons properly educated, if they were inclined to fit them for the Government service.

2410. How many years have they had the knowledge that Government schools have been open to them? For the last fifty or sixty years. That has done nothing so far; they are very conservative in their ideas. People who do not belong to what are called classes serving under Government are the labourers. They simply think they are not eligible, they do not belong to the class from which selections are made for appointments.

2411. Now about the Judicial branch of the service. You said you would consider the qualifications of a District Pleader sufficient to qualify a man for a Subordinate Judgeship? That would be in addition to the test required in the Revenue Department as the basis. Up to this point, officers qualifying for the Covenanted Service would have to undergo a probation before they were appointed to a charge. It is not until they have been in the Revenue Department at least four or five years that they would become eligible for Assistant Judgeships; and I think that persons holding Subordinate Judgeships should have some practical knowledge of the working of the Revenue Department.

2412 You know the present qualifications?—Batchelor of Law and High Court Pleaders' examination

2413 Would not your plan sacrifice that legal training?—That would be the object of their training. Men selected for the higher branches would be men who would be trained in England.

2414 Has a District Pleader got that legal

Mr *Nulkar*—continued

branches of the service, he would go to England and receive a training.

2415 I am referring to Subordinate Judges who are included in the Civil Service, one of the branches that is now the subject of our enquiry. If your plan was adopted, these high legal qualifications would be lost?—I do not do away with the present system of appointments to the Judicial branches. I do not exclude LL Bs. and men who have passed the High Court Pleaders' examination. If any of those trained up in certain departments chose to go into the Judicial Service, they probably would be few—not 10 per cent. certainly—I would make a concession in their favour.

2416. You are probably aware that candidates for Subordinate Judgeships' appointments are now considerably in excess of the vacancies? Government have lately passed a rule that after two or three years they will not be appointed unless they have served for three years at the Bar. That is, the standard will be still further raised. They have three years' actual experience in their profession at the Bar, and your plan would do away with this? —Officers of the Covenanted branch of the Judicial Service would exercise powers of the third class and second class Magistrates, and that would enable them to gain some knowledge of Criminal Law.

Mr. *Stewart.*

2417. What is the salary at which your graduates would enter the Service?—I would begin with ₹50.

2418. Do you think that would always secure the services of graduates?—Those who graduate now are taking service on ₹20 or ₹30 a month.

2419. In what period would a graduate become a Mamlatdar according to your scheme?—Four years is the limit, provided there is a vacancy, of course.

2420. Under the present system, what is the usual period of probation for a Mamlatdar graduate?—I have known of graduates who have been five or six years in the service before appointment. The minimum is 18 months.

2421. Is that sufficient?—No, certainly not.

2422. You would put the limit at four years?—Yes

2423. Have you ever had Revenue charge of districts?—No, but I have been Assistant Commissioner of the Northern Division I know a great deal of all Revenue matters, and have come in contact with the work of Mamlatdars.

Sir *Charles Turner.*

2424. I presume you would allow that men of cultivated intellect would acquire a knowledge of a Mamlatdar's duties very much more rapidly than one who had not?—Certainly.

2425. When you speak of four years, you speak of Mamlatdars with whom you are acquainted?—Among trained men, who would be graduates as a rule, I think four years necessary.

2426. What are the duties of a Mamlatdar?—A Mamlatdar is in a way Collector of his own taluk.

2427. He collects the revenue?—Yes.

2428. How long would he take to learn that?—It is not only the collection of revenue that is

Sir *Charles Turner*—continued.

2429. What branch of his duties is it that it would take him four years to learn?—The system of administration.

2430. What part of it would take so long to learn?—The Bombay Presidency system is very different from other systems, except certain portions of the Madras Presidency. Here one has to come in contact with the cultivating classes. The work is very various for a Mamlatdar. He comes in contact with the Vaccine Department, in fact all the departments.

2431. His duties in connection with other departments are regulated by orders?—He must have some experience in the district: it is not learning the work that is in question, but it is the experience that must be added to the learning.

2432. Would not fairly educated men acquire a knowledge of their business in less than four years?—Yes, I do not see why they should not sooner, and a knowledge of a district in less than a year even.

2433 You propose four years then, only in case you have the graduate system?—Yes

Mr. *Stewart*

2434 Is not the Mamlatdar superintendent of a large system of accounts?—Yes.

2435 Not only has he to understand the system of accounts in his own office, but in the villages too?—That is so.

2436. How many forms of accounts are there altogether?—They are very numerous I know

2437. How many tenures are there in a district like Ahmedabad?—A great many.

2438. Would it not take some time to learn how to keep the various systems of accounts?—Yes, quite so

2439. Over how many years does your Revenue experience extend?—Over nearly thirty years.

2440. You were an Assistant Commissioner?—Yes, for fourteen years.

Sir *Charles Turner.*

2441. Are there many different rent-tenures in each taluk?—Many.

The *President.*

2442 Have you any thing you wish to say further?—No, nothing

WITNESS XXXV.—22nd January 1887.

Examination of Khán Bahadur KAZI KAMARUDDIN, Assistant Settlement Officer, Ratnagiri.

Vol IV. Sec II Bombay

Khán Bahádur Kazi Kamaruddin.

Mr. *Stewart.*

2443. What appointment do you hold?—Assistant Settlement Officer at Ratnagiri. I belong to the Southern Konkan.

2444. What pay do you get in your appointment?—R300 net pay.

2445. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The masses of the people are not sufficiently advanced to form any opinion on the subject, but there are certain classes who do not approve of the system. Firstly, the educated Natives disapprove of the system, and, secondly, those persons who have been long in the Government service in its subordinate branches, such as Mamlatdars, Deputy Collectors, and Subordinate Judges, do not approve of it.

2446 Is dissatisfaction felt with the rules passed under the Statute or with the Statute itself?—I do not think with the Statute itself, nor do I see that there are good grounds to complain of the rules framed thereunder the only cause I can see for complaint is that the law is not strictly carried out.

2447. What part of the rules are not strictly carried out in your opinion?—The object of the Statute is to have nominations from among persons of proved merit and ability and high integrity. Now since the passing of the rules, at least to my knowledge, this has not been done: nominations are not made from among persons of proved merit and ability.

2448. What do you take to show proved merit and ability?—Long standing and faithful discharge of one's duties in a responsible post, although the post may be a subordinate one. I should think the best test of one's merit and integrity would be service in the lower grades.

2449. Would you confine nomination to the Statutory Service to members of the Uncovenanted Service?—Yes.

2450. You would not extend it to Pleaders and other distinguished men?—No. I give a large field for the operation of the rules in limiting it to persons who have done good service,—service in which they have shown honesty, integrity, merit, ability, and so forth.

2451. Must that be service of Government?—Yes, such as the Subordinate, Revenue or Judicial branches, and so forth.

2452. Supposing the Statutory Service to be retained as now, would you have the selected officers sent to England to undergo a period of training?—I would encourage them to go.

2453 With regard to the Covenanted Service, have you heard any dissatisfaction with regard to the present means of recruitment, that is, by competition?—Yes, but I do not think the dissatisfaction is felt universally by the Natives of India. There are certain classes who feel that they are

Mr. *Stewart*—continued.

excluded because there is not a simultaneous examination in India with that held in England, but the chief complaint is on the score of the limit of age. That is the general, universal complaint.

2454. What do they wish it to be raised to?—I would not hesitate for a moment to say that it should be raised, especially in the case of Natives of India, from nineteen to twenty-three.

2455. Is that the general opinion of Natives you have spoken to on the subject?—I am confident I am representing my own province.

2456 Do the Natives of your part of the country complain of the hardships they would undergo by a journey to England?—There are persons who complain on that score too. I would divide them into two classes, those of limited means and certain Hindus who have caste prejudices against crossing the water, but with the progress of education, I believe, those prejudices are dying out.

2457. Suppose the competition were to be confined to London, would you advocate the giving of scholarships and payment of passage-money in order to facilitate young Natives proceeding to England to compete?—I think it is advisable to do so.

2458. Do you advocate a simultaneous examination in India and in England?—No, I do not.

2459. What are your reasons?—By having an examination in England only those candidates who succeed in passing successfully will get the benefit of high training, high associations, and political knowledge; if a simultaneous examination be held in India, or if that examination is not confined to England as now, these advantages will be lost it matters not whether a candidate succeeds or not, if he goes and returns unsuccessful, he will return with these advantages.

2460. You consider the training in England is most advantageous?—Yes, most advantageous, in my opinion.

2461. For what period would you advocate that training—for how many years?—I would leave that question to be answered by those who have actual experience.

2462 Would you make any apportionment between Natives and Europeans if a simultaneous examination be held in England and in India?—Under the present system I do not advocate that such an apportionment should be made.

Mr. *Ramaswami Mudaliyar.*

2463. Is that your only objection to having an examination in England and India?—That is my chief reason.

2464. Are not many people prevented from going to England because they have no certainty of succeeding. They may not think it worth their while to run the risk and incur the expense merely

Mr. *Ramaswami Mudaliyar*—continued.

on the chance?—Training in England must be taken to involve all these disadvantages.

2465. As a matter of fact, do they not deter many people from going?—They do. I cannot deny it.

2466. In the next place, those who go to England and are not successful, will they not come back with all their prospects blighted?—No, though disappointed of the main aim, Government service, they have many advantages.

2467. Must they not go very young if they want to pass the examination?—As to the question of age, if they go after nineteen I do not think the Indian youths will suffer, if physically fit. The age for Indian youths must necessarily be raised from nineteen years to twenty-three.

2468. Supposing a Native youth goes at twenty-two or twenty-three and comes back without having been able to succeed, are not his prospects seriously affected?—He may be looked upon as having been disappointed in one principal aim, but there are many additional advantages resulting from his visit to England.

2469. Which he himself does not see very often?—His age would not allow him to see that at first but in after-life he would.

Mr. *Stewart.*

2470. Would you recruit the Uncovenanted Service from the Natives of India as described in the Statute only; or would you open it to all natural-born subjects of Her Majesty?—I see no objection to let it be open indiscriminately to all natural-born subjects of Her Majesty.

2471. We are talking now of Mamlatdars, Deputy Collectors, Subordinate Judges, Munsiffs, &c.?—Yes

2472. How would you recruit, by nomination or by competition?—It must be left to the local administrations to make nominations because they are the best judges.

2473. Would you nominate three or four men and allow them to compete for one vacancy?—No, I prefer simple nomination.

2474. Would you recruit provincially, *i.e.*, would you admit only residents of provinces, and would you deter the residents of other provinces from coming into the service?—In many respects it is proper to recruit from among the persons who are residents of the province, but I cannot recommend that they should be allowed to serve in their own provinces within the limits of India. They might be sent to different places.

Mr. *Ramaswami Mudaliyar.*

2475. In their own districts or their own provinces?—We call districts zillas, places where one has to administer justice, magisterial or judicial; that is a zilla.

Mr. *White.*

2476. You have said you would have a simple system of nomination to fill up appointments in the Uncovenanted Service. How would you secure fitness?—I do not understand you.

The *President.*

2477. How would you make sure that the persons nominated were fit?—There are already in India tests, *i e*, departmental examinations. Persons may be appointed subject to a period of probation.

2478. What, if they do not pass their departmental tests?—They have no claim to remain in the service.

Mr. *White.*

2479. Then your system, after all, is a system of nomination combined with passing an examination?—Yes.

Mr. *Stewart.*

2480. You say you would nominate to the post of Mamlatdar?—Yes.

2481. From what classes would you nominate?—At present there are rules framed by the different local Governments. The rules framed by Sir Richard Temple allow only graduates to be appointed in the Revenue Department

2482 Do you think, in reference to the present system of nominating graduates to Mamlatdarships, that the training a man gets is sufficient to enable him to undertake the onerous duties of Mamlatdar and to give him that close intimacy with the work that is required of a Mamlatdar?—Yes

2483 You are engaged in the Khoti enquiry at present?—Yes.

2484. Is not that a question of which different Europeans have been endeavouring to gain the mastery for the last forty-five years?—Yes.

2485. Could a Mamlatdar master the Khoti tenure in a year?—No, not in the Ratnagiri district especially.

2486. You have been many years engaged on the enquiry into Khoti tenures For how many years have you been so engaged?—This is my fifth year.

2487. Do you not find every day fresh questions arising?—Yes, it is most complicated.

Sir *Charles Turner.*

2488. What period of training do you think would be required by a graduate to acquire experience of the duties of Mamlatdar?—Not less than three years to make him a competent Mamlatdar.

2489 Have you had any experience of graduate Mamlatdars?—I have seen something of late of the work of graduate Mamlatdars.

2490. How are they doing their work?—I have no fault to find with them. They are doing their work, I should say, satisfactorily.

Mr. *Stewart.*

2491. They entail great labour on their subordinates at first?—Yes.

Sir *Charles Turner.*

2492. And do not also Assistant Collectors at first entail more labour on their subordinates than more experienced officers?—Yes.

Sir *Charles Turner*—continued

2493. Do you think there should be any difference in the pay of Statutory Civilians and those who enter the service by competition in England?—The so-called invidious distinction between the pay allowed to Natives of India and Europeans appears to be based on the principle that Europeans have to come from England to a far distant and foreign land. That is the principle, if I understand it aright, for the distinction in pay. I think that a little more should be given to Europeans coming from a distant land to India. The Natives should be satisfied with the power and privileges of the post held by both, provided no distinction is made. If a European is appointed to a post which a Native could fill, there is no distinction in power and privilege, and on principle the pay should be the same

Mr *White*.

2494 You say you would make a difference in pay in regard to Civilians, those coming out from a distant land to serve in this country. Do you mean to restrict the difference in pay to such persons as come out under the sanction of the Home Government, that is, who get their appointments there and come out to this country? Do you mean to restrict that difference of pay to them or to any body who comes from Australia or anywhere else merely for an appointment and on his own account?—No, I would confine the difference entirely to Civilians who have entered the Civil Service of India by competition, and to all Europeans who come out here for the educational department under appointment by the Secretary of State.

Mr. *White*—continued.

Mr *Stewart*.

2495 Is there any other point you would like to refer to?—No.

WITNESS XXXVI.—22nd January 1887.

Examination of W. R. HAMILTON, Esq, Magistrate and Deputy Collector, Ahmednagar

The Hon'ble Mr. *Quinton.*

2496. What are you?—I am Magistrate of Ahmednagar and Deputy Collector. I have been nearly nineteen years in the service.

2497. In what capacity did you enter the service originally?—As Assistant Commissioner.

2497½. Of Ahmednagar?—No, with the Revenue Commissioner here.

2498. What pay do you draw now?—R700.

2499. Were you born in India or in England?—Born in India, but educated in England.

2500. Have you had any acquaintance with Statutory Civilians appointed in this presidency?—I know some of the men personally.

2501. Have you heard any dissatisfaction as to their appointment?—Considerable dissatisfaction.

2502. Is the system approved or not?—It is regarded with different feelings by different classes. The educated class, a rapidly increasing class, do not approve of the Statutory system, they consider that all the appointments should be given only by competition. Other classes, such as the landed gentry, the trading classes, and the Mahomedan community, consider it is a sign of weakness on the part of Government to appoint any one of the subject race to an equality with English officers The Mahomedan community especially consider the policy to be weak and dangerous, and they would view a large influx of Natives into the highest offices with genuine alarm. Even in the case of Uncovenanted appointments, such as Mamlatdars, the preponderance of Brahmins has caused great dissatisfaction; and in Dharwar an association of Lingayats has been formed to advance Lingayats to such posts and higher appointments. The feeling seems to be that the gradual promotion of Native officers would be just, especially those who have proved by their work that they are honest and intelligent.

2503. Do they disapprove of the statutory system?—I think they do on the whole.

2504.—They disapprove of the system of appointing men?—As they have no chance of being appointed themselves, not having sufficient education, naturally they have a dislike that any one like themselves should have more privileges.

2505. What is your opinion?—That the Statutory system is a good system.

2506. Do you say that from experience of the results? Do you think the men who have been appointed are as good men as you would get?—They are certainly not better men than the men of the Civil Service.

2507. Do you mean the Covenanted or the Uncovenanted? Are they superior to the latter in social condition?—I should not say so, so far as my experience goes, they are drawn from the same classes I should say, on an average, their social condition is no better There are just as good men in the Uncovenanted Service.

The Hon'ble Mr. *Quinton*—continued

2508. Do you think the men who have been appointed under the statute in this Presidency would have been willing to accept Mamlatdarships or Deputy Collectorships?—One of the men was originally a Karkun on R35 a month; he was made a Statutory Civilian He was serving with a Mamlatdar under me at the time on R35, and was appointed at one jump on R200 a month to the Statutory Service. He was not a man of bad family; he was a very respectable man, it was rather family interest that induced Government to appoint him.

Vol IV, Sec II, Bombay

W R Hamilton, Esq

2509 Was he a B A.?—He was I might say he entered the service of Government under the conditions laid down that graduates would have preference in the Mamlatdars' examination, but that they must first serve in a subordinate capacity until they had passed the departmental examination, when they would be promoted.

The *President*

2510. Did he enter on the understanding that he would be made a Statutory Civilian?—No, but under the ordinary rules, that he might look forward to a Mamlatdarship.

2511. Is there anything in the rules as to the mode of appointment that might be remedied? I think the rules are very good too. They allow perfect latitude to Government to employ any one it thinks right. Such a power is necessary in a country like this, where you have so many different classes to provide for

2512 As regards the Statute, is any amendment necessary?—I should make an alteration in the Statute, so far that I do not see any reason why Englishmen should be excluded from the benefits of the provision It seems to be extraordinary that in a country like India, which has been conquered by England, we, the sons of Englishmen, should be told that because we are Englishmen we should be disqualified for Government service except through one channel, *i.e.*, the Civil Service at home

2513 Thus, you would alter the Statute so as to include Englishmen?—Undoubtedly, all natural-born subjects of Her Majesty.

2514. Would you also include in the definition Natives born in Feudatory States?—No, I think charity should begin at home, but there are good political reasons why you should import influence from Native States and amalgamate it with the Civil Service here. I would admit noblemen; for instance, the noblemen of Hyderabad or Kattywar Chiefs.

2515 Under the Statute as it stands these men are not eligible for appointment?—I would alter the Statute in that respect, I would enlarge the definition of "Native" so far.

2516. If the Statutory Civil Service were retained, would you send selected candidates to England for training?—No, I would not send them. I do not consider that the cost would be commensurate

The *President*—continued.

with the object gained You obtain your young men at rather an advanced age of life, and if you send them home, if you send them to college, you may keep them there for two or three years, but the education they receive is not commensurate with the prospects of those gentlemen.

2517 Were you at a University yourself in England?—I was not.

Mr. *White.*

2518. Would you not promote men of exceptional merit and ability in the Uncovenanted Service to this Statutory Service?—Undoubtedly; the rules already provide for that

2519 Is it your opinion that a better set of men would have been obtained for the Statutory Service if that system had been adopted of selecting men of exceptional merit and ability?—The difference between a proved man and an unproved man is patent If you say men of approved merit and ability, you pre-suppose men who have served Government with distinction. If you nominate untried men at the bottom of the list, they may turn out good or bad men. As it is, I understand that one man who was appointed turned out rather a bad man.

2520 In extending the application of the Statute to all natural-born subjects of Her Majesty, I suppose you would approve of a rule which fixed upon a certain standard of attainments on the part of persons to be nominated to the service of Government, and that you woud have them pass certain tests so that their qualification might be ascertained?—You mean an educational test?

2521. Yes, and other tests besides?—No, I do not consider mere education has any claim to advancement or promotion in Government service at all. I do not think, under present conditions, that you can do that in India. The country is not sufficiently advanced for competition, in any sense of the term.

2522 Would you not ascertain the fitness of persons?—Undoubtedly If a man became a member of the Statutory Service, which is a service requiring a knowledge of English, where the examination must be passed in English, he must be conversant with the English language.

2523. You would ascertain his fitness for the office he is to fill?—He must understand English: he must read and write it as most gentlemen do. In the same manner that half a dozen selections have already been made so they should continue to be made. There should be no educational test; some of the men appointed have University degrees; others have not. They can speak English quite fairly and make themselves intelligible.

The *President.*

2524. You believe there is always a general amount of fitness that can be relied upon?—Undoubtedly.

Mr *White.*

2525. You would have no specified test?—No; in the present condition of India it is not possible to have such tests for some time to come, considering the great disparity in education and the advantage one class has over another.

Mr. *White,*—continued.

2526 I am talking of all natural-born subjects of Her Majesty?—Yes; if a man has sufficient ability in English, I should consider him eligible.

Mr. *Ryland.*

2527. You have said you approve of the present rules allowing a man of merit and ability to be appointed from the Uncovenanted Service to the Statutory Service?—Yes.

2528. As a matter of fact, have any such persons been appointed to the Statutory Service up to this date?—I am sorry to say I do not know of any, at least in this province. There have been six appointments, but I do not know that any have been of men of proved merit and ability in the Government service.

The *President.*

2529. Did not your friend take service on R35 and must he not have proved his merit and ability?—He was in the service only for six months at the outside.

Mr. *Ryland.*

2530. Would you retain the Statutory Service, or have you any other scheme for improving the prospects of the lower branches of the Uncovenanted Service?—I have a scheme: one of the very first principles is that you should alter the Statutory Service altogether. My scheme is that you should restrict the Civil Service to a few officers, which you might call the Direction. The Statutory Service must be very much enlarged and very much improved.

Mr. *Ramaswami Mudaliyar.*

2531. You would include all natural-born subjects of Her Majesty: what is the reason for that?—On the ground of equality. I see no reason why a Native should be more favoured than an Englishman.

2532. As a matter of fact, the examination for the Covenanted Service is held in England and they have that door open?—So it is to Natives.

2533. No, a Native must go to England?—So Englishmen must come here to be appointed.

2534. The statutory definition includes all domiciled Europeans and Eurasians settled in India permanently: what is your reason for going further with the definition?—The definition in the Statute is narrower. It says born of parents who are domiciled.

2535. "Of parents habitually resident:" is it not?—I think not.

The *President.*—The wording is—"Any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only."

Mr. *Ramaswami Mudaliyar.*

2536. Why would you include Englishmen born in England and brought up in England who may be domiciled in India, seeing there is the competitive examination which is so favorable to them?—I do not see that is a reason why they should be excluded from the Statute which says "proved merit and ability" shall be considered.

Mr. *Ramaswami Mudaliyar*—continued.

2537. The Statute says persons of proved merit and ability may be appointed to any post now reserved for the Covenanted Service. That service is open to all persons who pass the test. Why do you wish to include Englishmen in the Statutory Service and so get admission for them when there is another door open to them?—The same door is open to Natives: they have only to pass the examination.

2538 Do they not labor under great difficulties if they want to go to England?—There is, no doubt, great expense.

2539. I suppose that is one of the reasons why the Statute was passed?—No, I do not think so. I think it arose from a discussion that took place prior to the passing of the Statute. I remember that a general reason given was that they wanted to promote a great number of men in the Uncovenanted Service. Another reason was that, as far as the promotion of Natives was concerned, they desired to bring in men of distinguished families, men of territorial influence; they wanted to strengthen the backbone of the administration in this country that is what they wanted to do The qualification of proved merit and ability, &c, was, I believe, at that time intended to apply not only to Natives but to Europeans in the Uncovenanted Service. I know shortly after the mutiny high posts were held by Europeans in the Uncovenanted Service

2540 The earlier Statute does not say that it would be confined to Natives the Statute of 1870 applies only to Natives. Both Statutes must be read together now Your reason for including Europeans is that you wish to promote men in the Uncovenanted Service, though they are Englishmen?—Yes.

The *President*.—The witness says that the Civil Service competition in England is open to Natives as well as to Englishmen he therefore desires that the Statutory Service should not be confined to Natives of India, but be thrown open to Englishmen: that is, as I understand it, his object.

The Hon'ble Mr. *Quinton*

2541 Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—As far as Englishmen are concerned?

2542 No, only so far as it affects Native candidates?—There is considerable dissatisfaction, which is very natural. First on the ground of age; next the insuperable expense and the uncertainty of the chance of success, next there is an objection as to caste which is very strong, which still exists, and is not yet eradicated and there are other objections.

2543. Do you think these grounds of dissatisfaction ought to be remedied?—They ought to be minimised, if possible.

2544. How would you effect that?—So far as my scheme is concerned, I do not say they should compete at all.

2545 What is your scheme?—My scheme is generally, first, you should have a Direction to consist of European officers, and, secondly, a locally recruited Indian Civil Service embracing the statutory and upper uncovenanted services. It is a political necessity that English officials must predominate in the higher ranks, and as long as we hold the country, the Government of India must be conducted by Englishmen and on English principles Therefore it is altogether out of the question to promote Natives to the highest administrative posts, and all appointments above Collectors and District Judges should be reserved for Englishmen. An exception, but a very rare exception, might be made in appointing a Native to the High Court. Half the District Judges might be Natives, but they should confine themselves to civil work, and should not sit in a Sessions Court; for, as a rule, they do not make good Criminal Judges. One-fourth of the Collectors might be Natives. But these proportions should be worked up to very gradually. There should be a sufficient number of English Assistants, who will eventually become Collectors and Judges, and pass on to higher appointments, and these may be recruited from England by competition, as now But they might be graded in a general list with the Statutory Civilians, although their pay might be personal

The Hon'ble Mr. *Quinton*—continued.

The Statutory Service would then comprise appointments of Collectors and District Judges as stated above, Deputy Collectors, Subordinate Judges, Mamlatdars, the Police Department, Registration, Secretariat, Customs, Excise, Education, Survey Statistical and Agricultural,—in fact, all departments which do not require great technical knowledge. To these offices appointments should be made by selection, although Universities and Colleges might be asked to submit the names of young men whom they would desire to bring to the notice of Government, and these might be appointed by competition The pay and conditions of service and promotion are details which need not be discussed here

The *President*

2546 What do you call Direction?—Governors, Lieutenant-Governors, Commissioners, Collectors and Judges.

The Hon'ble Mr. *Quinton*.

2547 And that Directive Service, how should it be recruited?—I should leave that to Parliament entirely.

2548. But we are supposed to be able to advise Parliament on this question Should it be by open competition or nomination? You would have no Native in the Directive Service; how should it be recruited?—I object to competition in India. The circumstances of India are such that it is impossible to hope that any competition would be successful here. you might have a system of nomination: you might leave it to Government. Education is confined to certain towns, only a few forward cities have colleges. In this presidency we have a college in Bombay city and one in Puna, and these are the only places where the Natives of this country have any facilities for acquiring high education. The other districts are entirely in the back-ground. If you are going to have a system of competition for entrance to the Civil Service, then the result will be that residents of this city, those educated in the colleges only, will have an opportunity of entering the service. I have taken the trouble of ascertaining the class of persons who have passed their examination and taken degrees at the University and of persons called to the Bar, and for the last few years I have seen only the names of Mahratta Brâhmans, Parsis, and just one or two Guzratis, but no Mahomedans.

The Hon'ble Mr. *Quinton*—continued.

2549. You object to competition for the local service on the ground that it would be confined to certain classes who have accepted English education?—The only classes would be Parsis and educated Brahmans who would get all the appointments.

2550. Would the nomination be confined to the lower posts in the service, the persons to rise by promotion in the regular way; or would you nominate from time to time outsiders from that service?—No, a man should always commence at the bottom of the list. I would include Mamlatdars in what I term the Indian Civil Service

2551 Would you appoint Mamlatdars by nomination, and then let promotion be made only from Mamlatdars?—I should say that there seems to be a feeling generally amongst Natives here, the Native educated classes, that they should have appointments by competition in order to exclude favoritism. I am quite willing that those who wish competition should have competition. Those people born or educated in Puna and Bombay might have facilities given them for competition. Commence with one-fifth by competition, four-fifths to be given by nomination. I am now speaking of the Bombay Presidency, but the principle would apply throughout

2552. You would have one-fifth by open competition, the remainder by nomination?—Yes. The proportion should be raised until you come to half by competition and half by nomination. The proportion should be equal.

Mr. *Nulkar.*

2553 You say that there are associations the object of which is hostile to Brahmans?—Yes.

2554. Are you sure that their object is hostile to Brahmans; or is it not that their object is to help themselves and ask Government to help them on because they are backward—simply that and nothing more—because we do not see anything in their proceedings, articles of association, papers, or anything else, hostile to other classes. What is your reason for saying they are hostile to Bráhmans? We see nothing of this, so far as I know?—If the associations that wish to train up Bráhmans should say these acts are hostile to Bráhman preponderance.

2555. They complain, from whatever cause, that they are backward. Is that a reason for what you say is the case?—

The *President*—He says hostile to Bráhman preponderance, not to Bráhmans.

Mr. *Nulkar.*

2556. So far as I understand, they want special help to bring them on to the same level as Parsis and others? Do not Mahomedans wish to come up to the level of Bráhmans, they envy Bráhmans rather?—Yes, they are exceedingly jealous, some of them, and wish them to have fewer appointments. They are envious of the position which they have monopolised.

2557. As regards Parsis, do you consider them foreigners?—Practically.

2558. Foreigners in the sense in which Frenchmen are foreigners?—Yes, I say they are quite as alien to the Natives of India as a Frenchman. The only difference is that they have been here a little longer time, but they are distinctly as alien to Natives as a Frenchman would be.

Mr. *Nulkar*—continued

2559. How long have you been in India?—Twenty years.

2560. Do you really mean to say that Natives look on Parsis as being as much foreigners as, Frenchmen?—It would be merely a matter of degree. I should say so The Parsis might wish to identify themselves with the Natives of India, but they are distinctly apart.

2561. Are they, as a matter of fact, from your point of view, looked upon by the Natives of India or by any other class in India as Frenchmen would be looked upon?—No, it would be a matter of degree. Frenchmen would be looked upon as the greater foreigners. But the Parsis are not part and parcel of the people of India, in any sense of the term. If you refer to Frenchmen, there was a colony of Frenchmen settled in India some time ago. The only evidence of the colony that survives is in the names of certain persons and in the names of some of the streets; beyond that the Frenchmen have ceased to exist there as Frenchmen. Parsis have been here over two-thousand or three-thousand years, but they do not intermarry with Natives and have not become absorbed in the larger races.

2562. Do Parsis form a separate class? Is the difference between Parsis and Hindus any greater than between the different castes of Hindus themselves?—I think so; most decidedly.

2563. One of the differences you mention is an absence of intermarriage?—Yes.

2564. Do the other castes intermarry?—I do not think they do much; but I have had cases before me.

2565. I mean the general custom among Natives? As a general rule they do not intermarry.

2566. Do you remember when the Parsis came to India?—Six or eight hundred years ago.

2567. The Aryans also came to India as foreigners?—It is supposed so.

2568. You believe them to be Natives of India now?—Yes.

2569. When do you consent to consider a Parsi as a Native of India?—When Parsis have been absorbed more or less into the people of the country.

2570. You do not mean to say Bráhmans are the same now as when they came here two or three thousand years ago? The difference between the different races is as great as between the Parsis and Hindus?—More so.

2571. That difference exists now as between the different castes?—But with this difference, they simply broke up · there are more sectarian differences than race differences. There is not much difference between a Bráhman and a Mahratta.

2572. You do not admit Parsis to be Natives of India . you take them to be foreigners?—As much as Englishmen.

Mr. *Ramaswami Mudaliyar.*

2573. You said you would have in the Directive Service only Europeans—Englishmen?—Cannot officials serving the Government of India appreciate and understand members of other populations as well as their own countrymen?—Yes; possibly; a Bráhman is as foreign to a Kunbi as an Englishman to a Parsi in his thoughts and living

2574. You think he labors under the same difficulties in understanding the habits and customs of a Kunbi as an Englishman?—They require information as much as Englishmen do. It is not every Bráhman who enters a Kunbi's house. He knows nothing absolutely about a Kunbi.

Mr. *Ramaswami Mudaliyar*—continued.

2575. I suppose you will admit he has more opportunities of knowing than an Englishman?—A Kunbi would rather invite a European to his house.

2576. So he has a better opportunity?—But he does not accept these opportunities.

2577. A Kunbi is a caste—Hindu. Is it really the case that a Bráhman would not enter the house of a Kunbi?—He does not as a matter of fact. Whatever his information, it is derived not from personal observation, but from what has been told to him.

2578. Is it the case that a Bráhman does not enter the house of a Kunbi?—I do not wish to say he would not enter the house of a Kunbi.

2579. Would he consider himself polluted if he entered the house of a Kunbi?—He holds himself aloof entirely.

2580. Do you think it would be a great advantage in carrying on the government that the British Government should have the assistance of some Natives who are in the confidence of Government and who can give advice in the management of its affairs?—If you just give me an illustration of what you mean, in what points Government would wish to have advice. Do you mean taxation? I should say the very worst person to advise would be a Bráhman.

2581. I simply want to know whether, in your opinion, it would not be a great advantage to Government to have the assistance of a Native of the country in whom they have perfect confidence in administering properly the affairs of the country?—You give opportunities to the Natives of India to rise to Collectors and Judges, and such positions would authorise them to give their opinions to Government. I do not see how Government is in the dark at present. it can have the advantage of any advice as it is.

2582. You spoke about education being confined to a few, and Mr. Quinton asked you if you were talking of the Bombay Presidency only. What I want to know is whether you spoke of other presidencies also; whether you have any personal knowledge of the state of things in other presidencies?—My personal knowledge is confined to Bombay. The other presidencies I only know by repute. I have no personal knowledge either of Madras or Calcutta. I have been to these places, but I do not know much about them.

2583. You would not even have a qualifying test for admission?—Into the Indian Service which I propose, I should say one-fifth to be given by competition confined to persons recommended by the University or Colleges.

2584. As regards the four-fifths?—I would leave it entirely to Government. They have already appointed many hundreds to the Uncovenanted Service, and I do not see that they have abused their trust, or believe that they would appoint a bad or improper man. The Uncovenanted Service has no qualifying test.

The *President*.

2585. Mr. Mudaliyar is speaking of the Uncovenanted Service: he refers only to Mamlatdars, Deputy Collectors, and Subordinate Judges. Are there many preliminary tests in regard to appointments to these?—As far as regards Subordinate Judges, there is an Act of the Bombay Legislature. The fact is, no one can be appointed a Subordinate Judge unless he has passed the Subordinate Judge's examination held by the High Court. For Deputy Collectors it is not necessary to pass any test, and there is no test for Mamlatdars.

The *President*—continued.

2586. There are no tests at all?—There is a Public Service test—an ordinary test.

2587 Would you have any such qualifying test; or would you omit that even?—I should leave it entirely to the Government. The kinds of persons we want Government to get hold of are landowners, the Native aristocracy of the country they enjoy generally the natural affection of the people, and they are the natural leaders of Native society I believe if we get these men on our side, we should confer a great boon on the British administration; but as long as you appoint persons on the ground of their education, you are doing more harm than good. I should leave the hands of Government entirely unfettered. If any claims are to be satisfied, they can be met without that four-fifths, and the matter may be safely left with the Government.

Mr. *Stewart*.

2588. Has not our policy been lately rather to abandon the scheme you advocate, and to throw the onus of Revenue work specially on to imported agency rather than to take advantage of the agency on the spot?—Our system of administration has changed.

The Hon'ble Mr. *Quinton*.

2589. Your Indian Local Service includes the present Uncovenanted Service, and some of the appointments reserved for the Covenanted Service?—Yes.

2590. Would you have that Provincial?—Yes.

2591. You said you would have Mamlatdars nominated by Government should they undergo any training?—Yes, they should be on probation for a certain time, and they should pass the usual tests that Government always insists upon its officers passing.

Mr. *Crosthwaite*.

2592. Do you think a young untrained man could carry on the office of a Mamlatdar? Would you entrust a man with a Mamlatdar's post on first appointment?—Not at first, perhaps, but in a little time he would learn his work and would do very well.

2593. In how long?—His duties would consist of a mass of little details, and it would take some time.

2594. Have you been in Revenue work?—Yes.

Sir *Charles Turner*.

2595. Have you experience of graduate Mamlatdars?—Yes.

2596. How do they do their work?—Very well.

2597. As well as the Mamlatdars of the old school?—I should say better.

Mr. *Ryland*.

2598. Are you an Uncovenanted Officer?—Yes.

2599. And a European?—Yes.

2600. Were you appointed by nomination?—I was.

Mr *Ryland*—continued.

2601 Do you not consider it desirable there should be Europeans in the Uncovenanted Service?—I think it would be a very good thing if there were that is one of my reasons for saying you should throw open the appointments to Englishmen also. It gives a healthier, higher tone to the service in India.

2602 In your experience have Europeans serving in the subordinate, executive and judicial service any cause of dissatisfaction as to their pay and promotion?—I should not make any difference of pay.

2603. As it exists at present, have they any cause for dissatisfaction as regards their promotion?—As far as Europeans are concerned, I should say they have.

2604 You think that greater opportunities of rising should be accorded to them?—Undoubtedly, and that is much more necessary when you see little boys promoted over their heads and put into the Statutory Civil Service, while they themselves are left behind

The Hon'ble Mr *Quinton*.

2605. Under your scheme would you make any distinction in pay, whether a man passed in England for the higher service or passed in India?—Of course you must pay heavier for an imported article

2606 Should any distinction be made in the Furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other and what ground?—Undoubtedly.

2607. Are the privileges in regard to pay, promotion and retiring annuity and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory rules?—I think the Statutory Service, commencing on Rs 200, enormously overpaid. Rs 200 represents the average pay of a Mamlatdar he does not get it until after about ten years' service. It is very derogatory and unfair to a Mamlatdar to give Rs 200, in the first instance to young men, which, for a Native, is a very high salary. He can live on very much less. A probationer learning his business should get only nominal pay. Persons articled to Solicitors pay large fees for experience a man going in for the Bar has to pay large fees, and his education costs a great deal. He has also to maintain himself during his course of education, and I do not see why the same rule should not apply to probationers here. I should simply pay them a subsistence allowance until they had passed.

Mr. *White*.

2608. You would draw no distinction in pay between a man coming to India from the India Office at home and a man coming here on his own account?—I am not talking about Educational Officers I am speaking of Covenanted Civil Servants.

2609. Persons coming out under appointments by the Secretary of State and persons coming out here on their own account Covenanted Servants, if appointed at home, should they be paid higher than Uncovenanted Servants appointed here, both being Europeans? I am not referring to any

Mr, *White*—continued.

particular service, but to principle. Would you pay the same salary to a man coming out under a regular appointment from the Secretary of State and a man who came out here to get an appointment on his own account?—I would make a distinction in the one case, and on this ground; in the one case it is a political necessity to appoint Covenanted Officers, and therefore I would give them the pay which the political necessity of importing them demanded; the other I would not regard as an imported article, but one that could be got in the country, and I would give for it what it was worth I would draw that distinction. In the matter of leave, I would allow the same rules to Natives and Europeans alike.

Mr. *Ryland*.

2610. As regards pensions to the Uncovenanted Service, do you think the maximum of ₹5,000 a year should be fixed for all officers drawing ₹1,000 and upwards, and not, as at present, as a matter of special indulgence?—I think ₹5,000 a year a very liberal pension.

2611. It is not one-half?—I think ₹5,000 a year a very good pension indeed.

2612. Those who draw ₹12,000 a year and upwards may receive ₹6,000 a year as a matter of special indulgence, that is, ₹500 a month. Do you think that it should be limited only to those who draw ₹1,000 and upwards?—I see no objection to it, except on account of financial economy. All these proposals that we make are just as much in the interest of financial economy as anything else. Imported Service is expensive, and it is necessary to minimise its numbers.

2613 Would you have the more favourable Furlough rules of the Uncovenanted Service applied to the service generally?—I would fix the scale for Furlough according to the nationality of the individual.

2614. According to the furlough rules certain furlough is made more favourable to some officers than to others would you make these rules applicable to all?—Yes

Mr. *Ramaswami Mudaliyar*.

2615 Do you think ₹200 a month to a Statutory Civilian too much?—Yes, I think so.

2616. Because he can live on less?—Yes.

2617. How much can he live on?—₹50.

2618. And, in your opinion, ₹50 would be enough for a Statutory Civilian?—He is a young man: he is learning his business: he is hardly of any use to Government, and if you give him that, you give it to him as a matter of grace.

2619. An Assistant Collector, when he comes out, has to learn his work for about two years?—Should his salary be reduced to the scale you have suggested?—We have imported him. He is a passed officer, although he wants a certain amount of knowledge. Moreover there is no reason why he should not be made use of at once on arrival. I have a gentleman under me he is doing my work now, he only came out to India about a fortnight ago. He is now doing his work. Of course we do not consider it safe to give him charge of important administrative posts at once on his arrival, but still he is useful.

Sir *Charles Turner*

2620 How long is it before a Covenanted Civilian obtains full powers?—Within two years, some of them before; but that is the rule The average is about two years.

2621 Is there anything to prevent their obtaining full powers in less than one year?—There is no rule. The difficulty is merely about the language: they have to learn to read and write it fluently. As far as the Law is concerned, I think they might pass the examination before. Language gives them some difficulty.

Mr. *Stewart.*

2622 How long is it since you were in charge of a Revenue Office?—Ten years. I am a Deputy Collector now, but have no Revenue charge.

2623. Graduate Mamlatdars have only been in existence nine years. You have not seen any of their work?—I may have occasionally had charge while a man has been on leave. I have not been in regular charge for a long time.

Mr. *White.*

2624. You said that you did not consider Parsis Natives of India?—No

2625. As a matter of fact they are Natives of India by law, and if you carry that reasoning a little further you might include certain other classes—Eurasians and domiciled Europeans?—I do not consider Eurasians are Natives of India.

2626 The law is on their side; they are Statutory Natives of India. According to you, Parsis would have no right to hold offices under Government. Have you considered what the effect of your reasoning would be if you carried it still further? There are many different races in India, have you thought of the political and other difficulties which might arise if Government declined to take advantage of the intellect of the country? How it would affect the administration and the progress of the country?—I do not intend to ignore them at all. Every natural-born subject of Her Majesty has a right to employment in the service. A Parsi, in my view, is not a Native of India, but he is a natural-born subject.

Mr *White*—continued.

2627 The policy of Parliament has been to give additional facilities for the employment of Natives of India in their own country, and if any obstruction was put on the free employment of the educated classes, no matter what nationality they belonged to, would it not be rather unfortunate for the country?—I do not put on any restrictions, I put all in the field. I do not see why you should give a preponderating influence to one class and exclude another. Government has something more to do than to look to mere matters of education. We in our position here are a foreign power.

The *President.*

2628. Do you consider that the one-fifth you reserve would be sufficient?—Yes, and as you progress you would increase it until it came to one-half

Mr *White*

2629. As you know, by Act of Parliament no person who is a Native of India or natural-born subject of Her Majesty is in any way to be debarred from public employment. Do not you think that any restriction you would desire to put on any class who desire to look for public service in India would be against the policy of Parliament?—Yes, I think it might be deprecated if any class was excluded, especially Englishmen.

2630. Considering the progress the country has made since 1858, and in view of the very intelligent expressions of opinion and the progress of the country, the people, the very liberal ideas that permeate all classes—Brahmans, Parsis, domiciled Europeans, &c—do not you think that any obstruction placed in the way of bringing the whole of these vast populations in India into cordial relation with each other in regard to this employment would be most disastrous?—I decidedly think all limitations should be removed.

The *President.*

2631. Have you anything else you wish to add?—No.

WITNESS XXXVII.—22nd January 1887.

Examination of PHIROZSHÁH MERWANJI MEHTA, Esq, M A., Barrister-at-Law, Member of the Municipal Corporation; Fellow of the Bombay University, Honorary Secretary, Bombay Presidency Association, Bombay.

The *President.*

Vol IV Sec II Bombay.

Phirozshah Merwanji Mehta, Esq

2632) You are a Barrister-at-Law and Justice of the Peace and a Member of the Municipal Corporation?—Yes, and I was twice elected Chairman.

2633 And a Fellow of the University and Joint Honorary Secretary of the Bombay Presidency Association?—Yes

Sir *Charles Turner.*

2634 What is the feeling in your Presidency regarding the present Statutory System?—The feeling in this Province regarding the existing Statutory System is one of dissatisfaction The dissatisfaction is not confined to particular sections of the community. It prevails very largely among the official as well as the non-official classes of the Anglo-Indian community as was made manifest at the time of the agitation against the Criminal Jurisdiction Bill (popularly called the Ilbert Bill) As regards the Indians themselves, it is general among those members of the sections—Mahomedan, Parsi, Hindu—who at all think or speak about public affairs The only exceptions have been of those—and they are very few—who have hoped or hope that they might secure a share of the patronage under the system Since very recently, some of the members of what are called the backward races have begun to be less emphatic in their condemnation of the system, but I believe this has not originated from themselves, but it is owing to its being suggested to them that the advanced classes will otherwise have a monopoly of admission to the Civil Service.

2635 What are the grounds upon which such feeling is based?—The grounds upon which this feeling of dissatisfaction is based will be best understood by a brief reference to the circumstances under which the measure originated and the action adopted from time to time to carry it out By Act 3 and 4 Will. IV., C. 85, Clause 87 (Government of India Act of 1833), it was enacted that no Native of India nor any natural-born subject of His Majesty resident therein shall by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office or employment under the said Company This clause was deliberately enacted as a measure of sound policy, and in an explanatory despatch the Court of Directors interpreted the clause in the following words —"The Court conceive this section to mean that there shall be no governing caste in British India, that whatever other tests of qualification may be adopted, distinction of race or religion shall not be of the number, that no subject of the King, whether of Indian or British or mixed descent, shall be excluded either from the posts usually conferred on Uncovenanted Servants in India, or from the Covenanted Service itself, provided he be otherwise eligible" The same policy was reaffirmed by the Government of India Acts of 1853 and 1858, and in throwing open admission into the Covenanted Civil Service to public competition, Parliament recognised the right of all natural-born subjects of Her Majesty to enter the lists In 1858 when the paramount

Sir *Charles Turner*—continued.

necessity of maintaining the stability and permanent security of British rule in India was prominently present to all minds, this policy was further enforced by Her Majesty's Proclamation in which she announced her will that—"So far as may be, our subjects, of whatever race or creed, be impartially admitted to offices in our service, the duties of which they may be qualified by their education, ability, and integrity, duly to discharge" A general knowledge of those pledges and promises contained in these enactments and declarations has been far more widely spread than is usually imagined, and has not been confined to the educated classes only, but has penetrated very low down among the peoples of India. In these days when the formation of a distinct English service, or, to speak plainly, the establishment of a governing class is advocated in one form or another in the name of the paramount necessity of maintaining British rule, it is well to remember that the declaration of this broad and liberal policy has been a potent factor in forming and consolidating Indian loyalty to British rule, while the discontent arising from the non-fulfilment of the pledges has spent itself on the local administration, which alone has been held responsible for not carrying out pledges given in all honesty and good faith by the English people and their Sovereign In process of time, experience commenced to make it evident that the Natives of India were heavily handicapped in the race of competition as against English competitors—firstly, in consequence of the examinations taking place through the medium of a language foreign to them, which however was right and proper under the circumstances of the case, and secondly, in consequence of the examinations being held in England, which was not considered fair or essential Representations with regard to this latter point continued to be made from time to time by public bodies in India, till at length, about 1868, it began to be admitted by successive Secretaries of State for India that the complaints and grievances in this respect were well founded, and measures should be adopted to remedy them. What was urged by Native public opinion, such as it was, with regard to the grievance and its remedy was clearly embodied by the late Professor Fawcett in the motion of which, as member for Brighton at that time, he gave notice in the House of Commons in 1868 "That this House, whilst cordially approving of the system of open competition for appointments in the East India Civil Service, is of opinion that the people of India have not a fair chance of competing for these appointments as long as the examinations are held nowhere than in London, this House would therefore deem it desirable that, simultaneously with the examination in London, the same examination should be held in Calcutta, Bombay and Madras" After long correspondence and consultation with the Government of India, the measure that was laid before Parliament and passed was as different as it was unexpected; and Cl 6 of 33 Vic., C 3, after reciting that it was expedient to afford additional facilities for the employment of the Natives of India of

proved merit and ability, gave power to the authorities in India to appoint Natives of India to places in the Covenanted Civil Service This measure was received with the greatest dissatisfaction by all Natives who at all thought on the subject; and I believe I have correctly given the reasons for that dissatisfaction in a paper which I read before the Bombay Branch of the East India Association when the Act was being passed through Parliament, and which is published in the Journal of the East India Association, Vol. V. No. I (a copy of which I beg to lay before the Commission herewith). Those reasons briefly stated, were, 1st, that when they had asked to enter the service in the way pointed out by Lord Macaulay, "in the most honorable manner, by conquest, as a matter of right, and not as a mere eleemosynary donation," they were invited to enter it by a backstairs door, that would stamp them as inferior to and different from their English colleagues; and 2nd, that the power of nomination, however attempted to be safeguarded by rules, was inevitably destined to degenerate into favoritism and jobbery through the combined operation of the forces of interest, ignorance, insufficient knowledge, and prejudice. It was further felt, as pointed out at the time in the "Hindu Patriot," then I believe under the guidance of the late Mr. Kristodas Pal, that though the measure might benefit individual Natives, it could not raise the status of the people of India. The feeling of dissatisfaction with which the Statutory provision was received was intensified by the events that followed, realizing all the forebodings that had been entertained regarding it. For a long time nothing was done under the Act except the occasional exchange of dispatches between the Secretary of State for India and the Viceroy in Council. Then a spasmodic effort was made to give effect to it, in the sense that Natives of proved merit and ability from the Uncovenanted Civil Service might be promoted to posts in the Covenanted Civil Service. In the Bombay Presidency, one such appointment was made, and the person designated by the entire Native public as exceptionally and eminently qualified for it was passed over through misconception and prejudice. In 1878, Lord Lytton's Government framed rules under the Act, and what Sir Charles Wingfield had said at the time of the passing of the Act, that "he had every reason to believe from what he had been told by the members of the Council and the Under-Secretary of State for India that the power of appointing young men to the lowest grades in the Civil Service would hardly ever be exercised at all," was actually proposed to be done systematically by these rules. What he had predicted as the result of such an attempt actually came to pass He had said that—"He did not think it would be desirable to give the Governor General power to appoint young men to the Civil Service at the bottom of the list, because he thought it exceedingly probable that the selections would be made merely by favor and interest." What took place in the Bombay Presidency was summed up by Principal Wordsworth in a letter which he addressed to the *Pall Mall Gazette* on the 16th June 1884, in the following words.—"The people now selected are in reality representatives as little of the aristocracy as of the intelligence of the country. They are members of respectable families who happen to enjoy the favor of some elevated official, a Secretary to Government, a member of Council, or a Police Commissioner. In this Presidency a College education and a University Degree appear to be regarded as positive disqualifications for selection. A young man of

independent character and high talents cannot now hope to enter the Civil Service by competition, and he has generally no wish to enter it by the back-door of favor. Every one, again, who knows India also knows how far the official world here appreciates the independence of educated Natives and what chances it is willing to give them Deferential ignorance, conciliatory manners and a plentiful absence of originality and independence are now, and always will be, at a premium" The feeling of dissatisfaction against the Statutory system has grown and formed itself through these circumstances At one time it had almost grown into a feeling of alarm which has not yet altogether subsided That was at the time when the blue-book containing the papers relating to the admission of Natives to the Civil Service of India was published. Just before the rules were framed by Lord Lytton's Government, the limit of age for the open competitive examination was reduced to nineteen. Ever since the limit of twenty-three fixed on the recommendation of Lord Macaulay's Committee was gradually begun to be reduced, suspicions had been entertained and complaints made that the object was to render it difficult for the Natives to go to England to compete This was very much so at the time when a Parsí candidate offered himself, but just as he was going up the limit of age was lowered. There was a long discussion in Parliament, intimating that it was done for the purpose of excluding Natives. That was the very first Parsí that offered himself, sometime in 1862-63, a year before I went to England. When in 1876 Lord Salisbury, in opposition to the advice of the majority of the members of the Government of India, including the then Viceroy, Lord Northbrook, of a majority of the officials consulted in India, and of the Civil Service Commissioners in England, and against the opinion of Professor Jowett, the only surviving member of Lord Macaulay's Committee, decided to lower the limit of age from 21 to 19, it was felt in India, that, whatever the object, the competitive door of entrance into the Covenanted Civil Service was very nearly practically closed against them, and the failure of the Indian candidates who still presented themselves confirmed this view. The publication of the blue-book I have mentioned above followed soon after, and it was perceived, with dismay, how near the Natives had been from being altogether shut out from the English Covenanted Service; the pledge of free equality guaranteed to them so often and so solemnly being taken away, and a Statutory Civil Service somewhat extended given in its place. Lord Lytton's proposal, which was only given up because there was no hope of obtaining the sanction of Parliament to it, virtually amounted to reversing the old declared policy of the Company and the Crown and forming a governing class. It was felt that all this arose out of the policy of having a Statutory Civil Service for Natives, and the feeling of dissatisfaction in regard to it deepened accordingly. This feeling is not entirely allayed, as it is apprehended that the existence of the Native Statutory Service will always be suggestive of the revival of such an impolitic and unwise course. I may add that the evidence before the Commission to a certain extent supports this apprehension.

Vol IV Sec. II Bombay.

Phirozshah Merwanji Mehta, Esq.

2636. Is the feeling of dissatisfaction, directed against the Statute itself (33 Vic., Chapter 3, Section 6), or is it directed against the rules framed thereunder?—It will be seen from what I have said that the feeling of dissatisfaction is mainly against the Statute itself. In so far as the rules establish the system of selection by nomination,

Sir *Charles Turner*—continued

they contribute also towards fostering the feeling of dissatisfaction

2637 Is objection felt to the Statute also, because its provisions admit persons to specific appointments only and not to membership in an organized "Service"?—The Statute is partly objected to in consequence of the circumstance mentioned in this question My main objection to the Statute is because it has the indirect tendency of constituting and introducing a governing class, that it provides a race qualification for the first time The Court of Directors decided that no governing classes should be introduced in India, now a race qualification is to a certain extent introduced.

The reasons for the desire felt for enrolment in a general service cannot be better described than in the words of Lord Macaulay in his remarkable speech on the Government of India Bill of 1853 :— "I can conceive nothing more unfortunate for the people of India than that you should put into the Civil Service a Native because he is a Native, if he is to be the worst man in that service, a man decidedly inferior in attainments to all the members of that service, and who would be looked down upon by his European colleagues. Under the proposed system, it would depend on the Natives themselves, and upon them alone, at what time they should enter into the Civil Service. As soon as any Native of distinguished parts should, by the cultivation of English literature, have enabled himself to be victorious in competition over European candidates, he would in the most honourable manner, by conquest, as a matter of right, and not as a mere eleemosynary donation obtain access to the service It would then be utterly impossible for his European fellows to look down upon him, he would enter the service in the best and most honourable way, and I believe that in this mode, and this mode alone, can the object which so many friends of the Native population have in view be attained in a manner at all satisfactory."

2638 What amendments do you advocate in Section 6 of the Statute?—I consider no amendment, short of the abolition of Section 6 of the Statute, sufficient It will be remembered that so far as cases of exceptional merit or administrative exigencies are concerned, they are provided for by clauses 3 and 4 of 24 and 25 Vic, C 54, which are still law.

2639 Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide? —The definition of the words "Natives of India" in Section 6 seems to me to be sufficiently clear and full. If all inequalities and anomalies were removed, I should consider it just and proper to include all domiciled Europeans in the term.

2640 If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted? Do they relate to the general conditions in regard to pay, promotion, and retiring annuity under which Statutory Civilians hold their offices?—The system of nomination is certainly regarded as very objectionable, as it undoubtedly is So far as the rules as to pay, promotion, &c, are concerned, they also contribute to accentuate the position of inferiority in which the Statutory Civilians are placed or find themselves

2641 Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objection, which may be felt to them?—I cannot consider that any amendments in the rules will remove the worst and most objectionable features of the Statutory Service, above all, its political unwisdom

Sir *Charles Turner*—continued.

2642. Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel?—So far as my experience goes, Statutory Civilians are regarded as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel, the reasons being that they are regarded as not having given the same proof of merit and ability; as having got in through interest and favor, and as not enjoying the same position, rights, and privileges

2643. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted Officers?—No comparison, so far as I am aware, has been actually made between the status of Statutory Civilians and that of Uncovenanted Officers

2644 On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your Province? How would a system of nomination to be followed by a period of probation be regarded by the same classes?—It is difficult to answer this question, as different meanings are attached to the term "influential sections of the Native community." On the whole, however, the system will continue to be regarded by all influential sections of the community with a feeling of disfavor and dissatisfaction, except by those individuals indicated by me in my answer to the first question The military and aristocratic classes dislike a position of inferiority and inequality even more than the other classes, and this is likely to deepen more and more in time. The feeling will be much the same whether nomination is followed by a period of probation or not.

2645 Would a system of nomination, with or without probation, be likely to secure well-qualified persons? Has experience actually shown such a system to secure well-qualified officers?—A system of nomination with or without probation will never, as a rule, be likely to secure well qualified persons, and the likelihood is sure to continue to diminish with time. I do not deny that occasionally not only qualified persons, but exceptionally superior persons, may be appointed even under the worst system of nomination. We all know how even in the Anglo-Indian Service in the days of the grossest jobbery and patronage even a few great men, or men who turned out great, were unwittingly nominated. But, as a rule, the system would not succeed. And the difficulties of a system of nomination for the purpose in question are greater in India even than in England, inasmuch as English authorities are necessarily obliged to rely and act upon second-hand information, and upon very imperfect knowledge of the relative positions of people in Native communities and the circumstances and tests by which they are regulated. English people hardly realize to what extent their knowledge is thus imperfect, and their information unreliable, and even positively misleading. I believe these observations are justified by actual experience of the working of the system, at least in this Presidency.

2646 Do you consider that nominations should be confined to persons of proved merit and ability? —Different significations have been attached to the words "persons of proved merit and ability"

by the Secretary of State for India and the Viceroy in Council at different times.

2647 Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service? If so, how would you connect such a scheme with selection of Natives for employment in the higher administrative posts in India? Do you think any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not?—I consider the existence of the Statutory Service to be of so disastrous and retrograde a character for the true interests of the peoples of India, that rather than that it should be retained, I should be in favor of the foundation of numerous scholarships—and they would have to be very numerous indeed—tenable by Natives in England for the purpose of enabling them to qualify to compete for the Covenanted Civil Service, provided these scholarships were not bestowed by any system of nomination of any kind or sort whatever, but by free and open competition in India.

2648 If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—No, but I do not think that such a revision as is put in the question is very feasible. I should certainly not be in favor of lowering the standard or character of the examination.

2649. Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—If the question refers, as I suppose it does, to an examination held in England, I believe competition for such examination in England has more and more come to be regarded with disfavor Among numerous other causes, it has come to be considered that there is more or less risk in sending youths at an early age to England where it is very difficult to secure for them safe guidance, control and supervision.

2650 Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition? If so, what form or forms should such facilities take?—What conditions, if any, should be attached to them?—I do not think that any additional facilities that could possibly be suggested would prove satisfactory or meet the real demands of the question.

2651. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—If such a thing were generally done, it would still further degrade the Statutory Service.

2652. Can you say what number of Natives belonging to your Province have presented themselves annually at the competitive examination in England, and what degree of success they attained?—I believe one Hindu, one Mahomedan, and three Parsís have hitherto succeeded in passing the competitive examination in London from this Presidency.

2653 What class or classes of Natives in your Province readily go to England?—Parsís come first, then Mahomedans, then Hindus.

2654. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—All classes have two objections in common—first, the great expense, and secondly, the risk attendant on a visit to England, especially for young lads, in consequence of the circumstance already mentioned. Hindus have a special objection on the score of caste and religion, but it is gradually wearing away.

2655 Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—I know of no reason or justification for such a proposal or suggestion I should be strongly against any such distinction, as all other distinctions regarding free and fair competition between Natives and Europeans.

2656 If the standards and conditions were different, how would it be possible to compare the results in the two examinations so as to bring out one list in order of merit?—It would in my opinion be practically impossible.

2657. Would it, under such circumstances, be desirable to allot a fixed proportion of appointments to each of the two examinations?—To do any such thing would be as undesirable as the circumstances contemplated.

2658. If a fixed proportion of appointments were allotted for a Native examination in England, do you consider that in view of the objections against a voyage to England and life there, the cost thereof and the chances of failure, a sufficient number of suitable candidates from your Province would be available to make the competition a real competition?—My answer to this is involved in the above answers

2659 Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—They certainly do

2660. If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—The present limit of age is one of the most important of the circumstances which have placed Natives at a disadvantage It has gradually operated so as to be almost prohibitive, so far as Native candidates are concerned This has been shown conclusively by the late Viceroy the Marquis of Ripon in his minutes of the 26th September 1883 and 10th September 1884, and it is needless to do anything further than to refer to them for the reasons and causes of this prohibitory operation Another circumstance which has placed Native candidates at a disadvantage is the value assigned to subjects connected with Oriental history, languages and literature as contrasted with that assigned to Greek and Latin The limit of age for both Natives and Europeans should be the same, and what that limit should be cannot be more effectually stated than in the words of His Excellency the present Lieutenant-Governor of the Punjab, Sir Charles Aitchison "I would have the maximum limit of age fixed at twenty-three; for I believe that the nearer we can return to the position of 1854" (that adopted on the recommendation of Lord Macaulay's Committee) "the

Sir *Charles Turner*—continued

better will it be for the country, the more just to the people, and the less need there will be to have recourse to the Statutory arrangements, which, if defensible at all, are only defensible as a temporary means of admitting Natives of India to appointments now practically closed to them by the present rules for the open competition."

2661. What is the average age at which Natives at the Indian Universities pass the examinations for F A, B A, and M A, respectively?—There is no F A. Examination in the Bombay University. The average age at which our students take their B A. Degree, I believe, ranges from 20 to 22, and their M. A. Degree two or three years later.

2662 From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your presidency?—From the middle classes of the Parsí and the Hindu communities Mahomedans have recently commenced to come in in larger numbers than before, and a strong desire is growing up among them to advance in the path of education.

2663 Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I advocate very earnestly a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations I have given my reasons in detail for so advocating the measure in a published paper (East India Association Journal, Vol. V. No 1). It is the only course consistent with a sound and far-sighted political policy, without which the pledges given by the Crown and Parliament will never be fairly or adequately fulfilled. Political danger there is none in adopting it, and it is, again, the only course which will secure full administrative efficiency, for it will bring into play in the best manner the knowledge which comes naturally and intuitively to a Native of Native feelings and modes of thought; and the inability to grasp and comprehend which, so often neutralizes the highest talents and accomplishments of Englishmen In advocating this measure, I would suggest safe-guarding it in three ways (1) I would insist upon the successful candidates proceeding to England, and spending there their probationary two years in further qualifying themselves for the service I consider it preferable that the stay and training in England should be subsequent to the competition than prior to it, because I do not think that Natives of India should be entirely Anglicized and their distinctive nationality lost and submerged in Anglicism, as would be more or less the case if they stayed and were trained in England at too early an age. I would however have them thoroughly familiar, almost saturated, with English thought and culture, so as to be properly qualified and fully equipped to act their part in an administration which must be guided by the principles of English civilization and culture. (2) I would raise the maximum limit of age to twenty-three, so as to secure, not precocious boys, but young men well grounded in English culture. (3) And thirdly, I would raise the character of the examination as high as possible in the direction of requiring a thorough acquaintance with English literature, history and science, such as will secure both a high moral and intellectual training And I would be prepared in such a scheme of examination to be satisfied with having a comparatively much lower value placed upon a knowledge of Oriental languages and literature

2664. How would this method of selection be regarded by the Native community generally?—I believe this method of selection is likely to be regarded with satisfaction by the Native community generally.

Sir *Charles Turner*—continued.

2665. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—I would admit both classes freely to either examination.

2666 Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1885 to secure?—I do not consider that the educational institutions in this Presidency are at present capable of giving the very high class education in question, but I think they are fairly progressing towards it, and the demand which would arise in case competitive examinations were held in India as stated by me, would give this tendency a further strong impetus.

2667. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—For a time the Parsís and those classes of the Hindus among whom education has already made considerable progress may have some advantage over the Mahomedans and what are called the backward classes among Hindus So far this may lead to a preponderance of the members of the former classes over those of the latter. But this preponderance cannot be designated as undue. Education and training have always been recognized both by the aristocratic as well as the backward classes, and by Mahomedans in relation to Hindus, as giving a legitimate right to employment in the public service. It has not been resented in the past, and I do not think it will be in the future, except to the very desirable extent of creating that healthy and stimulating sort of jealousy which may be potent in drawing the classes I have named towards the path of improvement and education.

2668. Do you think there are any objections on political or administrative grounds to open competition in India?—No political measure can claim to be perfectly free from all objections, but I believe the proposed system of open competition in India is free from objections on political or administrative grounds. The fear that Natives will inundate the service is not justified by the reasonable probabilities of the case. I do not believe that if the maximum limit of age is raised to twenty-three, and the character of the examination raised and strengthened in the direction indicated by me above, Native candidates will be able to beat their English competitors in any very large numbers for a long time to come. As to the jealousy between the different classes of the Indian people I have stated my view above. I do not believe that there will be any such jealousy or resentment as would constitute a political danger. As to objections on administrative grounds, I do not think there are any which cannot be obviated by administrative arrangements, as, for example, with respect to officers who may be required for Frontier Districts. I would much prefer that Natives of one Province be appointed to serve in another.

2669. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—Up till now, "cadets of leading families" have seldom aspired to enter the ranks of the Civil Service. If

Sir *Charles Turner*—continued.

the introduction of an open competitive examination is likely to have any effect upon them in the future, it will not be of a deterrent but of a stimulative character. It will be remembered that in India, leading and aristocratic families have always been recruited to a considerable extent from people of the lowest ranks and positions in life as soon as they have forced themselves into power.

2670. Under such a system how would it be possible to provide against Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province?—I have partly answered the question already. I would trust to the influence of time, and, if necessary, afford educational encouragement and facility to enable them to qualify themselves for the service.

2671. Would a system of provincial examinations be preferable to one examination for the whole of India?—One examination for the whole of India would be preferable

2672. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—The system will be viewed as objectionable, as there would not be equal and common competition.

2673. If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age? and in regard to minimum educational attainments? and in regard to moral, social and physical fitness? and in other respects (if any)?—The maximum limit of age should, I think, be twenty-three. The limit of minimum educational attainments should be so framed as to ensure in the lowest successful candidate a thoroughly broad and liberal education of the character indicated by me in my previous replies The usual certificates required by the University, for example of moral character and respectability, may be demanded. With regard to physical fitness, such an examination as the candidates for the competitive service have at present to undergo, would, I think, suffice.

2674. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c, should not also be different?—I should say, as a matter of principle, that the same service should be remunerated in the same way, whether rendered by a Native or a European If there are political considerations I am quite prepared to say some difference should be made.

2675 Should successful candidates go through a period of special study in India like the English candidates who spend two years in special preparation?—It would not only be preferable, it would be necessary to require the successful Indian candidates to go to England.

2676. Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment?—I think successful candidates should be required to go through a probationary period before final appointment, such probationary period to be passed in England. The duration of the probationary period should be about two years.

Sir *Charles Turner*—continued

2677 What special provision, if any, do you think should be made for the appointments to Covenanted posts of deserving members of the Uncovenanted Service?—Clauses 3 and 4 of 24 and 25 Vict., C 54, are, I think, sufficient for the purpose.

Vol IV Sec II Bombay.

Phirozsháh Merwanji Mehta, Esq

The Hon'ble Mr *Quinton.*

2678. You say you would abolish the Statute altogether. You would substitute for it competition in India and in England simultaneously?—Yes, both.

2679 Who are the classes you think most successful in the open competition at present?—At present Pársis and the educated classes among the Hindus.

2680. Do you think the result of your system would be to establish a governing class?—No, not a hard-and-fast distinction between different races, but in the scheme which I recommend it will remain for Mahomedans and the backward classes themselves if they choose to exert themselves to obtain entrance into the Civil Service. Among Mahomedans in this Presidency a strong impetus has set in already. I know of schools that have been started for the education of Mahomedans, to which help is given from all quarters The Corporation in which there is a large number of Hindus makes a special annual grant for this purpose. I know that a very strong impetus has set in among the Mahomedans, and I think within a short time they will compete largely and compete successfully with Bráhmans and Pársis. They are a very intelligent race of people, and with education no doubt will obtain their proper places in that scheme.

2681. Within what period is that likely?—I should say within ten years

2682 During the interval of ten years the abolition of the Statute would really establish a governing class?—No, not a governing class at all because the service will be open to all Governing classes can only be established when certain people are kept out in spite of their wish to come in, and when admission, if they desire it, is not open to them.

2683 Would not the Mahomedans, a backward class, be excluded in that way?—No, not by rules having that operation, but simply in consequence of their own backwardness. There will be some Mahomedans even now competing, but not in very large numbers.

Mr. *Stewart*

2684. Supposing the Statute to remain in force, would you amend the definition so as to include Natives of Native States, such as Baroda?—I should be rather in favor of including them; but I think there are good reasons for saying they must not be included, these reasons being that subjects of Her Majesty in British India are not as freely admitted to Native States.

2685 They are very largely?—Then I would do so I know they are now pretty freely employed in Native States.

Mr. *Crosthwaite.*

2686. What does Section 6 of the Statute do?—It recites but does not enact that it is intended for the purpose of giving additional facilities to men of proved merit and ability for entering the higher ranks of the service.

2687. What race of men?—It means people who are Natives, natural-born subjects of Her Majesty in India, or who have made themselves Natives by residence or domicile there.

2688 How does that create governing classes?—I am afraid what I have said about a governing class has not been quite understood. I pointed

Mr. *Crosthwaite*—continued.

Phirozshâh Merwanji Mehta, Esq.

out in my reply to a previous question that it will have such an effect in an indirect and suggestive manner If you indirectly exclude Natives from posts in the Competitive Civil Service and wish to give them only to Englishmen, then that class becomes a governing class, and something different from those whom you introduce surreptitiously

2689. But that has not been done?—Yes, because the Statute practically comes to that. It is a special measure for Natives of India, as Natives.

2690. It gives Government power to appoint Natives of India to posts hitherto reserved for the Civil Service, therefore, so far as it has any operation at all, it does away with any governing class?—It does not

2691. I understood your argument to be that Natives are practically excluded from competition?—Yes, excluded as Natives.

Mr. *White.*

2692 You refer rather pointedly to the creation of a governing class in India, and the question was put to you whether by giving a monopoly of the appointments to certain classes of the Natives of India you would not also raise up a governing class. Now, taking into consideration that the population of India is made up of many different nationalities—in fact it may almost be considered as parallel to Europe with different countries—is it possible for a governing class to spring up in India, with all these nationalities holding office, of the same influence and power in the country?—I do not quite understand you I am afraid what I said about governing classes has been misapprehended. I do not quite follow your question.

2693. Just now by the appointment of Englishmen, by holding the examination in England, there is what we may call a governing class?—Yes.

2694 You say that the specific object of this Act you quoted was to perpetuate a governing class, race in India If the appointments were distributed among the different nationalities in India under those circumstances,—if the service was recruited from all these classes,—will there be any possibility of a single governing class arising?—No, decidedly not, if there are no race distinctions made.

2695. Do you not think that in view of all these circumstances the policy of those Acts of Parliament and the policy generally of Parliament is to give additional facilities to the Natives of India to be employed in the public service? Do you not think that by a liberal system of dealing with the whole of the Natives of India as well as with Europeans settled here, there would be more political cordiality between the Natives of India?—Certainly.

Mr. *Ryland*

2696 When you say you would not have a governing class, do you mean to say that the British Government is not to be a governing class?—No, but it has been enacted by Statute that under British rule there is to be no governing class even of Englishmen; that is what was explained by the Board of Directors in their Minute as being meant by the Act of 1833.

2697 Is it not a necessity of the situation that there should be one governing class of Englishmen?—No, admitting even, as I fully do, that India is to be governed by England, and that the permanence of British rule in India is a paramount consideration over every other, I say still there ought not to be an English governing class in India, and that is what was intended by the Statutes and by the Court of Directors.

Mr *Ryland*—continued.

2698 How then do you secure an English administration?—Very often people think that when there are evils the remedy should be a direct one. In social matters the remedy is generally an indirect one The predominance of Englishmen will be retained not by employing them largely in the civil service but in other ways. India is dependent on England in numerous other ways, which are likely to endure for an indefinitely long period of time, so far as we can see at present.

2699. Do you mean through the Army?—No the Civil Service, for one thing, does not include all the highest posts in the country; there will still be appointments entirely open to the governing body in England who may appoint any person they may think proper for political purposes And the free admission of Natives into the Civil Service will not for a long time mean that there will not be a large number of Englishmen in it.

Mr. *Nulkar.*

2700 You mean by a governing class that the servants of Government should not be confined to one race, to one class, or to one religion?—That is what I mean, and that is what the Directors meant

The *President*

2701. You mean there should be no exclusion by reason of descent, birth, color, or any one of them?—Quite so.

2702. But of course it is open to Government to lay down such tests of qualification as they may think suitable for special classes of service required?—Certainly.

2703 And laying down such tests would not be exclusion in the sense meant by the Statute?—So far as the general question is concerned, my answer is, No

The Hon'ble Mr *Quinton.*

2704 You have said in answer to one of the questions, "I would much prefer Natives of one province to serve in another" What is your reason for that?—I answered that question briefly, but I bore in mind a discussion at a meeting of the East India Association in England where a number of high Anglo-Indian officers were present It was pointed out that Native Civil Servants should be as little as possible placed in a position where they should even be exposed to the imputation of local influence being exerted over them. It is very desirable that a Bombay man, for example, should be free from all tempting influences in appointment to a province other than his own. His usefulness is not impaired thereby. he is a Native and can understand a Native, whether he comes from Bombay or Bengal There are differences in Natives, but as a Native, he will understand a Native, and placing him in a province different from his own will save him from all possibility of temptation and from all local influence, and from the possibility of any imputation on that account He will also learn to be national and not narrowly provincial.

The *President*

2705. It will also deprive the Government of the support which, in case of difficulty, would be expected from his influence in the place of his birth and family?—I think those times of difficulty will not occur if a liberal policy be steadily pursued

The Hon'ble Mr *Quinton.*

2706 Have you ever resided in any other place than the Bombay Presidency?—No, I have

The Hon'ble Mr. *Quinton*—continued.

been through almost all places in the presidency and some outside it, and have come in contact with all classes; but I have never resided in any other presidency in India.

Mr. *Crosthwaite.*

2707. You think that holding an examination in India will not result in the success of a large number of Natives at first?—*No*, if it were carried out in the manner I pointed out, the limit of age must be raised to twenty-three, and the competition should be, not between precocious boys, but between educated young men

2708. The dissatisfaction with the present system is that the Natives do not get in in sufficient numbers?—That is so

2709 Suppose the result of the examination in India is that no more Natives get in than at present?—Still there would be no ground for dissatisfaction, and there will be none I anticipate that for some time to come, if there be a simultaneous examination in England and India, a smaller number of Natives will come in than under the one-sixth rule Even in that case I say there would be no ground of dissatisfaction.

2710 Would not the same clamour continue?—No, distinctly not. If you watch all the agitation and dissatisfaction, you will find it is not on that ground, though in all public discussions there is a certain amount of confusion of thought and expression it is not generally put on the ground that there is not a large number of Natives in the service, but that a fair field is not given to us. That is the main ground of the dissatisfaction If you do not put it beyond their power to get in by free and equal competition, no dissatisfaction will exist.

Sir *Charles Turner.*

2711. Do you consider the European Covenanted Judges possess the confidence of the people?—Most certainly.

2712. To a greater extent than Native Civil Judges enjoy the same confidence?—Ever since the Subordinate Judges' service was recruited from the educated classes they possess the entire confidence of the people, but the previous service did not.

2713. About the magisterial work do the European Magistrates enjoy the confidence of the people?—Yes, they do, though I will not speak about it so emphatically as I did about the Judges. Perhaps I had better say now what I intended to say later I want to make a remark about what has been said regarding European and Native Magistrates. It is said that Native Magistrates do not do their work as efficiently as Europeans. As a rule that is so, because the present Native Magistrates are drawn from less educated classes than European Magistrates, but if they were drawn from the same class of educated Natives as the present Subordinate Civil Judicial Service, I have very little doubt they would do their magisterial work as efficiently as the Native Civil Judges do their civil work at present. Deputy Collectors and Mamlatdars are not drawn from the educated class of people.

2714 Do you consider that European Magistrates receive full magisterial powers at much too early an age? What is the result?—That, so far as their findings on evidence are concerned, they are very seldom received with satisfaction I misunderstood the word "confidence" in my previous answer So far as confidence in their integrity is concerned, nothing ought to be said against them; but in regard to confidence in their appreciation of evidence in cases placed before them, there is no such confidence until they attain a much later age. It is sometimes said Native

Sir *Charles Turner*—continued

suitors like to go before European officers rather than Native officers It is a fact, in this way that Native suitors do sometimes say they would like to be placed before a European Magistrate, but the reason is, that a dishonest suitor thinks that he can bamboozle the European Magistrate much more easily than a Native Magistrate. That is my actual experience When his case is weak, he wants to go before a European Magistrate who does not understand the people, their ways and habits and peculiarities, the circumstances of the case, and he thinks there is a greater chance of success before a European than before a Native Magistrate.

2715. In matters of civil dispute, does a Native prefer to have his case decided by a European or Native Judge?—Since the Judicial Service has been recruited from the educated classes, I think they prefer the decisions of Native Judges, at the same time I must not be understood to say there are not very distinguished men in the higher grade.

2716 Do you consider that the Native judiciary do not also enter on their office at too early a period of life?—Not as a rule—not as appointments are at present made, but I should certainly prefer a little more experience in Courts One defect which I have to find with Native Subordinate Judges is, that they have not had much of actual practice in Court before being appointed Judges

2717 Are they skilled in the ascertainment of facts?—They are very good indeed at that, and many things come easily and naturally to them.

2718 Are you speaking of men who had practised in the Bar or men who have had no such practice?—The Judges recruited from men who have had such practice certainly appreciate evidence better than those who have not.

2719. Have you practised before any Mamlatdars?—Yes, I have appeared before Mamlatdars in important cases. People would not take Counsel and pay high fees in small cases When drawn from the educated classes they do their work well; when not, sometimes they do their work well, sometimes not

2720 Are educated Mamlatdars better Magistrates than those who are uneducated?—Decidedly; a Deputy Collector, who generally enjoys the powers of a first class Magistrate, when educated, makes an excellent Magistrate I can give instances if asked If not of living men, I can give an instance of an officer who is dead He was a Deputy Collector, exercising first class magisterial powers. He did his magisterial work to the entire satisfaction of both Natives and Europeans, official and non-official. He was acting in a large district town—Broach I am speaking of the late Mr. Entee He was afterwards transferred to a still larger and more important place—Surat He did his work so well in Broach that when he was sent from Broach to Surat the whole community, European and Native, held a public meeting for the purpose of expressing their high appreciation of the way in which he had done his work That was an educated gentleman, a Parsi, not a graduate, but a man who had had a liberal education in Bombay. He belonged to a very good Parsi family in Surat, and had been well educated.

Sir *Charles Turner.*

2721. That gentleman did his work in a way which left nothing to desire?—He did.

2722. There are also other educated gentlemen in charge of considerable towns?—Yes, of towns larger even than Broach.

2723. Who do their magisterial work exceedingly well?—Yes, and I can give instances of Hindus of that sort

Mr. *Stokes.*

2724. How many cases have occurred in which your clients have asked you to take their case before a European Magistrate because they are so easily bamboozled?—I am not speaking of cases in which my clients asked me to do any such thing. I have drawn my own inferences from circumstances within my knowledge. When a man comes to you and says he would prefer to go before such a Magistrate and you cross-examine him upon it, you can find that his real object sometimes is what I have stated above.

2725. Can you give me any idea of the number of such cases?—I did not make a note of them, anticipating I should one day be required to give the total number. I have known of a great many such cases in the course of a practice extending over seventeen years, and I went on forming my inferences and generalising as they occurred, without caring to note down the details concerning them.

2726. Did you ever tell your client it was quite possible for the other side to bamboozle him also?—The other side, having a strong case, would not need to resort to bamboozling.

Mr. *Crosthwaite.*

2727. You never consent to the transfer of a case on such a ground?—I never encourage an application of that sort I always tell them to rely upon the merits of their case, irrespective of the Magistrate who has to hear it.

2728. In the case of the Malegaum riots the other day application for transfer was made to the High Court?—Yes. The application was refused, the High Court unhesitatingly rejected it.

2729. Who was the Magistrate hearing the case then?—He was a Hindu gentleman: I forget his name.

Sir *Charles Turner.*

2730. How would you recruit the Uncovenanted Service, would you confine it to Natives of India?—If the pledges of equality given in Acts of Parliament and Her Majesty's Proclamation of 1858 are fairly redeemed by holding simultaneous competitive examinations in England and India, then I think that the Uncovenanted Service, equally with the Covenanted Service, should be open to all natural-born subjects of Her Majesty who may possess the prescribed qualifications. If, however, the Covenanted Service is wholly or partially practically closed to the Natives, then there is justification for restricting the admission into the Uncovenanted Service to them. There is another ground also for carefully guarding the admission of Europeans to the Uncovenanted Service, inasmuch as the patronage being in the hands of European authorities it is more than likely to be abused and exercised unduly in their favor.

2731. Is it not a safeguard of liberty that you should not have an official class of Judges depending entirely on the State for their promotion?—It is, certainly.

2732. Does not that make appointments from the Bar preferable?—I am quite prepared to admit that it does.

2733. In countries in which the system exists of constituting an official class of Judges is there not a danger that the Judges, looking to the State for promotion, may be influenced by the desire for promotion?—Quite so.

2734. And might almost in such a case unconsciously be inclined to favor the State?—Yes.

The *President.*

2735. Have you ever found in your experience, on the part of Judges in India who depend on the service for promotion, any tendency to favor the State?—I have; but I would rather be excused from answering this question fully.

2736. Can you put your hand on any case in which a Judge has decided in favor of the State?—As it happens there has been a very important case in which the whole Parsi community thought so. But I should not like to go into details for more reasons than one.

Sir *Charles Turner.*

2737. Do you think it on this ground desirable that Government should have a free hand to introduce a different element into the Judicial Service and to appoint members of the Bar to Judicial appointments?—I should certainly say so, except for one difficulty I feel in my own mind, whether the power of nomination in some cases may not be abused: that is my only difficulty in emphatically answering the question in the affirmative.

Mr. *Stewart.*

2738. You have no experience of Mamlatdars?—In my early days I appeared pretty frequently before Mamlatdars in criminal cases; not now very often. In civil cases I have also appeared before them where the property has been large. There are possessory suits triable by them, and we have sometimes to appear before them in such cases.

2739. Have you seen the new rules that are to come into force in 1890 with regard to appointments to Subordinate Judgeships?—I have not

2739½. There is a qualification now that all officers must have practised for three years. Do you approve of that condition?—I do; most emphatically I do.

2740. There is no competition at present for the office of Subordinate Judge?—No, except that they must all pass an examination.

2741. And that system has produced Judges with whom you are perfectly satisfied?—Yes.

2742. How would you appoint Mamlatdars?—I have appeared before them in possessory suits and revenue matters; beyond that I have no intimate knowledge of them as regards their revenue work. I think they should be appointed in the same way—a qualifying examination for eligibility of entrance; then nomination, if you will.

2743 How would you appoint Deputy Collectors?—In the same way.

2744. Would you not reserve a certain number of appointments for deserving Mamlatdars?—There are the same qualifications required for both, and Mamlatdars may rise to Deputy Collectors.

2745. Do you not think that it is always desirable in the service in any grade to hold out to the men occupying that grade the expectation of promotion if they do their work well?—Yes, I think it is.

2746 You have given us your opinion about the Statutory Service. What would you do with the one-sixth of appointments if you abolish the service?—Hand them back to the Covenanted Service.

2747. You would not throw them into the Uncovenanted Service?—No.

Mr. *Stokes.*

2748 If Government do appoint their Judges from the Bar, from Barristers, do you think they would get the first-rate or second-rate Barristers?—From local Barristers?

2749 Yes?—They will get some good men.

2750. If Government has to appoint Barristers of the local Bar to be District Judges, would they

Mr. *Stokes*—continued.

be likely to get first rate Barristers or second rate Barristers?—I think you would be able to get very good men.

The *President.*

2751. Would those enjoying the best practice be willing to give up their career to become District Judges?—No; but men who have the largest practice are not always the best lawyers.

Sir *Charles Turner.*

2752. Do you get good Pleaders to take Subordinate Judgeships?—Except the highest, all the rest would take up the posts.

2753. Are there not often very good lawyers who make very poor advocates?—Yes, I know of several such cases. To give one, the late Mr. Justice Green, who made one of the best and soundest Judges we have ever had on the Bench

2754. The most able advocate usually gets the most practice?—Quite so, but a man who does not obtain practice may be a very good and sound lawyer.

Mr. *Ryland.*

2755. I believe you hold the view that if a simultaneous competitive examination is not allowed, you would exclude Europeans from the Uncovenanted Service On what principle would you admit men of other nationalities, say Parsis?—A Parsi is a Native of India just as much as a Hindu or Mahomedan. If a residence in India for twelve hundred years does not make a man a Native of the country, I do not know what will, and Parsis have been settled in India for now over twelve hundred years.

2756. On what principle would you exclude Europeans? The Act of 1833 and the Queen's Proclamation admit all?—Because, in spite of that Act, you give facilities to Europeans which you do not give to Natives. You give them facilities to enter the highest posts which you do not give to Natives. Therefore I say in the Uncovenanted Service it is not unfair that Natives should have the preponderance and preference over Europeans.

Mr. *Nulkar.*

2757 You are a graduate of the Bombay University?—I am an M.A.

2758 You went to England?—Yes, I went at a rather early age, when only nineteen years old I went after taking my M.A. degree. I happened to pass at a rather early age.

2759. How long did you stay there?—Four years.

2760 You have stated here that you do not consider the educational institutions of this province at present capable of giving the very high class education that is necessary for success in competition. What are the best colleges in this presidency: are they private?—The best are the Government colleges, without doubt.

2761. Suppose Government withdrew its direct connexion with these institutions, would the present standard of education fall?—It would fall. it would degenerate.

2762 Now as regards the treatment of Parsis by other sections of the Indian communities Are they treated by other sections as foreigners?—Certainly not.

2763. Is the difference between Parsis and Banias, Hindus or Mahomedans very much greater than the differences amongst the latter classes?—So far as Hindus are concerned, they belong to the same religion, and therefore they are more closely related to each other. There is no more difference between Parsi and Hindu than between Hindu and Mahomedan.

Mr *Nulkar*—continued

2764. Parsis may be found in all parts of India?—They are spread out over all parts of India, very sparsely, however, in the other presidencies.

2765. As regards the sections of the Native community who are advanced in point of education, who practically monopolise the appointments how are they looked upon by the other classes?—Not with jealousy. Take the Subordinate Judicial Service, for instance, in which Hindus of certain classes preponderate I never heard they were looked upon with jealousy by Hindus of the other classes or by Mahomedans

2766. In the Subordinate Executive Service, we find not a single Mahomedan have Mahomedans less confidence in the members of that service?—So far as my experience goes, they have said nothing of the sort They are perfectly satisfied

2767 Take the number of the population—there is a preponderance of Brâhmins, Parsis, Parbhus, and such other official classes Do the masses look upon the members of the service with mistrust or want of confidence?—Certainly not I have never met with any expression of want of confidence, so far as my experience goes.

2768. You have had practice in Mofussil Courts?—Yes, for the last seventeen years

2769 There are some Associations started of late years among the backward classes. There is one in Bombay called Anjuman-i-Islam Are you acquainted with the promoters of those?—Yes, I am.

2770 What is their chief object?—The object is for the purpose of encouraging members to enter on the path of education, not on account of any resentment against Hindus or other classes of people. They feel Mahomedans have been backward in education, and that it is for the good of their community to exert themselves. Their object is to advance in education, and the Associations have started schools for which they have asked for help from all quarters and it has been duly given to them.

2771. Are any but Mahomedans members of the Institution?—The Association is formed of Mahomedans. In the schools part of the education is religious.

2772. The motive is healthy emulation and not resentment?—Certainly, I am acquainted with the Directors of the Association and their object is such as you have stated

2773 As regards the rule that men who got into the Covenanted Service should be sent to some other presidency or province: would you. make it a strict law, or would you leave Government to readjust any preponderance of the classes obtaining appointments in the province?—I would leave Government to decide that I would not make it a disqualification for a man to serve in his own province.

2774 As regards Subordinate Judges, you say they are not recruited by a system of competition. Are you aware how they are appointed?—Lists of those who have passed the qualifying examination and who wish to take up appointments are kept, and appointments are made from that list in order of priority.

2775. Is any person superseded?—There have been instances.

2776 On first appointment?—On first appointment. They keep a list of all persons who apply, out of that some who have some little influence are selected first: all are eligible in the list If any one of them has special influence he gets the start.

The *President.*

2777. Have you anything else to submit?—No

WITNESS XXXVIII.—24th January 1887.

Examination of JAMES MCNABB CAMPBELL, Esq, C S, M A., LL D., C I.E, Acting Collector, Panch Mahals

The *President*

Vol IV Sec II Bombay

James McNabb Campbell, Esq.

2778 You are Acting Collector in the Panch Mahals and Editor of the *Bombay Gazetteer* ?—I am

2779 You entered the Civil Service by competition, I believe?—Yes, in 1869

2780 And have risen up through all the grades of the Service, executive as well as judicial?—I have only served in the magisterial and revenue Service, never in the judicial.

2781. Have you given any consideration to the question of admitting Natives more freely to the public service?—I have always held more or less general opinions about it, though I have not had much time lately to give it any special study.

2782. Do you approve of the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service?—Except in Sindh, parts of Guzerát, and parts of the Southern Marátha country, the want of any large number of families of special rank and position, and the fact that most of the higher class families have been slow to take to the present system of school and college training, combine to make difficult the choice of nominees to the Statutory Civil Service in Western India. As far as I can judge, Indian newspaper attacks on the Statutory Civil Service are chiefly due to the jealousy of the class from which the members of that Service are chosen. I have heard European officers speak highly of several Statutory Civilians The praise given seemed to me to imply a type of man better suited to a Covenanted Civilian's position and duties than the Indian members of the Covenanted Civil Service whom I have known or of whom I have heard. I think there is in Western India a useful element which would be lost to the service of the State if the nomination system was given up.

My experience of the last twenty years is that almost all important improvements in the practical management of the country have originated with and have been worked out by Europeans, and that most of the practical improvements have originated with and have been worked out by members of the Covenanted Civil Service. As far as my experience goes, it is notable that, though for a generation they have had the highest available English training, no Indian has originated any important practical administrative improvement. I see no reason to expect that the next generation of Indians will show themselves more efficient than the present generation. Within the last thirty years the claims of Indians to especially high posts under Government have, in one important respect, diminished. Thirty years ago the questions connected with the alienation of land and with other special rights were so technical, confused, and complicated, that no European could master them. In almost all districts an Indian was required with skill enough to unravel the complications and with pay enough to be bribe-proof The settlement of alienation and other special claims has left no branch of the administration which a European cannot master as completely as an Indian. It seems to me that to provide fit holders for the higher Government appointments the first need is to secure for the Covenanted Civil Service the ablest and most thoroughly trained type of young Englishmen.

The *President*—continued

In my opinion the words "as far as may be" in the Proclamation of 1858 are a sufficient qualification of the general promise to cover the proposal to reserve the Covenanted Civil Service for Europeans. Even though it may require special legislation, I think the change is necessary

I think that the name "Statutory Civil Service" should cease. At the same time I would approve such an extension of the Uncovenanted Civil Service as would include the cleverest of the class from which the Statutory Civil Service is at present recruited. The members of this section of the Uncovenanted Civil Service, as is the case at present with certain European members of the Uncovenanted Civil Service, would be named by the Local Government. I would introduce an element of competition among the nominees by making the Government choose several, say four, candidates for each nomination. The available appointments would be given to the candidates who passed highest in a competitive examination.

As they would in almost all cases be the sons of well-to-do, if not of rich, parents, I think the nominees might be expected to go to England. In England they might be called on to pass the same or similar examinations with the selected candidates for the Covenanted Civil Service Special care should, I think, be taken of their physical training, and marks should be granted for athletic excellence. The standard of book learning required to pass out and gain an appointment might with advantage be considerably lower than the Covenanted Civilian's standard. Except that a share in the higher judicial appointments, that is, in District and High Court Judgeships, should be reserved for the European Covenanted Service, the appointments open to this class of Civilians would be the higher class Uncovenanted appointments and the Covenanted appointments open to Statutory Civilians.

I would fix the age for nomination to the extended Uncovenanted Civil Service at nineteen, as I consider nineteen the age most suited to secure the best type of European Covenanted Civilian. But I would not object to the age being raised to twenty if this is more convenient for Indians

2783 Then you propose to reduce the Covenanted Service proper by the number of appointments which are now assigned to the Statutory Service whatever they may be, and to combine them with the higher appointments in the Uncovenanted Service, to which you would appoint by a system of limited competition?—Yes.

2784 And for these appointments you would recruit in India by a lower standard of examination than that which obtains in England, and send the successful candidates to England for training?—

The *President*—continued.

Yes They would be the nominees who should take the place of the present Statutory Civilians.

2785. That would be, practically, abolishing the present Statutory Service and amalgamating the appointments at present assigned to it with those of the higher Uncovenanted Service, and appointing to this combined service by competition?—Yes, whilst retaining the principle of nomination for securing the special element of high family

2786. Would you propose any, and what, change in the system of recruitment for the Covenanted Service?—As I hold that almost the whole burden of the highest and most difficult portion of the Civil Administration of India has been borne and must be borne by European Covenanted Civilians, I am of opinion that all considerations should give way to the necessity of securing the best possible type of Englishman for the Covenanted Civil Service For this reason the class which, in my opinion, the Government of India should use their highest endeavour to conciliate is not the middle-class English-knowing Indian whose outcry no concession will still, but the middle class of England, to whom India owes almost all the administrative improvements of the last thirty years. Though less noisy, I believe the middle class in England is quite as dissatisfied with the present arrangements for Indian Civil appointments as the middle class in India. In my opinion the change that will do most to help the Covenanted Indian Civil Service to regain its lost popularity in England, and therefore to raise the type of English candidate, is to make the rule that no one but a European can be appointed to the Covenanted Civil Service A second objection to which, in my opinion, the present system of choosing members of the Covenanted Civil Service is open, is that the final examination is not competitive, and that, therefore, there is no second straining of the candidates. That the Royal Engineers are as a body the best result of English training is, it seems to me, largely due to the fact that only the highest in the final examination, as a rule, become members of that corps. Similarly, I would limit entrance into the Covenanted Indian Civil Service to, say, the thirty or forty of the seventy or eighty selected candidates who pass highest in the final examination. Such of the remaining selected candidates as come up to a certain standard should be given places in some branch of the Indian Uncovenanted Service Their training would fit them for the duties of the Revenue, Judicial, Political, Police and Survey branches of the Uncovenanted Civil Service, and a short special course of instruction would prepare them for employment in the Forest and Agricultural departments.

In addition to the candidates for the Covenanted Civil Service who had passed the entrance competition, the same further examinations might be passed, and the same training given to the Indian selected nominees corresponding to the present Statutory Civilians. A third class might have the advantage of the same training—Natives of India, as defined in the Act of 1870, who had passed a competitive examination for the Uncovenanted Civil Service in India. These successful competitors would in Western India in many cases be sons of poor parents. The best of them should, therefore, as far as possible, have scholarships or allowances to help them to go to England I would not compel all who passed the Uncovenanted Civil Service examination in India to go to England, but I would encourage them to go—

(*a*) by offering scholarships or allowances to the most successful competitioners,

The *President*—continued.

(*b*) by making the rule that, except as a reward for special services, the highest Uncovenanted posts should be reserved for those who had passed through the Indian Civil Service training in England

2787. I suppose you are aware that your proposal to limit this Service to Europeans would be a departure from the principle laid down in the Act of 1833?—If that is the case, I say it is necessary to overrule the Act. In the Army it has always been the case The Act applies as much to the Army as to Civil employment Natives of India have never been allowed to enter the higher posts in the Indian Army

2788. But still the measure you propose would be a retrograde one, and a distinct departure from the principle of the scheme?—I cannot admit that

The Hon'ble Mr. *Quinton.*

2789. Two wrongs do not make one right?—Neither is a wrong. My proposal is no more than what obtains under present conditions.

The *President.*

2790 Under the present existing conditions a man is not excluded from the Civil Service because he is a Native?—The fact that Natives of India are not admitted into the higher ranks of the Indian Army justifies the proposal to exclude them from the Civil Service to my mind.

Mr. *Ryland.*

2791 I understand that you would admit only Europeans to the Covenanted Service, and that there should be special posts reserved for them in the higher Uncovenanted Service?—For those who do not come up to a certain standard in the final examination I have taken the Woolwich system as my model. For in Woolwich there is an entrance examination and only a certain number of the highest candidates are eligible for the Engineers, except under unusual circumstances

2792 That would leave very little room for nomination out here by the Government?—I shall explain that in my answers under the head of Uncovenanted Service

The *President*

2793 Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Cap 3, Section 6, or from all natural-born subjects of Her Majesty? Should the recruitment be by competition, or by nomination, or by both systems combined, and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices? Whatever system be adopted, should the recruitment be made by the several administrations only from persons resident in the territories under such administrations, respectively, or with a preference for such residents? If the existing Statutory Service is abolished, should the proportion of offices assigned to that Service be allotted to the Uncovenanted Service?—The plan or idea of the English-knowing Indians who have raised the present outcry is that fighting, putting down crime, and the rough and unhealthy duties of the surveyor and forester should be left to the European, and that Europeans doing these necessary but unpleasant duties should be managed by Indians holding the higher and less physically uneasy position of controllers.

The *President*—continued

As in the Covenanted Civil Service, though in a less degree, excluding the Judicial branch, the bulk of the heaviest and hardest work of the Uncovenanted Civil Service has in the past been done and is at present being done by Europeans. Many of these Europeans are Military Officers who in times of peace bring the much wanted elements of discipline and drill into certain branches of the Civil administration, and are a mainstay of English power in political troubles. If Indians are not only put on an equal footing with them, but are made their direct official superiors, the type of Englishman who is now the flower of the Uncovenanted Service will cease to join it. I see no trace of an Indian element that can fill his place.

To repeat my chief suggestions regarding the choice of the Uncovenanted Civil Servants, I think the Uncovenanted Civil Service, or at least its higher grades, might be recruited in fairly equal numbers from three classes,—

(1) Such of the selected candidates for the European Covenanted Civil Service as failed to gain one of the available covenanted appointments.

(2) Selected nominees from the upper classes of Indians.

(3) Successful competitors in competitive examinations held over India for the higher grade appointments in the Uncovenanted Civil Service.

As the age at which the European section of the Uncovenanted Civil Service would pass their entrance examination would be nineteen, I would prefer that nineteen should be the entrance age for all three sections of the Uncovenanted Civil Service. But if it is found advisable, there would, I think, be no serious objection to raising to twenty the age of the Indian nominees and competitioners. Seniority among the members of the three English-trained sections of the Uncovenanted Civil Service might be determined by their position in the last departmental examination in India. Seniority between the members of the Uncovenanted Civil Service with an English, and those with a purely Indian training, might be fixed by the date of passing their entrance competitive examination

In England the physical training of the successful Indian competitioners should receive the same special care as has been recommended in the case of the selected nominees

Though most of the higher Uncovenanted posts would be filled by the three classes mentioned above, I would, for the reasons already stated, reserve to all Local Governments the right to appoint a certain number of European Military Officers to the Police.

2794. Why reserve to Government power to appoint Military Officers to the police; why not have the selection from among Europeans generally?—Because by taking a man from the Army you get a guarantee of his training. If you appoint Europeans in India, you have no guarantee of their efficiency at all, nor even of their character.

2795 But surely Government have the means of knowing the character of the agents they select?—I think it is a mistake to encourage European immigration to India in the expectation of obtaining appointments of this nature.

2796 Are you aware that there is a large class growing up in this country, sons of officers serving here, and others, who are not necessarily Natives of India in the Statutory sense?—I would run

The *President*—continued.

the risk of creating a hardship for such persons in order to get Military Officers for the police.

The Hon'ble Mr *Quinton*.

2797. Is it part of your scheme to introduce the European element largely, as Deputy Collectors and Mamlatdars?—In the higher grades, yes.

2798. What do you call the higher grades?—Assistant and Deputy Collectors would be the lowest of the higher grades.

2799 But for Mamlatdars would you introduce Europeans to a greater extent than at present?—No, not for Mamlatdars The nominees who have taken the place of the Statutory Civilians, the successful candidates in the open Indian competition, the men not finally selected for the Covenanted Service, should hold only the higher posts in the Uncovenanted Service, that is Deputy and Assistant Collectorships, and they should enter exactly in the same way as the Statutory Civilians do now generally in the Executive branch. They would not rise higher than Deputy or Assistant Collectorships The Service would include all departments except the Engineers; that is to say, all the lower posts in the Political, Judicial, Agricultural and Forest Departments would form part of it.

The *President*.

2800. As regards pay and furlough, have you any suggestion to offer?—I am not in favour of the proposal to make the higher Judicial Uncovenanted appointments open to members of the Indian Bar. I think that no advantage which their training would give Indian Barristers would make up for the disappointment and heart-burnings which such appointments must cause in the ranks of the Uncovenanted Civil Service. I think Government should show no favor to a suggestion which tends to divert to the Bar talent which they might secure for their own service.

2801. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated? Should any distinction be made in the Furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other, and what, ground? Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory Rules?—As the right of the European to fill the highest posts in the Government of India is greater than the right of the Indian, the right of the conqueror to govern over-ruling all other rights, and as the European has shown and shows himself fitter than the Indian to fill the higher posts, the less cost of an Indian agency seems to me its one advantage. In my opinion no such issue as 'should any distinction be made between the pay of an Indian and an European' ought to have been raised. The justice of making a difference and a marked difference between an European's and an Indian's pay in India seems to me clear, not only because as a class Europeans do harder and better work than Indians, but because of the extreme difference in the conditions of the two classes. An Englishman would be better off with £1,000 a year in England than he is with £2,000 a year in

The *President*—continued.

India. On the same pay an Indian, in India, would be twice, I believe more than twice, as well off as an Englishman in England. Roughly, as far as money and social ease in money matters goes, I believe that both being in India, an Indian of the present and future Western Indian official class is as well off as an European with five times as much pay. Similarly with leave It seems to me beyond question that an European in India requires greatly more liberal leave rules than he would want if he was serving in England At the most Indians in India cannot require more leave than Englishmen in England. As a fact their way of living and their interests in life make much less leave necessary. For these reasons it seems to me unjust to the finances of India and in every way one-sided and ill-judged to propose to extend to any class of Indians the special rules of pay, of leave, and of pension granted to European Covenanted Civilians.

As it is the object of first importance to secure the best possible type of European Covenanted Civil Servants, I think that the present rates of pay and the existing leave and pension privileges in the Covenanted Service should be in no way reduced I would, therefore, continue much higher pay, leave, and pension inducements to Covenanted than to Uncovenanted Civilians. As regards the European and Indian members of the Uncovenanted Service, as the conditions in which the European lives in India are so different from those of an Indian in his own home, and as the cost of living in India is to a European so very much higher than to an Indian, it is, I think, necessary that the European members of the Uncovenanted Civil Service should have a special foreign service allowance varying according to their grade in the service, and that in the matter of leave and furlough they should enjoy greater privileges than the Indian members of the same service.

The *President*—continued.

2802 Is there any other point on which you wish to give evidence?—No.

WITNESS XXXIX.—24th January 1887

Examination of S. HAMMICK, Esq , C S., District and Sessions Judge, Surat.

The *President.*

2803 You are District and Sessions Judge at Surat?—I am

2804 How many years have you been in the Service?—Eighteen and a half.

2805. You have served in the Revenue as well as the Judicial departments?—Yes.

2806. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Service approved?—The great mass of the public know nothing about it. The educated class—the class which expect to gain by it—disapprove of it.

2807 Are those the only classes that disapprove of it?—Yes

2808. What are the grounds of disapprobation? —The educated class do not recognize any superior merits in the nominees, but rather look upon them as interlopers occupying positions which they themselves might hope to occupy in a system of open competition.

2809 Are the defects of the existing system susceptible of remedy?—I think if the system is to be maintained it might be improved by requiring some educational qualification from candidates, such as the B A degree Personally I would abolish the system

2810. What are your objections to it?—I think it is an anomaly altogether. The members of the Service are neither one thing nor the other—Covenanted nor Uncovenanted My opinion is that a Service should be maintained exclusively for Europeans, with a Service for Natives starting from the grade of Mamlatdars and rising to that of Assistant Collectors.

2811. You object both to the rules and the Statute?—Yes.

2812. How would you amend the Statute,—for instance, would you alter the definition of Natives of India?—No, I would not.

Mr. *Nulkar.*

2813 Are you aware that under that definition a son born out of India of domiciled persons, or even one born in India in a Native State, Baroda for instance, would be disqualified?—I was not aware of that, and if it is so, I would amend the Statute to the extent of striking out the word "born."

2814 If the Statutory Service is retained should the selected candidates be required to proceed to England for training or only be encouraged to go?—I would encourage them to go only.

The *President.*

2815. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Service?—The educated classes feel dissatisfaction

2816 Why?—Because they feel that their chance of entering under the present system is very unlikely. The difficulties in the way of passing are so great that few will undertake the trouble and expense of the journey on the mere chance of succeeding.

2817. What changes would you suggest in order to remedy these defects?—I think that perhaps the young Civilians arrive in this country a year too early, and I should like to see either the age limit for the open competition extended, or the period of probation made three years instead of two, as at present.

2818 Would you make twenty the age limit?—I should so arrange at any rate as to ensure young men coming out one year later than they do at present.

2819. Do Natives of India labor under any, and what, disadvantages in competing for employment in the Covenanted Service?—The disadvantages are obvious There is the disadvantage of having to go to England at an early age, and the disadvantage which arises from there not being the same educational opportunities in India as exist in England.

2820. What changes would you advocate in order to remove or minimise these disadvantages? —None. I do not think it desirable either to remove or to minimise them, on the contrary, I think they ought to continue.

2821. If a simultaneous examination should be held in India, should it be identical in all respects with the one held in England?—I would not hold any examination in India for the Covenanted Service.

2822 But if an examination is held in India, would you compel the selected candidates to go to England for training?—Yes, I think they should be compelled to go.

Mr. *Crosthwaite*

2823. Why would you not remove the disadvantages under which you say Natives of India labour in competition?—Because I think it is necessary at present, and will be for some years to come, to maintain this practical exclusion of Natives from the competitive service I have made a good deal of enquiry in the matter, and I find that of all the Native gentlemen whom I have consulted, with one half-hearted exception, it was the unanimous opinion that the Collector of a district must be a European, and I think that, if that is to be so, it follows there must be a certain number of Assistants from whom the Collectors are to be recruited, and I think that can only be brought about by maintaining a practically exclusive European Service.

The *President*

2824 If you would maintain a practically exclusive English Covenanted Service and at the same time abolish the Statutory Service, would you recede from the policy of making no race disqualifications?—My suggestion does not involve race disqualification The Government requires an officer in each district upon whom it can abso-

The *President*—continued

lutely rely, and it looks for him without asking what his caste, color or creed may be At present the only man it can find is the European, and therefore I think the appointment of Europeans is not based on any race disqualification in the sense of creed or color, but is simply a selection founded on merit and political considerations

2825 What object had Parliament in view in instituting the Statutory Service?—I cannot say, but I suppose the object in view was to gratify the outcry of Natives of India for employment.

2826. Probably you have read the literature of the subject more or less, and you are probably aware that the authorities in England have deplored that practical exclusion of Natives of India from a share in the higher posts of the service?—I am aware they have, but I imagine that those members of Parliament who deplore this practical exclusion do not fully realize the facts of the case

2827. Then, practically, you would recede from the position taken up by Parliament?—Yes, but at the same time I have not suggested any caste or creed exclusion.

Mr. *Nulkar.*

2828. Would you close the competition in England to Natives?—Practically so few Natives pass that it is hardly worth while. One or two of them might be appointed District Judges, one or two scattered about the country would make no difference practically

2829. But if they should succeed in large numbers, would you adopt a policy of exclusion in their case?—Possibly when Natives have arrived at that stage of advancement that they can compete so successfully with English candidates in an open examination as to obtain a preponderance, the present necessity for European District Officers will have passed away

2830. But at present you do not anticipate any such preponderance?—I should doubt it very much.

2831. And is that the only reason why you would not shut the door of competition against Natives?—Yes.

2832. But otherwise you would exclude them?—Yes.

The *President.*

2833. Would you recruit for the Uncovenanted Service from Natives of India only, or from all natural-born subjects of the Queen?—I would confine it to Natives of India.

2834 Would you recruit for this Service by nomination, competition, or by both systems combined?—With the proviso that I would maintain the present system for the Judicial branch as it is, the system of recruitment might be one of competition, the Government reserving power to itself of making special nominations to a certain proportion if it thought fit

The *President*—continued

2835. Would you recruit provincially?—Yes.

2836 If the existing Statutory system is abolished, should the proportion of offices assigned to that Service be allotted to the Uncovenanted Service?—I would throw open a much larger proportion of appointments to the Uncovenanted Service than is now held by that Service. I should restrict the Covenanted Service as far as I could to the Collectors of Districts and as many assistants and subordinate officers as might be necessary to recruit the Collectors from, and I would throw open all other appointments, including the greater portion of Assistant Collectorships, to the Uncovenanted Service.

2837. In your opinion is the present number of appointments subordinate to Collectors necessary as a recruiting ground for Collectors?—Yes.

Mr *Ryland*

2838. Would you specify the appointments to which the Uncovenanted Officers might rise?—Yes It should be a first Assistant Collectorship, the pay of that appointment is usually ₹900

2839 Would that be the extreme limit of his expectations?—I think so.

Mr *Nulkar.*

2840. Would you allot any judicial appointments to the Uncovenanted Service?—Not to the service I propose I think, however, it might be advantageous to allow some Subordinate Judges to rise to Assistant and District Judgeships

2841 How many Covenanted posts would you allot for that purpose?—I have not drawn up any detailed scheme, but I should think perhaps every third appointment An officer who attained to the grade of an Assistant Judge would rise to a District Judgeship In course of time the number would, I suppose, be larger.

The Hon'ble Mr *Quinton.*

2842 How long were you in the judicial branch?—I joined in 1872. Before that I had been five years in the Political department. I was a Judicial Assistant for one year and three months, and the rest of my time either a District or Assistant Judge. After I first came out, I was in the Revenue branch for two years. I have never been a Collector.

Mr *Nulkar.*

2843. Would you assign Magisterial as well as Civil work to the Subordinate Judges who would become Assistant and, in course of time, District Judges?—I think so

2844 Have you anything to say with reference to pay and furlough?—No.

WITNESS XL.—24th January 1887.

Examination of MANCHERJI PESTONJI KHAREGHAT, ESQ., C S., Assistant Collector, Ahmedabad.

Vol IV
Sec II
Bombay

M P Khareghat, Esq.

The *President.*

2845. You are a Covenanted Civilian, having entered by competition?—Yes. In 1882 I passed the open competition, and was posted in 1884. I have been two years in actual employment, my experience being confined to revenue and magisterial business. I am now Assistant Collector at Ahmedabad.

2846. On what points do you wish to give evidence?—On the Covenanted Service.

2847. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil service?—There is a great deal of dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service. This dissatisfaction is of a two-fold nature:—

(*a*) The first is produced by the positive disadvantages under which Natives have to labor if they wish to enter the service as at present. This kind of dissatisfaction is felt most keenly only by the classes who feel that they are deprived of their chances of passing by the present arrangements, *i e.*, only the most educated classes, such as the University graduates, &c., &c.

(*b*) The other kind of dissatisfaction, which is much more universal, is derived from the above, but not the same. It is the feeling of the apparent unfairness with which Native candidates are treated simply because they are Natives. The only answer which is given in justification of such unfairness is that Natives are unfit for higher administrative posts until they have thoroughly Anglicised themselves from dress upwards This answer aggravates the feeling of dissatisfaction ten times more. It brings home the sense of foreign conquest and national degradation It touches the tenderest feeling of all newly rising and aspiring nations—their national self-respect. This dissatisfaction is of course felt most keenly by the educated classes, and they naturally do not scruple to use their growing influence with the masses to leaven them with the same ideas. This feeling will be found to be one of the principal causes of dissatisfaction with the Statutory system, and it is also the key to those disinterested replies which would give no favor to either Native or European before the examinaion or after it, but a fair field to all.

Mr. *Ryland.*

2848 This feeling applies to the Statutory as well as to the Covenanted Service?—Yes.

The *President.*

2849 Do Natives of India labor under any, and, if any, what, disadvantages in competing for employment in this branch of the service?—The positive disadvantages under which Natives of India labor at present are various, according to

The *President*—continued.

the position in life of the parents of the candidate What generally happens is that, if he has got rich parents whose means are equal to their ambition, they send him over to England at a young age. The latter varies, but is seldom above thirteen. The boy gets every facility and is placed under the best teachers. Intellectually and physically he is, as a rule, well taken care of, and if he is intelligent he stands a good chance of getting through. But in the meantime his recollections of India have become dimmer and dimmer; his affection for his parents and his connection with his fellow-Natives have become looser and looser: this is but natural with a child of tender years. But the result is most pitiable. When he returns to India after an absence of eight or ten years, or even more, he is no longer the child of his parents nor a Native of India as far as fellow-feeling goes, but a sort of hybrid who seeks to hide his origin in every way, and as is the case with renegades, treats his fellow-citizens very often far more offensively than many a haughty and hot-tempered Anglo-Indian. I know personally some cases where parents have regretted sending their sons to England in this way, because practically they have lost both their children and their money, whilst their fellow-Natives would much have preferred Englishmen in their places. Such is the case with those who are successful. As to those who are unsuccessful, of whom there is a much larger number, the case is still worse; the denationalization has taken place without even the compensatory advantage of a high place.

We will next take the rarer case of candidates whose parents are not able to afford a long stay for their sons in England. Such parents generally belong to the middle classes. They seldom incur the risk unless their sons have shown some marked aptitude or ability in their school or college career. The boy is generally hard-working, intelligent and conscientious, one whom his parents can trust, otherwise he would not have been sent up. As a rule, he gets to England no more than one or two years before the examination. As soon as he arrives he comes into contact with those who are to be his competitors. He perceives what a neck-to-neck race it will be. Then commences a hard, hard struggle. He knows that if he does not stretch his powers to the utmost, there is nothing but failure for him, and failure in his case would mean disgrace, debt, and all the consequent miseries to himself and his family for years and years. On the other hand, if he succeeds he will be able to hold up his head before the highest in his Native land. The consequences of placing such awful alternatives before a boy of lively imagination, as he most likely will be, may be imagined. He has to adapt himself to a very trying climate, to foreign food, to foreign habits of living, to foreign modes of thought in every detail of life, and at the same time to use his intellectual powers to the utmost in as short a time as possible. No

Mr. *Ryland*—continued.

doubt by dint of a firm will, and the goading of the awful alternatives before him, the mind may triumph over the body, but at a very sad cost to the latter. Even if he suffers no worse disease, the nervous and physical exhaustion, and their consequent evils, leave traces behind them for years together, and perhaps last him all his life. If, in spite of all, he has the misfortune to fail, the consequences are apparent Of course, in this place, I lay no stress on the greatest disadvantage the Native suffers from, *viz*, the necessity of mastering a completely foreign tongue before he can seriously proceed to study anything else, because this, under present circumstances, is an unavoidable disadvantage.

2850. By what changes may these disadvantages be minimized or removed, *e g*,—

(*a*) by the establishment of scholarships and allowance of passage money to Native candidates?

(*b*) by altering the limit of age?

(*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects?

(*d*) by holding simultaneously examinations in England and in India?

—I would recommend the adoption of all the measures under the heads (*b*), (*c*) and (*d*) This would leave no room for any measures under head (*a*).

(*b*) I would recommend that the maximum limit of age be raised to twenty-two both for Europeans and Natives I am confident such a rise would be good for the Europeans themselves, and it is absolutely necessary for the Natives in order to give them some breathing time to compensate for the difficulty they have in the very beginning of their career of mastering a foreign tongue. As to the ingenious argument that the lower limit draws in the first class school-boys and therefore inherently better minds than the middle class University men to which the higher limit would restrict the supply, I have only to point to past experience. Are the gentlemen who passed under the twenty-one years' limit, or even under the twenty-four years' limit, in any way inferior to those who have passed under the nineteen years' limit? Comparisons are always odious, but to speak the truth, does it not strike most people that those who have passed under the higher limit are really abler men? Perhaps time may prove the contrary, but our present experience tends to that conclusion. To look at the same question from another point of view, is it really true that the lower limit of age attracts only the first class school-boys? If such were the case, all the best talent of England since the year 1879 would be concentrated in India, in other words, neither English parents nor English schoolmasters have the discrimination to see whether a boy possesses talent enough to prosper in his own country or not.

(*c*) I would propose that Persian be added to the number of subjects I would also propose that 800 marks be assigned to Sanskrit, 600 to Arabic, 500 to Persian, *i e.*, respectively the same number assigned to Latin, Greek, and French or other modern languages. With regard to the standard of examination in each of these three, I would certainly advocate that they should be as high, or even higher than that fixed for the M A. Examination by the Indian Universities. I know from personal experience that the present paper in Sanskrit aims at a very moderate standard, and

Mr *Ryland*—continued

I have heard the same thing stated of Arabic. This does not produce much injustice at present, owing to the small number of Natives who compete, but it would certainly never do if the examination were to be held in India. With regard to Sanskrit, I would advocate that, besides the general questions in grammar and history, with translation into and from that language, 300 or 400 marks should be set aside for a special paper or papers. The student should be allowed to select one out of a number of subjects, such as (1) Grammar and Philology, (2) Poetry, and (3) Philosophy, which he has made a special study of, and in which he should be examined as thoroughly as possible Those who know Arabic can recommend as to what special branches could be selected, they might be (1) Law and Religion, (2) History, and (3) Philosophy As to Persian, the number of marks is too few to assign any for special subjects Yet, as in English, particular books or particular periods of literature and history may be prescribed I set great store by these special studies, because they test more than mere linguistic abilities. Poetry would test the imagination and taste, History a knowledge of men and manners and an appreciation of social and economic laws, whilst Philosophy would try the reasoning powers

I have intentionally omitted the vernacular languages, because, as far as I know, they at present possess no literature of a character to train the young mind as the classical languages above mentioned.

(*d*) I also advocate the holding of examinations in India In fact, that is required above everything else.

2851. If an examination is held in India,—

(1) Should it be identical with that held in England?

(2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations?—

(1) The examination held in India must be identical with that in England The sense of national self-respect requires only the fittest men and no favour

(2) This is a question of mere detail. To facilitate matters the examination might be held at all the three Presidency Towns as that for the Gilchrist Scholarship used to be. The candidates must compete in England as well as in India with one another on the same terms and be elected in order of merit.

2852. Should the candidates in England and India compete with one another and be selected in order of merit from one general list?—The candidates at both examinations would compete with one another on equal terms and be selected in order of merit.

2853. Should there be an apportionment of appointments between the residents of the territories in the several administrations respectively, or between the members of the principal religious sects?—That would be impossible under the circumstances.

2854. Would you require the successful candidates at the Indian examination to go to England

Mr *Ryland*—continued

to complete their training?—I should certainly recommend that the successful candidate be required as a condition obligatory to proceed to England to complete his training. The real defect of education in India is that it limits the horizon of the young student. It is everywhere of the same character, and is certainly not the highest that is possible in modern civilized society. It produces minds of an uniform nature. Nothing is so beneficial to such minds as to show them their own level, to show them that minds trained in other ways are just as good as their own Going to England will show them how far the wholly subjective education that they have received falls short of what a true all round education, subjective as well as objective, ought to be. Moreover, the young men who wish to be the leaders of their community must know by personal observation the type at which they should aim to bring up their fellow-citizens. I would recommend three years of probation, as that will enable them to be called to the Bar, or go through a full University course, or an agricultural course, or other educational course.

Mr. *Nulkar*.

2855. In case an Indian examination is not held, would you by scholarships and passage-money give assistance to candidates in going to England to compete?—Yes.

2856. How many do you think would be required?—I should not like to say. They should be given by competition. I have considered the matter as an alternative one.

2857. Would you have a competitive examination in India for these scholarships?—Yes.

2858. And would you give passage-money also?—That would be included in the scholarships. I would give as much monetary assistance as possible.

The Hon'ble Mr. *Quinton*

2859. Where were you educated?—I am a Native of Bombay and was educated in Bombay up to the matriculation standard in the Local Proprietary School. I have passed through a college course in the St Xavier's College, being disabled from appearing at any of the Universities in point of age. I went to England at sixteen, one year before I passed the competitive examination—that is, between the years of seventeen and eighteen.

2860. Did you take up Sanskrit and Arabic?—I took up Sanskrit I had been studying it only about four months before I left for England; that is why I have stated that the Sanskrit standard is much too low.

2861. You found that you were able to obtain high marks in Sanskrit for a proficiency which in Latin and Greek would be considered merely elementary?—Yes.

2862. How many marks did you get in Sanskrit?—I got about three-fifths of the total number, 500.

2863 Did you continue your study of Sanskrit in England?—Yes, by myself.

2864. What place did you take in the list?—I was twenty-sixth out of thirty-seven or thirty-eight, but I was saddled with other studies at the same time for the Gilchrist Scholarship and the B. A.

The Hon'ble Mr. *Quinton*—continued

2865. Have you ever resided elsewhere than in Bombay?—I went to Madras in order to pass the Matriculation examination. Since my return to India I have lived at Ahmedabad.

Mr. *Crosthwaite*.

2866. What classes do you say are dissatisfied with the present system of recruitment for the Covenanted Service?—The positive disadvantages affect only those who are fit for it, that is, the most educated class; but there is a general feeling of inferiority produced by these disadvantages which extends throughout India.

2867. Do you share that feeling?—Yes.

2868. Who considers that they are not fit?—The English. The reason which is alleged for our continuing to labor under these disadvantages is that we, politically and administratively, are not fit, as Natives of India, for self-government.

2869. But surely the Service is open to Natives of India if they can pass the examination?—Yes, but why should they be under greater disadvantages than Englishmen?

2870. Are certain qualifications necessary or not? Do you, for instance, consider a knowledge of English necessary?—Yes.

2871. You will admit that a Native of India has a greater difficulty in acquiring a knowledge of English than an Englishman?—Yes.

2872. And he is at a disadvantage in that respect?—Yes.

2873. A disadvantage we cannot remove?—I admit that.

2874 I suppose you admit that a certain degree of European training is necessary for the higher appointments of the Service?—Yes, and one must go to Europe to know what it is.

2875. Then the Native of India is at a disadvantage in that respect also, because the education which the Englishman can acquire in his own country the Native of India cannot at any rate so easily acquire in his own country?—Yes

2876. And therefore there are some disadvantages which you must labor under?—It is so.

2877 Then why do you say you are supposed to be unfit?—Because you add to these disadvantages by placing us under the disadvantage of going to England before we are sure of our success. You could just as well hold the examination here.

2878. Would you get men as well qualified here as there?—You will, so long as there is the subsequent training.

2879. Then Government is to accept the risk of the subsequent training being thrown away?—Yes, and it is a very small risk.

2880. You say this feeling, which you to some extent share yourself, is general throughout the country. How do you know that it is?—Everybody can see it who reads the newspapers and takes an interest in the matter.

2881. Have you been in the interior of the country at all?—Yes, in connection with my official duties. I have been an Assistant Collector.

2882. Have you done *Jamabandi* work?—Yes.

2883 And have you mixed a good deal with the village population?—Yes

Mr. *Crosthwaite*—continued

2884. And do you mean to say that they share this feeling?—Of course they know nothing about it

2885 Approximately are the people who, you say, know anything about it a small or a large proportion of the population of India?—Numerically it may be a small proportion, but it is the leading portion, and therefore will be the strongest in the end.

2886 But at present it is very small?—Not very small. Small compared with the others of course, as it will always be

2887. And what is it that this growing class wants?—Simply a fair field.

2888. What do you call a fair field?—That the examination should be held in India.

2889. A fair field in what?—In competing for the Service.

2890. Supposing they were enabled to compete on more easy terms than at present, do you think it would secure as efficient men as the present system, setting aside nationality and race and looking only to the efficiency of the Service?—If you mean excluding Englishmen, I say it would secure more efficient men, because the area of selection would be extended. The English candidates might have to work harder than they do, because they would have to contend with better candidates in India, and you could get none but the fittest here. There would not be the slightest risk of the service being swamped. Perhaps for years to come you would hardly get more than five Indian candidates annually.

2891. Then what would be gained by it?—The Natives of India will gain very little; the British Government will gain very much, because it will have allayed that sense of unfairness and partiality which now obtains, whilst as a matter of fact the number of Natives in the service will be lessened as compared with the number who now get in through the Statutory Service.

2892. But do you imagine that the class who, you say, are asking for this fair field will be satisfied supposing the arrangements you propose should actually lead to a decrease in the number of Natives in the service, as you say it will?—Then dissatisfaction would be removed certainly. Of course more Natives would get in by the competitive examination, but far less than now get in through the competitive examination and the Statutory Service combined.

2893. Do not Mahomedans form a large proportion of the population?—Yes.

2894 And you are possibly aware that they have, and always have had, a large share in Government employment in Upper India?—Yes, of course. It is their country.

2895. Under your scheme do you imagine that Mahomedans would get into the service in any numbers?—I do not know the Mahomedans of the Upper Provinces, so cannot say. A Mahomedan has just been admitted into the Service here.

2896 As a class do you think they would succeed?—Yes, if they tried for it. They have just as good intellectual powers as ourselves

2897 Are they as well educated at present as the other classes?—No.

2898 Would it not take them some time to bring their education up to the standard attained by other classes?—It would.

Mr. *Crosthwaite*—continued.

2899. And in the meantime would they be at a disadvantage as compared with those other classes?—Yes; certainly.

2900. Do you know anything of the Rajputs?—Yes. I have had a good deal to do with them.

2901. Of the Sikhs?—No

2902 Of the Mahrattas, excluding Mahratta Bráhmans?—Not in their own country, but in Bombay I have seen something of them.

2903. Do you think Rajputs and Mahrattas would succeed at present in competition for appointments with the other classes?—Certainly not, because they have not advanced so far in education.

2904. Do you think that the people of India generally would benefit most by having an efficient administration, or by having more places in the service open to them?—By all means have the most efficient administration you can get, whether of Englishmen, Americans or Frenchmen. It is for the good of the country.

Mr. *Ryland*.

2905. You would even admit foreigners?—I was merely laying stress on the word efficiency. Of course a foreigner would have to throw off his foreign allegiance before he could be considered efficient.

2906. You were in England and you passed the competition there, consequently you will be able to tell us whether, in your opinion, a man who would pass in a competition here would be of the same calibre as yourself?—I think so.

2907. Take yourself as you were after your two or three years' training in England, whatever it was, and any two or three of your contemporaries of equal capacity with yourself who have remained in India, and suppose them competing with yourself, do you think they would have any chance as against you?—Certainly not. But when they had been to England and undergone a probationary period there, I should say they would have just the same chance as myself.

2908. You went to England at your own expense?—Yes, assisted by scholarships

2909. But without Government or any assistance of that kind?—Yes.

2910. But in the case of other candidates, if you require them to undergo a three years' training, who would pay for it?—They would have the same allowance made to them as is now given to English candidates, £150 a year, I think. They would be very glad to get it.

Sir *Charles Turner*.

2911. You say you know a good deal of the feeling of your fellow-countrymen; can you tell us whether they still respect what is known as "good family"?—Some do and some do not

2912 Taking the majority of the people, do you think they have lost the regard they are said to have for men of high birth and good family?—I am afraid the feeling is too deeply rooted in human nature ever to be entirely eradicated, although it may have undergone modification to a certain extent Local men will always enjoy local influence.

2913. Do you think that in selecting officers to carry on the administration the Government should

Sir *Charles Turner*—continued

have respect to that feeling?—Yes, I think it ought.

2914 And by what methods would you secure that result?—As a rule, considerations of birth have no force except in the place where the man was born. Local self-government would give scope for the exercise of that influence, which it would be very desirable they should have as members of Local and Municipal Boards, and as regards descendants of warriors and military families, I would find them employment in the Army.

2915. You would not give them posts in the higher administration merely on the ground of family and local influence?—No, such posts should be kept for men who are intellectually distinguished.

2916. You are aware that in England a great deal of the local administration of the country is done by persons who give their services gratuitously. Would you have public administration in India progress in the same direction?—Yes.

2917. It would be an advantage to the country from an economical point of view, would it not?—Yes

2918 And in England there are very few of what we call executive officers at work in the counties?—I know the work is done by the county gentlemen I have seen a good deal of their magisterial work.

2919. As soon as Natives of this country have shown that they are fitted to carry on local administration, would it not be better to give them an opportunity of offering their services voluntarily to the State?—It would be the best thing that could happen for India, and we should encourage it by all means when such a time arrives.

2920. So that we might gradually withdraw the paid administration in certain places?—Yes.

2921 Is it your object in sending candidates to England to give them a special or a general training?—For general training, in order to expand the mind.

2922. Then you admit that the men you would get by competition in India would be men who by their general training would not be qualified at once to serve?—They would be unqualified, because their mental horizon would be limited.

2923. And you would give them a special training to fit them for their particular line of duty corresponding with the two years which English candidates now undergo?—The general training I would give them would be in itself a special training.

Mr. *Ryland.*

2924. The necessity for an English general training being admitted, do you not think that the very fact of men having the self-reliance and enterprise to go to England for competition affords a better guarantee of their possessing those qualifications?—I would say not. The disadvantages in the other direction are too great.

2925. Have you not known Indians who have gone to England for purposes other than Government service, for instance, to be called to the Bar?—Yes.

2926. And of their having come back with other advantages fitting them for their calling in life?—Yes.

The Hon'ble Mr. *Quinton*

2927. What is your age?—I was twenty-tw last December.

Mr. *Ryland.*

2928 How would you recruit for the Uncovenanted Service, from Natives of India only or from all natural-born subjects of Her Majesty?—I say there ought to be no legal restriction. The Service should be open to all natural-born subjects of Her Majesty, although by force of circumstances it would practically be restricted to Natives, they being the best fitted for the work which is required to be done.

2929 Would you recruit by competition or nomination, or by both systems combined?—It depends on the branch of the Uncovenanted service to which you refer As regards Subordinate Judges, the nature of their work makes it desirable that they should have undergone a competitive examination, and I believe that system is now in force as regards them through the rule which requires them to have passed the LL D But with regard to Deputy Collectors it is a different matter The qualifications which are required of them are not such as can be tested by a merely scholastic examination, and for them there must still be a great deal of nomination from deserving servants of Government—Mamlatdars and others As regards Mamlatdars, the system which has been recently introduced of recruiting two-thirds of them from the Graduate class is, I think, working rather unfavorably. The Mamlatdars are the class through which the English Government comes in contact with the poorest, lowest and most ignorant of the people Some of these Graduate Mamlatdars are averse to mixing with the ordinary agriculturists, and therefore I say they are not the most fitted men for Mamlatdars, although they may make very good Deputy Collectors.

2930. How then would you appoint your Mamlatdars?—As they were usually appointed originally,—by nomination from the fittest and most experienced servants in the subordinate ranks

2931 Would you have your recruitment provincial?—I would have no hard-and-fast rule to that effect, but practically it would come to that.

2932. Would it be desirable?—No, but it would be the natural consequence of this process of nomination

2933. If the Statutory Service is abolished, what would you do with the posts at present assigned to that Service?—I would re-absorb them in the Covenanted Service.

2934. Would you not give the Uncovenanted men a chance of rising to the higher posts?—It would be desirable that they should have some encouragement of the kind, but I would not make it a regular system. I would give power to the local administrations to promote Uncovenanted men in exceptional cases, that is, provided there was no better means of rewarding them. To make it a regular thing would be to introduce a system worse than the present Statutory one.

Mr. *Nulkar.*

2935. Would you altogether exclude graduates from Mamlatdarships?—No. I would not exclude any class.

Mr. *Nulkar*—continued

2936. Then on what system would you appoint them?—I should prefer to see the best of them appointed Deputy Collectors.

2937. How are graduates now appointed to Mamlatdars?—They undergo a five or six years' training, but their work during that period is not so zealously done as that of the regular men is. They have a distinct promise that they will be Mamlatdars when they have finished their course of training, and that is all they look to.

2938. But if you appoint them directly to Deputy Collectorships, will not the Mamlatdars be disappointed of the promotion they naturally look for?—Of course that would be so.

2939. Would not that have the effect of discouraging the Mamlatdars?—Of course it would be more advantageous to them to keep these posts for Mamlatdars, but we must have regard to the wants of the people first of all.

Sir *Charles Turner*

2940. Had you lived much in the districts before you entered the service?—No, I hardly knew what they were.

2941. And you perhaps do not know what the opinion entertained of the official morality of Mamlatdars appointed from the Amla class was?—I know something about that I know from what I have read and other sources that they were not generally considered honest

2942 Has not the moral tone of the Service considerably improved since the admission to it of a larger number of graduates?—I dare say it is so in that respect.

2943. Because it seemed to me that your objection to graduates being appointed was rather theoretical?—In that respect, of course, the appointment of graduates has given a better tone to the Service.

Sir *Charles Turner*—continued

2944. These graduates have to undergo a three years' training before becoming Mamlatdars?—I said five or six years' training, and perhaps it is even more.

2945. Do you know anything about Deputy Collectors here?—Yes.

2946 To become a Deputy Collector you must begin as a Mamlatdar?—It is not absolutely necessary.

2947 Is it desirable?—It is

2948. Appointments to Deputy Collectorships are more frequently made from Mamlatdars than not?—Yes But the Mamlatdars have also their special duties, and ought not to be kept as a stock from which to choose Deputy Collectors

2949. But they have been so kept, have they not?—Yes Of course I speak with great deference, and only of what I have felt and seen

Mr *Ryland*

2950 Would you make any distinction in the pay and furlough rules as they affect posts reserved for the Covenanted Civil Service accordingly as they are held by the members of that branch of the Service, or by members of the Statutory or Uncovenanted branches?—In the case of persons who have got in by competition in England, the rules as to pay and furlough should be the same.

The *President*

2951. Is there any other point on which you desire to give evidence?—No.

WITNESS XLI.—24th January 1887.

Examination of Ráo Báhádur BHIMBHÁI KIRPÁRÁM, Personal Assistant to the Director of Agriculture, Poona.

Mr. *Stewart*.

2952. You are Personal Assistant to the Director of Agriculture?—I am.

2953. What posts have you filled previously?—I was Compiler of the "Bombay Gazetteer" for ten years, prior to which I was Head Accountant in the Revenue Department for twelve years. I have been altogether twenty-four years in the service.

2954. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—No, the system has failed. It impairs the efficiency of the service, and creates jealousy and disappointment.

2955. Do you object to the Statute chiefly or to the rules under the Statute?—To both. I do not like the Statutory Service at all. I would abolish it.

2956 Will you kindly read your scheme to the Commission?—The Natives complain—

1st—That a larger number of appointments are reserved for the Covenanted Civil Service than may be said to be necessary in the existing state of the country—admission to that service being extremely difficult for Natives.

2nd—That in the Uncovenanted Service there is a very great preponderance of Europeans over Natives in the higher paid appointments—this being the result of the system of nomination by which the appointments are filled up.

On the other hand, the Government have laid down and repeatedly re-affirmed the principles—

1st—"That the maintenance and stability of British rule in India" require "that a large proportion of British officers must be retained in the more important posts" (Government of India's Despatch No. 35, dated 2nd May 1878).

2nd—That the Government should be "fully alive to the urgent political necessity for opening up to Natives of ability and character a more important, dignified and lucrative sphere of employment in the administration of British India" (Secretary of State's Despatch No. 10, dated 8th February 1868).

The best solution of the problem would appear to lie in the adoption of the following scheme.—

That the existing distinctions of "Covenanted" and "Uncovenanted" Service be abolished.

That the entire Civil Service, in its Revenue and Judicial branches, be divided into three branches, *viz*, "Reserved," "Special," and "Ordinary."

That the "Reserved" branch should include those important posts only in which Government hold it necessary to retain "a large proportion of British officers."* These posts are clearly indicated in paragraph III of the rules for the appointment of Statutory Civilians, and are as follows:—

Mr. *Stewart*—continued.

(*a*) Members of a Board of Revenue.
(*b*) Secretaries to the several Governments and Administrations in India.
(*c*) Chief Magisterial or Chief Revenue Officers of Districts.
(*d*) Commissioners of Divisions or of Revenue

That the "Special" branch should include the higher appointments in the Judicial department, *viz*, District Judges and High Court Judges.

That all the rest of the Civil appointments should be classed as "Ordinary."

That the scale of pay for appointments in the entire (*i e*, amalgamated) Civil Service, with the exception of the few highest appointments, may be as follows —

	R
6th Grade, R200 rising by 5 annual increments of R30 to	350
5th Grade, R400 rising by 5 annual increments of R40 to	600
4th Grade, R650 rising by 5 annual increments of R50 to	900
3rd Grade, R950 rising by 5 annual increments of R60 to	1,250
2nd Grade, R1,375 rising by 5 annual increments of R75 to	1,750
1st Grade, R2,000 rising by 5 annual increments of R100 to	2,500

The 2nd grade being applicable to appointments of Junior Collectors, District Judges and similar other appointments of equal importance, and the 1st grade being applicable to posts of Senior Collectors, High Court Judges and other appointments of equal importance †

That Europeans and Natives should be equally eligible for admission to the entire service and to each branch, subject to the conditions—

(1) That the proportion of *Natives* in the "Reserved" appointments shall not exceed one-sixth of the total number of appointments in that branch

(2) That the proportion of *Europeans* (Civilians) in the "Special" branch shall not exceed one-sixth of the total number of appointments in that branch.

Eligibility for admission to be restricted to persons of the following classes with the conditions and privileges stated for each, officers already in the service of Government being excepted.—

(*a*) Candidates selected in England for the Civil Service in India by competitive

* *Note*—The number of recruits indented for from England annually must be reduced in proportion to the number of appointments withdrawn from the existing list At present able and distinguished Bombay Civilians of sixteen and seventeen years' standing are required to do the work of an Assistant Collector—work which can be done by Native Deputy Collectors at a very low cost to Government If the number of recruits is carefully fixed every year, it will be possible for Government to select able Civilians of twelve or thirteen years' standing for posts of Collectors

† *Note*—The existing rules regarding Leave and Pension Allowances do not require any change. The pay of each class of service may, if it is found necessary, be fixed separately consistently with economy, regard being paid to the existing scale of pay

Mr. *Stewart*—continued.

examination held under the rules for the time being in force. These candidates, after arrival in India and after passing the vernacular and departmental examinations, to be attached to the "Ordinary" branch. *They should on their arrival begin with the minimum pay of the 5th grade (R400), and should continue to serve in the ordinary branch until required to fill up an appointment in the "Reserved" branch, receiving during the interval the stated annual increments and promotion from grade to grade independently of vacancies, until the pay of R1,250 is reached. Their promotion to "Reserved" posts and to the second and higher grades to be dependent on vacancies. They will have the exclusive monopoly of the "Reserved" posts, but shall not, except as provided in clause (2) of the preceding paragraph, be eligible for appointments to posts in the "Special" branch to which officers of classes (*b*) and (*c*), mentioned below, shall be eligible

(*b*) Natives belonging to different grades of the legal profession selected on account of proved merit for appointments in the "Special" Branch only—for which officers of class (*c*) would also be eligible †

(*c*) Men qualified by competitive examination in each province in India. They should after two years' probation‡ begin with the minimum pay of the lowest grade. Their promotion from a lower to a higher grade should be dependent on vacancies occurring They will not be eligible for posts in the "Reserved" branch,—but such of their number as may possess exceptional abilities may be selected for posts in the "Special" branch.

The classification and revision of salaries of existing appointments on the above basis should be made at once—and they should be allotted to existing members of the Covenanted and Uncovenanted Service with provision for personal allowances to those whose present salaries may be reduced—but recruitment in future should be made strictly in accordance with the above principles.

The difficulties placed in the way of Native candidates by recent changes in the rules for Covenanted Civil Service examination in England should be removed by raising the limit of age to twenty-one years and by assigning to Asiatic classical languages the same maximum number of marks as are allotted to European classical languages.

Mr. *Stewart*—continued.

It will save considerable hardship to Native candidates if the preliminary test examination is held simultaneously in England and India, admission to examination in India being restricted to a stated number of candidates who may obtain the highest ranks in the list of passed Indian candidates for the "Ordinary" branch alluded to in the following paragraph —

If, however, any grave objections are entertained against holding an examination simultaneously in India, the best alternative would be to send every year to England a few able young Natives selected from the passed candidates for the ordinary service, the poor among them being provided with scholarships and allowance of passage-money, and all in cases of failure being eligible on return to India for appointments in the "Ordinary" branch on passing the requisite special test mentioned below.

At the seat of each Provincial Indian Government there should be held annually an examination of candidates for the "Ordinary" branches of the Civil Service. The examination should consist of two parts—General and Special.

The subjects for the "General" examination should be as follows.—

(*a*) English up to the B A. standard; but of a more practical and colloquial character Special marks to be given for colloquial proficiency and handwriting.

(*b*) General knowledge, *i e*, Political Economy, Logic, History, Moral Philosophy (outlines only).

(*c*) Mathematics—same as for Matriculation standard.

(*d*) Two vernacular languages of the province, Hindustani (Urdu) being admitted as one in Bombay, Madras, and Lower Bengal—very high proficiency.

None should be admitted to the general examination unless his age exceeds eighteen years and is not above twenty-three years. To pass the general examination a candidate should obtain at least half of the maximum number of marks assigned to each subject Each passed candidate should receive a certificate which should show the number of marks obtained by him. Passed candidates should be eligible for posts in the subordinate service §—non-gazetted appointments. They will not be eligible for gazetted appointments, *i e*, "Ordinary" branch of the Civil Service, unless they have passed the special examination.

The special examination to be in either of the following subjects:—

I.—Revenue (Laws and Rules and knowledge of accounts).

II —Judicial—LL.B. standard.

The special examinations should be held after at least one year from the date of the general examination The special examination in both subjects

* *Note* —Under this arrangement a Civilian would rise in—

	R
5 years to	600
10 „ „	900
15 „ „	2,250

The promotion from R400 to R1,250 would be certain and unconditional, and not dependent on vacancies occurring as at present—a distinct advantage which they would be only too glad to avail themselves of

† *Note* —This will meet the aspirations of legal practitioners, as unreserved appointments on pay exceeding R1,250 would be open to men who have distinguished themselves in their profession The appointment of such men to the higher posts in the latter part of their lives would reduce the pensionary charge on the State

‡ *Note* —During the probationary period an allowance not exceeding R100 should be paid, but the period of probation should be counted towards service

§ *Note*.—The admission of these men to the Subordinate Service will be a distinct gain to the candidates and to the service—and will, in course of time, render all other tests for admission to the subordinate ranks unnecessary.

Mr. *Stewart*—continued.

should not be held simultaneously, but one after the other—so as to allow of the same candidate appearing for both in the same year if he chooses.

Candidates who have passed the general examination and whose age does not exceed twenty-five years should alone be admitted to the special examination.

The names of candidates examined in each special subject should be arranged in the order of the number of marks obtained by each in the special subject *plus* the number of marks shown in the certificate of the general examination, and the number of qualified candidates required for the year for each section of the "Ordinary" branch (which should be determined and notified by Government three months before the date of examination) should be taken from those who occupy the highest ranks in the list—the rest of the candidates being rejected, they being, however, eligible for appearing at similar subsequent examinations until the age of twenty-five has been attained.

Each of the selected candidates for each branch should be attached to some recognised office or court for two years, and, on being favourably reported upon, be appointed to a vacancy in the last grade of the "Ordinary" branch.

2957 What are your chief reasons for disapproving of the Statutory system?—As I have said, it impairs the efficiency of the service.

2958. Do you think that the appointments made in this presidency fulfil the intentions of Government, *viz.*, to get men of good birth and family?—No; but I may premise that in this presidency, at any rate, the phrase "high birth" is meaningless. Let me explain by an illustration. A Judge of the High Court, say, has got two sons, both graduates. Those sons are in no way superior, as regards social position, to the graduate son of a Karkun on Rl0 a month.

The Hon'ble Mr. *Quinton.*

2959 You say high birth distinctions have no meaning: but is it not the case that the son of a Bráhman occupies a very much higher rank socially than the son of a man of low caste?—Such distinctions are not on account of high or low birth, but have a religious significance.

Mr. *Stewart.*

2960. Are there any Sardar families here?—There are.

2961 Do you say that the Statutory Service has no use for persons of that class?—It is no use giving an appointment to a man simply because he is of high birth, if you are to have regard to the efficiency of the service.

2962 You say, as regards the Uncovenanted Service, there is a large preponderance of Europeans in the higher-paid appointments How do you make that out to be the case?—I allude to the Customs, Salt, Revenue, Forest, Public Works departments. My humble opinion is, that one system of recruiting the service will not do for the whole of India, because I think the difference in the progress of education in the different parts of India, the character and condition of the country and people, the different systems of administration and justice, the relative claims of the people, differing in race and caste for a share in the administration, and, above all, the important duty which Providence has imposed on the British Government of managing the affairs of India consistently with the peace and prosperity of the Indian people,—all these demands that the service should be so constituted so as not to discredit the good and wise principles of Government.

Mr *Stewart*—continued.

Mr. *Ryland.*

2963. You say that in the Uncovenanted Service there is a very large preponderance of Europeans over Natives. Is it not the fact that in the subordinate executive and judicial service there is scarcely one European officer?—Subordinate Judgeships are filled entirely by Natives, but there are a few Native Christians as far as I know.

2964. In fact, the Natives occupy nearly all the posts in the Judicial and Revenue branches?—Yes

2965. And these appointments equal in number nearly the whole of the other services to which you have alluded, do they not?—There are forty-five Deputy Collectorships and over a hundred Subordinate Judgeships The total of these two would exceed the number of appointments held by Europeans in other departments The fact is that Uncovenanted appointments which, having regard to economy and better administration, should be filled by Natives, are now held by unqualified Europeans.

2966. Still the fact really is that Europeans do not preponderate?—They preponderate because, being unqualified, they have obtained entrance to the service without passing the test which is exacted in the case of Natives. What Natives have gained, they have gained simply by their qualifications.

Mr. *Nulkar.*

2967. Can you assign any cause for this scarcity of Europeans in the subordinate judicial and revenue appointments?—My explanation is that they are branches of the service which requires certain tests.

2968. Cannot the European population, Eurasians and domiciled Europeans, pass these tests?—They do not attempt to pass them.

2969. And you say that the appointments in the other departments you mentioned are filled by Europeans owing to the system of nomination obtaining there. Do these appointments carry greater emoluments than the others?—Oh, yes

Mr. *Stewart.*

2970. I see that you put among the reserved appointments the Chief Magisterial or Chief Revenue Officers of Districts. What is your reason for specially reserving them?—My idea is that, independently and irrespectively of intellectual capacity, there are certain duties incidental to the proper administration of a district which call for a special training which Natives at present are unable to receive.

2971. You disapprove of putting a Native in charge of a district?—Yes, until a few of them have been tried

Mr. *Nulkar.*

2972. How would you qualify them to become Collectors?—They must be tried in different branches of the service.

Mr. *Nulkar*—continued.

2973. You know that Natives have been tried up to the point just below the appointment of Collector. How far has that succeeded in fitting them for the higher appointment?—The trial has not been sufficient to test their capacity for the higher appointment.

2974. What further test would you have?—I would make one or two Native Deputy Collectors Collectors.

2975. You would select the best Deputy Collectors, as a special case, and try them as Collectors wherever it could be done safely?—Yes.

Mr. *Stewart.*

2976. Is any dissatisfaction felt with the present system of recruiting for the Covenanted Service?—Yes, on account of the age limit being too low. I would make it from nineteen to twenty-one.

2977. Do you think that Natives of India are at a disadvantage in having the competition in England?—Of course one has to sacrifice some convenience and prejudices if one wants good appointments; but practically, I think, the age limit is the only disadvantage.

2978 Would you facilitate their going by the grant of scholarships and passage-money?—In the case of a very poor man I would I propose, if it is decided to hold a simultaneous examination here, that only those candidates be allowed to present themselves fer it who have passed the Indian examination.

2979. Under the existing system, would you advocate simultaneous examinations?—I do not see what good would be gained by it

2980. Is it not rather a disadvantage to have poor men in very high appointments?—I think it is only fair that a poor student who has succeeded in the competition should be assisted in going to England. Almost all the men who have made their mark at the University have been poor men.

2981. Would you recruit the present Uncovenanted Service from Natives of India as described in the Statute, or from all natural-born subjects of Her Majesty?—From all natural-born subjects of Her Majesty.

2982. What system of recruitment would you have for Mámlatdars?—The present rules which admit to these posts graduates and non-graduates who have passed a departmental examination have not, I think, worked satisfactorily. It is necessary for the good of the service and for the people that these posts should be held by men of experience and tact as well as physical and moral qualifications. At present there are seven or eight Mamlatdars L C.E 's. Two or three of this class failed and were turned out of the service because they were unable to pass the departmental tests.

2983. How would you recruit for Deputy Collectorships?—They should be appointed from the Mamlatdars.

2984. And for Subordinate Judgeships?—The present system of recruitment is very bad. Under the present rules a man must have passed the LL B. or Pleaders' examination, and practised for four or five years under a Government Pleader before he can be appointed, but what has he gained in experience by merely sitting for four or five hours a day in one of the Courts So I say that no LL B. or High Court Pleader should be appointed a Subordinate Judge unless he has actually practised as a Sheristadar or Vakil for, say, eight or ten years.

Mr. *Stewart*—continued.

2985. And how about Mámlatdars?—What I propose for them is, that they should have been thoroughly trained in the subordinate posts for about eight or ten years.

2986 Would you recruit provincially for these services, or allow residents of other provinces to compete?—I would have competition open to all.

Mr. *Nulkar.*

2987. What is the lowest pay of a Subordinate Judge and Mamlatdar?—₹150,

2988 And you would have LL B.'s and B A 's of eight or ten years' standing, in the service before you would appoint them to those posts?—Yes

2989 You have said that almost all the men who have made any mark in the University have been poor men. Are there any such men in the service?—There are many.

2990 Do they command the same respect and influence with the people as are enjoyed by men of rich and influential families?—It depends entirely on the character of the men themselves whether they will enjoy that respect and influence

2991. Does the efficiency of the service suffer from the fact of their having been originally in comparative poverty?—No.

2992. There is a numerous class of Dekkani Sardars here?—Yes.

2993. Is not that class occasionally recruited by Government conferring the title on deserving persons?—There are three classes of Saidars, (1) those created by Government as a reward for good service, and in their case the title ceases on death; (2) hereditary Sardars, and (3) life Sardars.

2994. Would a Saidar appointed Deputy Collector by nomination command greater respect and influence with the people than a University man who had passed a severe educational test, and has risen to the post by his own force of character and ability?—As a matter of fact, he does not command more respect than an ordinary Deputy Collector.

2995 Do people, as a rule, care whether these appointments are filled by Sardars or not?—All they care about is to have good men, quite irrespectively of birth.

Sir *Charles Turner*

2996. You say you would have three services. Would you promote men from the lower of these services into the highest service?—No. They would not be promoted to the reserved service. Men belonging to the ordinary service should be eligible for promotion to the special service, but not to the reserved service. Only those who have passed in England would be eligible for the reserved service

2997. Have you had long experience of Mamlatdars?—Yes.

2998. Has the official morality of that class improved of late years?—It has. The new men are superior in that respect, but they are wanting in administrative skill

2999 Do you not think that a man with a trained intellect is able to acquire knowledge much more quickly than a man who has not that advantage?—My opinion is that high intellectual training is not the only requisite for a good administrator.

Sir *Charles Turner*—continued.

3000. But would not a man with a trained intellect more rapidly acquire a knowledge of his duties than one who has had no intellectual training?—Naturally.

3001. Have you not found in the Revenue Offices a great many men who made capable clerks but were not very intelligent people?—I have known Mamlatdars who without any education have done well in the public service.

3002. Are there any graduates among the regular ministerial officers?—No, they enter the subordinate revenue service only because certain promises are held out to them of becoming Mamlatdars after so many years' service.

3003 Are there not many graduates to whom R35 is in itself a very desirable salary?—Yes.

3004. And do not graduates in this presidency take less?—Sometimes you will get them for R20 or R25.

3005. At the present moment are there not many graduates who take R35 in a merchant's office?—I have not heard of any.

3006. What becomes of the five hundred graduates who pass annually?—If you refer to the Civil List, you will find seven or eight hundred pages filled with the names of graduate Pleaders.

Mr. *Stewart.*

3007. Should any distinction be made in the pay of Statutory Civilians and Competitive Civilians filling the same appointments?—Yes.

3008. On what principle?—The pay of the appointment should be fixed, but when the appointment is held by a European, there should be a supplementary allowance of about one-fourth of the whole pay attached to it.

3009 And as regards Furlough rules?—I would make no distinction there.

The *President.*

3010. Is there any other point on which you wish to give evidence?—Yes. There is one other point which, I think, deserves consideration, and that is that, if the English competitors are not sure of their prospects in the service, and if from time to time Natives of proved merit and ability are appointed to the higher branches of the service, the quality of the Civil Service will deteriorate, and really capable men will not enter it, for instance, if a Native officer is appointed to a Collectorship or District Judgeship under the power which Government has, the Civilians who have passed in England will feel aggrieved and the quality of the service will deteriorate. Again, I have been

The *President*—continued

asked whether I consider that Indian schools at present develope the force of character and other qualities required for Indian administration. I think the present system of education here requires reform in many ways. My idea is that it is not necessary in order to develope a man's force of character that he should be sent to England. The germs of force of character are to be found in Natives, and if they are not developed sufficiently, it is because under the present system there is no sympathy between the teachers and their pupils Unless the teacher exercises his personal influence, it is impossible that the germs of force of character in the pupil should be developed. Again, the class of teachers we have now is by no means of the best type. The whole system requires reforming.

The Hon'ble Mr. *Quinton.*

3011. How would you propose to get a better class of teachers?—By making the profession of teaching more attractive.

3012. In what way?—There should be special colleges for training teachers. Those supplied to the Educational department at present merely enter the department with a view to gain a livelihood until something better offers. The consequence is that the department is filled by men who are not at all interested in education.

3013. Is not the reason of that that teaching is not a paying profession?—It is a paying profession, but still they are not contented. If you look at the Civil List, you will find that no less than fifty Subordinate Judges began their careers in the Educational department.

Sir *Charles Turner.*

3014. Is not that because they have not equal pay and opportunities in the Educational department?—The pay is sufficient.

3015. Are there as many Natives in the Educational Department as in the Judicial who can rise to salaries of R800?—Yes; if they could be made Educational Inspectors, their pay would be from eight to twelve hundred rupees.

3016. And yet they do not like the department?—No, because these appointments are not open to Natives.

3017. Is not promotion more sure in the Subordinate Judicial and Executive branches than in the Educational department?—No. The chances of rapid promotion are greater in the Educational department.

3018. Then why do they leave it?—To get better pay elsewhere.

WITNESS XLII—24th January 1887.

Examination of Múlla Abdul Hye Muhomed Ali, Munshi, Surat

Mr. *Nulkar.*

3019. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The system is good in itself, but, practically, men of good family are excluded in favour of men who have other influences. I would amend the rules so as to admit of men being appointed who belonged to families which were formerly influential, but have now fallen into decay. There would be no necessity to send them to England for training, but those who could afford to go should be free to do so.

3020. Would you amend the definition of Natives of India?—I would exclude from it all persons who have not acquired a fifty years' domicile in India. I would make the appointments equally between Mahomedans, Hindus, including Parsis, and Christians, including Europeans. The Mahomedans would be sub-divided for this purpose into Sunis and Shias. I am a Suni myself.

3021. Is any dissatisfaction felt with the present system of recruitment for the Covenanted Service?—Yes, on account of the great preponderance of Europeans in the service and the small proportion of Mahomedans it includes. I would apportion the appointments between the classes I have mentioned above. The age limit should be raised to twenty-three. I would include Persian among the subjects of examination, and equal marks should be allotted to it and Arabic as are now allotted to Greek I would have a simultaneous examination in India, which should have a lower standard than the English examination, having regard to the comparatively low standard of education in India. The examination in India should be held at one centre, and the candidates selected according to the classes and sub-divisions I have mentioned. I would leave it optional with the selected candidates whether they would visit England or not. I think we should get better men by the Indian examination.

Mr. *Nulkar* —continued.

3022. How would you recruit for the Uncovenanted Service?—Collectors and Assistant Collectors should be Europeans, because they are necessary to keep the peace among the different classes; but in other respects the service should be recruited entirely from Natives of India, as described in the Statute, by a system of nomination and competition combined, and the recruitment should be provincial also.

3023. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I doubt whether there are men of proved merit and ability in the Uncovenanted Service; but if there are they might be promoted to that extent. I would leave both the nomination and promotion in the hands of the Local Governments, in order that no undue favor might be shown to particular classes At present Mahomedans as a class find it very difficult to obtain appointments in the Uncovenanted Service, which is at present filled by Hindus, Parsis and others, whose influence is used to exclude Mahomedans in favor of their co-religionists This state of things should be amended by strict rules being laid down under which Mahomedans might obtain their fair share of public employment. Even in the Educational department the Persian teachers are Parsis. As regards pay and furlough, the rules should be the same for all classes in conformity with Her Majesty's Proclamation.

To Sir Charles Turner.—My father was a Jagirdar, and held office at Surat in the days of the Delhi Emperors.

WITNESS XLIII.—24th January 1887.

Examination of HARILÁL HARSÁDRAI DHRUVA, Esq., B A, LL.B., Pleader, Surat, Honorary Secretary, *Praja Hit Vardhak Sabha.*

Mr *Stewart.*

Vol IV Section II Bombay.

Harilál Harsádrai Dhruvá, Esq.

3024. You are a Pleader and one of the Honorary Secretaries of the Praja Hit Vardhak Sabha of Surat?—I am.

3025. You, I believe, represent the Sabha?—I do.

3026. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—It is not. In the first place the appointments are given by nomination and not by competition, which detracts from the character of the service. Then the nominees themselves are dissatisfied, because, although they have equal responsibility their pay is inferior to that of the Covenanted Civilian. The Sabha objects to the Statute itself. They think the definition of Natives of India should be extended to all classes of Her Majesty's subjects.

3027 Would the Sabha retain the Statutory system?—Yes, if it is considerably reformed, the section which empowers Government to appoint men of proved merit and ability should be given effect to and made to include professional men.

3028. If the present system is maintained, would you insist on the selected candidates being sent to England for training?—No, because the men we get at present are not likely to be improved by it.

3029. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Service?—Yes, Natives are placed at a great disadvantage. The examination being held in England, Hindus are precluded from presenting themselves there on religious and social grounds.

3030. What changes would you make in order to minimise or remove these disadvantages?—I would alter the age limit to twenty-three for all classes. I would not recommend the granting of scholarships and passage-money, because I would hold a simultaneous examination in India.

3031. Would you alter the subjects of examination at all?—No, except that I would place Sanskrit and Arabic on the footing of Latin and Greek, and add Persian and the vernaculars of the country to the subjects, to be on a *par* with modern European languages. I would also add Indian History and Political Economy as applied to the conditions of India The examinations would be identical in all respects, the same papers being set and marks allotted.

3032. Would you hold the Indian examination at one centre only?—It should be held provincially if possible, but otherwise at one central spot according to a given routine.

3033. Would you have any apportionment of appointments among provinces, creeds or classes?—None, they should be made solely in order of merit.

3034. Would you require the successful Indian candidates to proceed to England for training?—Yes. The training should be at least for three years. It should be passed at one of the Universities, with the candidates who have passed at the English examination, so that there might be an interchange of ideas and sentiments between them.

Mr *Stewart*—continued.

Mr. *Nulkar.*

3035 How would such a scheme succeed in the face of the religious prejudices you mention?—Such feelings are by no means so strong as they used to be, and are gradually giving way before the advance of education. Success at the Indian examination would encourage the candidates to go.

Mr. *Stewart.*

3036. Would any promising men be excluded by making the English training a condition obligatory?—I think not The men would be sure of their future, and it is easy now-a-days to get readmitted into caste.

3037. How would you recruit for the Covenanted Service?—I would open it to all classes of Her Majesty's subjects, including non-domiciled Europeans, ability tested by competition being the only qualification required.

3038. Do you approve of the present system of appointing graduates to Mamlatdarships?—Yes, except that the lowness of the pay deters many from accepting the appointment.

3039. Would you recruit Deputy Collectorships from the Mamlatdars?—I should prefer that system.

3040. Would you retain the present system of recruitment for Subordinate Judgeships?—I approve of the new rule which requires Subordinate Judges to have practised for a certain number of years.

3041. Would you recruit for these services provincially?—I would give no preference to the residents of provinces

Sir *Charles Turner.*

3042. Would you never appoint to Deputy Collectorships except from amongst Mamlatdars?—I think these posts should be reserved for Mamlatdars only.

1043. But do you not think you would get a better educated class, if you admitted outsiders, just as now you have Europeans brought in as Assistant Collectors?—The system of introducing Europeans to Assistant Collectorships is not generally approved.

3044. Then what would you do for your European Assistant Collectors?—I would have no objection to such as got in by competition, but I object to nominees, whether Europeans or Natives.

3045 Have you heard complaints of Native Magistrates being inefficient?—No, except as re-

Sir *Charles Turner*.—continued.

gards the lowest grades. I mean the third class Magistrates, newly appointed.

3046. Are they Mamlatdars?—Mamlatdars are generally second class Magistrates.

3047 What sort of Magistrates do they make? —They would make much better Magistrates if they were relieved of a great deal of their present work.

3048 Are Deputy Collectors first class Magistrates?—Yes, those who have passed the examination. The others are second class.

3049. How do they do their work?—Generally to the satisfaction of the public.

3050. Are the exceptions numerous?—No, but under the new system of appointing graduates step by step we may expect them to be even more efficient than they are now when, not having the advantage of an English education, they have not perhaps any sufficient knowledge of law.

Sir *Charles Turner*—continued

Mr. *Stewart.*

3051. As regards pay and furlough, have you any suggestions to offer?—I would recommend a general reduction of one-third in the present salaries, the members of the service who have passed the English examination being given in addition a staff allowance of a certain percentage. I would have no distinction as regards furlough

The *President*

3052. Is there any other point on which you wish to give evidence?—No.

WITNESS XLIV.—25th January 1887.

Examination of DAYÁRÁM GIDUMAL, Esq., B A., B. L., of the Statutory Service, Bombay, Assistant Collector, Karachi.

Mr. *Stewart.*

3053. You are a Statutory Civilian, are you not?—Yes, I am in charge of the Sehwan Division. I am a B A. and B L. of the University of Bombay

3054. Is this Statutory system generally approved of in the province of Sind?—I can only speak of the educated classes. they disapprove of it.

3055. On what grounds do they disapprove?—They don't approve of the system, as it leads to the appointment of persons to the Statutory Service who are not qualified to perform the duties They have very little personal experience. As far as I am concerned they have no objection.

3056. Is the feeling against the rules under the Statute or the Statute?—I belong to a very backward province. I believe very few have read the rules or the Statute.

3057. There is no prevalent feeling?—No.

3058. Would you propose to amend the rules?—As I have said here, all depends on the working of the rules If the local Government work them well, there is no disapprobation as far as Sind is concerned. I only speak of my own province.

3059. Do you think that the appointments under the Statutory system should be given to men in the Uncovenanted Service of approved merit and ability?—I think that men of approved merit and ability might be taken from the Uncovenanted Service.

3060. Have you ever been to England?—No.

3061. Supposing that the Statutory system is retained as at present, do you recommend that the young men who are selected should be required to proceed to England for a period of training?—No.

3062.—Why not?—My reason is this. For example, in my own case, if on my appointment to the Statutory Service it had been a condition that I should go to England, my parents would not have allowed me, to become a Statutory Civilian. Their reasons would have been these. In the first place they would not be sure that the climate of England would be quite favorable to my constitution, that is, whether I would keep my health in England; and in the second place, they would not trust my going to England without a guardian, for they think that there are many temptations and snares in England, especially as it is a strange land, and there are no friends such as I might find here in Bombay. The third reason is, that they think any one who goes to England becomes Anglicised; and the fourth reason is, they think that a man may be excommunicated if he goes to England.

3063. Have any of the castes in Sind threatened excommunication?—The castes are not strict, except the Brahmans and the higher classes I belong to a class that came originally from the Panjab about a century ago, and adopted Brahman habits, and naturally by going to England I

Mr. *Stewart*—continued.

3064. Have any of your caste been to England?—None of my own caste.

3065. Have any Mahomedans been?—I know of one who went. He wanted to pass the medical examination. He was found physically unfit, and could not go in for the examination. He brought an English wife back with him.

Mr. *Ryland.*

3066. You are a Hindu?—Yes.

3067. Where were you educated?—I took my Degree from the Elphinstone College.

3068. When did you first begin to learn English?—I think at about nine years of age. Perhaps it was later; it might have been eleven.

3069. Where did you learn English?—In the High School at Hyderabad. I passed the matriculation examination in 1874, when I was about seventeen or eighteen.

3070.—Were you educated at Hyderabad until you were seventeen?—Yes.

3071. Who paid for your education?—My education was not free. I did not take any scholarships which are for the poor. My education n Bombay cost about R60 a month.

The *President.*

3072. What did that include?—There was the expense of coming and going, and I had to keep a servant, and there was the cost of going to and fro to the law classes.

Mr. *Stewart.*

3073 What obstacles are there in your opinion to Natives going to England and passing the examination there?—The rules prohibit it.

3074. What rules?—In the first place the limit of age It takes seven years in the High School to study English, three years to study the vernacular, and three years for B A., that is nearly thirteen years.

3075. What amendments would you make?—The limit of age should be raised to twenty-three.

3076. Are there any other hardships, for instance, do natives feel the journey to England a hardship?—Yes.

3077. Can you give an instance?—I can give an instance of the Mahomedan who went to England He had two brothers, one of whom was getting R100 and another R75, and they had to spare as much as possible to send him money. He remained there three or four years. At length he could not pass the examination, and now they are ruined.

The *President.*

3078. The same disadvantage applies to children of Europeans resident in India?—Yes, undoubtedly, but not quite to the same extent.

3079. Would you give scholarships to Native gentlemen?—I do not advocate that. I do not think it would be taken advantage of by a large majority of the people. It might be by some who have become somewhat anglicised, and upon whom caste has no hold.

Mr. *Stewart.*

3080 Do you propose any alterations in the subjects of examination?—Yes; I would say, in the first place, that there ought to be more marks for English and Indian History. At present I think they allot 300 marks for English History; and as every Native who aspires to the Covenanted Service owes a great deal to England, I would raise the standard for that subject from 300 to say 600. I would also raise the standard for Indian History from 350 to 600. At present, I think, 800 marks are given for Latin, 600 for Greek, and 500 for Arabic and Sanskrit. The Natives cannot understand this, and they say 400 marks should be given for each.

3081. If simultaneous examinations are held in England and India, would you make them identical?—Yes.

3082. Should they be held at one centre or more?—I would prescribe centres like Bombay, Madras, Calcutta, Allahabad. I would then hold the examinations in rotation at those places

3083. Would you have one list of merit for all candidates?—Yes, certainly.

3084 Do you advocate any apportionment of appointments between Europeans and Natives?—No, all I advocate is a fair field and no favor

3085. Supposing examinations were held in India, would you advocate that selected candidates should be sent to England for training?—No, I would not.

3086. What is your opinion with regard to the examinations?—I should say that the examination should be arranged so that it would be confined to the best University men. That is the first thing I would require. In the next place the competitive test should be confined to only one examination. That should be held in India as well as in England Then in my scheme there would be a final examination.

3087. How long a period would you have between the various examinations?—I would have none at all. I should combine them in one preliminary and one final one I should examine the candidates on the subjects they are now examined in. Then I should keep them in India for a probation of two years. At present what is done is this. The candidates pass a competition test. Then they remain in England and pass periodical examinations and final. Then they have to come and pass departmental examinations, and if they do not pass, they do not get any promotion for a long time. That involves a great deal of worry and encourages systematic cramming If you have only one competitive test that will be much better, and it will also be better for the probation to be passed in India than England.

3088. Do you think there is any advantage in sending selected candidates to England?—There is a great deal of advantage; but I say the balance of advantage is in having the examination here, and also in passing the probation here.

Mr *Stewart*—continued.

3089. Do you object to people going to England?—It Anglicizes people. I don't object to scholarships being given if persons will take advantage of them. I only state the facts that people will not take advantage of them.

3090. Don't you think an Anglicized character an advantage?—An Anglicized character in a Native is of no advantage to the Administration. A Native who goes to England brings back too often all the evils of civilization without the benefit. An Englishman as such, is all right.

Mr. *Nulkar.*

3091. What is the condition of the Mahomedans in Sind? Are they backward or progressing with the times?—Certain hereditary classes are as well off as they were before, and that can be easily proved. The other classes of Mahomedans are not well off Even under the Amirs the Hindus held many of the important posts, and at present in the only State where there is an Amir the Hindus have all the posts.

The *President.*

3092. Is that at Raipur?—Yes.

Mr *Stewart.*

3093. The Hindus predominate in the English service, and they did so under the Amir's?—Yes.

3094 Did the British Government take special measures to educate the backward Mahomedan classes?—From the records it is perfectly clear that both Hindus and Mahomedans required great inducement to attend English schools The Hindus took more kindly and others followed. At present they have a Madrassa in Karachi, and that I suppose will give assistance to backward classes. Government have given a grant-in-aid.

3095. Did not the British Government soon after the conquest employ special English teachers?—Yes, they did.

3096. In order to give higher education?—Yes, several acted as tutors to Amirs and were paid by Government. One Amir was sent to the Raj Kumar College, and was so unhappy that he afterwards returned.

3097. That special help failed?—Yes.

3098. Were any special appointments created for them?—Yes, there were extra assistantships kept specially for them. Four or five Amirs were employed.

3099. Were the appointments retained for them given promiscuously?—Yes, even now Government patronizes them

3100. When Sind was made over to the Bombay Government, the Bombay Judicial and Administrative system was introduced, and the consequence was that the Natives in Sind were not qualified to do the work, and a large number of the Kheftedars, Mamlatdars, and Munsiffs were imported, I believe?—Yes.

3101. The number is decreasing?—Yes.

3102. How did that come about?—At first very few men possessed a knowledge of English, but by degrees these men were taught English; and are getting the positions occupied by foreigners.

The *President.*

3103. I think you have a special college in Sind?—Yes.

The Hon'ble Mr. *Quinton.*

3104. In the Hyderabad High School was Sanskrit and Arabic taught?—Persian was taught.

3105 In the Elphinstone College did Sanskrit form part of the curriculum?—Yes, and Persian was taught

3106. Did more students learn Sanskrit than Persian?—The second language was obligatory. You could take up Latin or Persian if you liked, and the Mahrathas generally took Sanskrit.

Mr. *Stewart.*

3107. Would you recruit the Uncovenanted Service from Natives or from all natural-born subjects of Her Majesty?—If you are going to stick to the charter of 1833 as well as the words of the proclamation, and if you are going to have simultaneous examinations, then I see no reason why the Uncovenanted posts should not be open to all natural-born subjects of Her Majesty.

3108. The present enquiry is confined to Mamlatdars, Deputy Collectors, and Subordinate Judges. How do you regard the Mamlatdars?—At present the Mamlatdars are recruited from the head Munshis, who are generally third class Magistrates. I would still go on recruiting from head Munshis and other men in the Revenue Department who pass the prescribed departmental examination As far as Deputy Collectors are concerned, I would say give the appointment for meritorious services.

Mr. *Ryland.*

3109. Would you give it to any other meritorious person of noble and distinguished family?—If they had done something to qualify themselves, I would give it to them on probation To do that I would retain the present system

3110. What does a head Munshi correspond to in the Presidency?—He corresponds to what is called the head Karkun. I would give it also to graduates of the University who have passed the prescribed departmental examination.

3111. Do not the rules apply to them?—The general complaint is that few graduates take advantage of the rules They have to serve as second Munshis first, and then only do they get a chance of becoming Mamlatdars. No single graduate has become a Mamlatdar in our Province. In Sind they will not enter as Mamlatdars on these conditions. If they were allowed to become Mamlatdars on this condition that they passed the prescribed departmental examination, I believe very many would come in.

3112. How many Sind students have passed through the University?—Fourteen or fifteen B A 's. No M. A.'s.

3113. How do you advocate the recruitment of Subordinate Judges?—As far as Deputy Judge, I would recruit from persons who had passed the higher pleader's examination as well as L L. B 's.

3114 Supposing the Statutory system was abolished, would you give the proportion of offices now assigned to it to the Uncovenanted or Covenanted?—On certain conditions I would give some to the Uncovenanted Service.

Mr. *Nulkar.*

3115. As regards efficiency and popularity how does the work done by the Subordinate Judges compare with that done by the previous service recruited on a different principle?—I believe that those who have passed the higher departmental examinations work much better and give more satisfaction to their superiors as well as to the public.

3116. How does the work done by the Native Magistrates compare with that done by the Subordinate Judges?—I would divide the Native Magistrates into two classes. The second and third class Magistrates are I think doing fairly well. Mistakes often occur, but it is remarkable how they steer clear of them. It is a great advantage in magisterial work to know people; as regards the first class Magistrates I have never heard a word said against them.

Mr. *Stewart.*

3117. As regards pay, should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service, according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—For my own part, when I was placed in the Statutory department, I did not receive any great increase of pay.

3118. What pay were you drawing when you joined the Statutory service?—I was drawing R175 I had a small advance to R225

3119. Do you find that sufficient?—I spend all, and sometimes I have to draw on my family funds. That's the truth about it.

3120. For the average young Native do you think R200 sufficient?—I think it too small.

3121. Do you think any distinction should be made in the matter of leave and furlough rules?—I think there should be some distinction. At present Europeans get subsidiary leave, which Natives never get, as they never go to Europe I would also give Europeans their passage money to and fro to England when they take furlough, that is the distinction I would make. I would make no other distinction.

Mr. *Ryland*

3122. Are you aware that a great many Natives express a desire to go to England?—Yes, there are some people who would like to go to England. I am speaking of my own province, not other provinces.

Sir *Charles Turner.*

3123. Do you say you cannot live on R200 a month?—I don't say I cannot live, but I do not give a pie to my family.

3124. You can pay your own expenses?—Yes.

3125. Are you a married man?—Yes.

3126. Any family?—One daughter.

3127 What is the pay of a Subordinate Judge of the lowest grade?—I believe R150.

3128 Can a Subordinate Judge manage to live on that?—Oh yes.

3129. They are older men generally than you are?—Yes, they are.

3130. How is it that your pay is insufficient when a Subordinate Judge's is not?—Because I spent a great deal on my education. I was the first

Sir *Charles Turner*—continued.

LL. B. in the whole province; and my pay was first R175, and looking at my University distinction I think the pay was small. I am not particularly avaricious.

3131. I do not mean to suggest that Do you know any other Statutory Civilians?—No, I don't. I am the only Statutory Civilian in Sind.

3132. It is a non-regulation province of course?—There is nothing but the Secretary of State's order. There is no Statutory prohibition to the employment of gentlemen in any post in Sind, whether they belong to the Statutory Service or not.

The Hon'ble Mr *Quinton*.

3133. Do you accept the principle that because you have had a more expensive education than other officers employed, you ought to be paid at a higher rate?—If I am considered meritorious. Not because I have a University degree.

3134. You mentioned, I believe, that one great obstacle in the way of going to England was the expense?—Yes.

The Hon'ble Mr. *Quinton*—continued.

3135 At present suppose we cannot find sufficient men in India to fill offices adequately, you must of course import them from England Would you pay them the same salaries as natives?—As far as the general tax-payer is concerned, I would not pay the people you find in India the same as the imported article. The very question pre supposes that the person imported is more excellent than the article on the spot, then I would give higher pay if he could not be found here.

3136. Is not that principle adopted at present?—A good rule to follow would be that of demand and supply.

3137. What would the effect of that be?—The effect of that would be that the interests of the tax-payer would be best served.

3138. You say that the rate of salary should be regulated by demand and supply. Very good, supposing you could not get a sufficient number of men on the spot?—Then I should try to get the best in the intellectual market.

WITNESS XLV.—25th January 1887.

Examination of F A. H. ELLIOT, ESQ., Bo. C. S., Survey and Settlement Commissioner, Baroda.

Mr. *Stewart.*

Vol IV Sec. II Bombay.

F A H Elliot, Esq

3139 You are a member of the Bombay Civil Service?—Yes, I am now on special duty as Survey and Settlement Commissioner, Baroda.

3140. What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfation, is the dissatisfaction general, or is it confined to certain sections of the community?—One ground of dissatisfaction, which is usually expressed, is that they are able to perform their duties satisfactorily, and at the general level of education is lower than should be.

3141. Is the disapprobation generally against e selections made?—Yes.

3142. Is there any objection to the principle of e rules?—The Natives naturally think the service should be thrown open to competition.

3143. To open competition?—Yes.

The *President.*

3144. Is there any objection to the Statute?—No.

Mr. *Stewart.*

3145. Have you any objection to the definition of Native of India?—I should like to see it extended to subjects of Native States.

3146.—How far are posts in the Baroda administration open to officers of the British Government?—Every high post at present in Baroda is held by men who have served in the British administration, except one.

The *President.*

3147. Do these subjects of the British Government belong to the Uncovenanted Service as a rule?—Any person who is fitted to occupy a post is appointed to it.

3148. Are fit persons always found?—His Highness feels very strongly on that point, and I am fulfilling a commission here for the Maharaja who asked me to speak for him. The services of a large number of the chief officers in the Baroda State have of late been lent to it from the Uncovenanted Service through the kindness of the Government of Bombay. Though in time the number may be lessened, such help will constantly be needed if the administration is to be kept up to the mark. His Highness the Maharaja Gaikwar is so impressed with the value of the training Civil officers receive under the British Government that, if allowed to do so, he would gladly every year nominate one public servant who, if necessary, would proceed to England and pass all the probationary examinations in England The probationer, if successful in these examinations, would serve for five or six years in the Bombay Presidency, the Baroda State paying whatever salary the Bombay Government thought fit to give him. I mention this simply to show the interest taken in certain quarters in the result of the enquiry that is now proceeding It is for others to judge if the offer thus distinctly made is one which will conduce to the general good.

The *President*—continued.

3149. Supposing the Statutory system is retained as now, would you require selected persons to proceed to England?—Personally I should not care for that. I find that the Uncovenanted officers serving in Baroda do fairly well in higher posts than they can obtain in the Bombay Civil Service.

Mr. *Ryland.*

3150. Is there any preference shown for Natives at Baroda over Europeans?—I do not think so. On the contrary.

3151. Do you think Europeans are liked as much as Natives?—We have several Europeans. The Principal and Vice-Principal of the College, the head Engineer of the department. I am a European and the military adviser is a European.

3152. Do they hold any administrative posts?—I should like to correct a mistake that was made here that there is a feeling in Baroda that Marathas only should be employed; that is not the case. The Chief Justice is a Parsi and several high officials are Brahmans. In fact people are carefully selected from all classes.

The *President.*

3153. Are the districts in charge of Natives?—Yes.

3154. Are they efficiently administered?—Fairly well.

3155. Are those Natives trained under the British Government?—Yes, many of them

Sir *Charles Turner.*

3156 Are the districts as efficiently administered as British districts?—Oh no. I am authorized to give His Highness' opinion on this subject, and I think it is worth listening to. He finds that these officers are deficient in some qualities They do not exercise the powers entrusted to them sufficiently. In fact they copy the British original too closely. His Highness thinks that the disinclination to accept responsibility is owing to their having been too long in subordinate posts.

The *President.*

3157. Do they not like a sense of responsibility?—They are afraid of responsibility, having been for so long trained in subordinate posts, and that is why a proposal has been made to get men trained under British Officers and let them rise rapidly to posts such as these men occupy.

Mr. *Nulkar.*

3158. From the evidence of Mr. Pestanji Jehangir, the impression which was left on my mind was that there was a tendency, since the withdrawal of the Minister appointed by the British

Mr. *Nulkar*—continued.

Government, to fall back on the old system which patronizes the Mahrattas?—I believe that there is such an impression that Mahrattas are taken in preference to Guzeratis.

3159. But is there any such tendency?—I think not

3160. Even after the withdrawal of the British nominee?—I think not. Mr. Manibhai Jusbhai has been appointed naib dewan. He is a Guzerati I believe His Highness has a great personal liking for Mahrattas, but you cannot find many Mahrattas put into posts for which they are altogether unfit.

3161. Does he feel that his likings must not endanger the efficiency of the service?—Yes.

Sir *Charles Turner.*

3162. Are there any Mahomedans in Baroda?—There are many.

3163. What is their condition with respect to education? Are they backward?—They are backward certainly.

3164. Have any extraordinary steps been taken to encourage Mahomedan education?—No extraordinary steps.

3165. Do Mahomedans attend the same schools as Hindus?—Yes, a few attend college. There is the greatest friendship between Mahomedans and Hindus.

3166. With regard to the Mahrattas, are they more generally taken into service than they were twenty years ago?—There are still but few Mahrattas

3167. Is there a Sardar class, and do any of their sons or the sons of Girassias get employment?—A few take service. At present I have three or four men serving under me.

3168. Have you at all attempted in Baroda to interest the zemindari class in the administration of the country by forming committees with a practical man to guide them?—No, they are simply at school at present.

3169. Do many of these gentlemen manage large estates?—They are not a very large class, and they do not manage their own estates, especially the Mahrattas who are very ignorant

3170. Have they Brahmans to administer their estates?—Yes, but they are very small estates, and the class is very much in debt.

The *President.*

3171. Did you not have at one time an Arab settlement in Baroda?—The Arabs to whom you probably refer were a body of military men

Mr. *Stewart.*

3172. Are there no young men in Baroda whom you would care to introduce into the British service under the Statutory system?—If we could get good men to join it.

3173. Are there not sufficient men of the class of Thakurs or Girassias?—I don't think so

3174. Is the journey to England looked upon with disfavor by Natives in Baroda?—The distance would not affect the Natives of Baroda to a great extent. There are many difficulties, and there would be a general unwillingness.

Sir *Charles Turner*

3175. Are the difficulties great?—Partly the cost deters men, and partly the risk of failure after all their trouble.

Mr. *Stewart.*

3176. As regards the age, would you change the limit?—If the age was raised to twenty-three it would be an advantage

3177. Do you advocate passage-money being given to intending competitors?—They so much dislike the idea of the chance of competition at home that I would not advocate any change.

3178. Would you advocate the competition in England being confined to Europeans?—I would leave it just as it is at present

3179 Would you have a simultaneous examination in England and India?—I do not think so. I would have one examination for Europeans and one for Indians You are examining two different classes.

3180 Would you advocate any apportionment of appointments?—If you introduce Natives in larger numbers and set aside a certain number of appointments for Natives, I should have open competition in India for them, then every one could compete.

3181 Would you have the examination identical with that in England?—There is no necessity for having it the same, and therefore I should have it different.

3182. Would have it held at one centre, or more than one centre?—I think the examination might be held at several centres. If the Civil Service is recruited in this country by competitive examination, I think the examination should be provincial

3183. Do you know any of the young Natives who have entered by competition in England?—I do not.

Sir *Charles Turner.*

3184. As I understand it, you do not think there should be any competition in India for Covenanted Civil Servants?—No, I should like to see the men recruited in this country enter through the Uncovenanted Civil Service

3185 Would you take away from the Statutory Service such of the reserved posts as have been assigned to that service and give them to the service provincially recruited?—Yes

3186 Do you think it desirable to recruit for all grades of the provincial Civil Service by one examination or by separate examinations—one for the higher and another or others for the lower grades of the service?—Simply one for all posts in the Uncovenanted Service.

3187. The Uncovenanted Service is rather a large field. Some of the posts in it require perhaps as much ability as posts in the Covenanted Service, and some require only a modicum of ability. Do not you think it desirable to have separate services and to recruit them from different intellectual strata?—No, I do not think so. I think Government nomination would do all that is required.

3188. You would not have open competition?—I should have the service recruited by nomination.

3189. Would it not be more satisfactory to the people of the Presidency if the service was open to competition? What objection have you to competition?—The best test is by actual service. Let them rise by actual work done

3190. Would you allow Government to nominate persons who were not members of the Uncovenanted Service?—A few posts might be so

Mr *Nulkar.*

3191. Supposing examinations were held in India according to your plan, it would be a Native Uncovenanted Civil Service?—Yes.

3192. You said in the course of your answers that you would apply two different tests to the European and Native, as you considered them different beings. Do you know that Natives are now eligible for competition in England?—I would not object to that.

3193 What becomes of the difference there?—The difference remains, but there has been a more complete training.

3194. You would not withdraw that privilege from them?—No.

3195. With reference to the question of the Arabs, there is some misunderstanding about it. You have seen a great deal of Kattyawar in connection with your duties, are they the same class as those you had some time ago?—I do not think so. Those so-called Arabs in Kattywar are Mekranis.

3196. There are two classes?—Then I do not know the difference.

3197 Some of the Arabs there are the same as the Arabs who have settled in Hyderabad and become Natives and hold jagirs?—In Baroda they were a body of military men.

3198. They came about the year 1802?—Yes.

3199. They come from a class of Arabs called Bedounis?—Yes.

3200 And are military mercenaries?—Yes.

3201. Such as take service in a Native State?—Yes, but we have got rid of them now.

Mr. *Stewart.*

3202 Would you throw open the Uncovenanted Service to all natural-born subjects of Her Majesty?—Yes, provided care was taken that there were not too many Europeans

3203. The enquiry regarding the Uncovenanted Service refers to Mamlatdars, Deputy Collectors, and Subordinate Judges. As regards the Mamlatdars what system would you recommend?—I cannot give evidence on that point. The only impression I have received in talk with people is that there is a want of encouragment for educated people.

3204. With regard to Subordinate Judges?—I am told that there is no objection to the present Judicial service.

3205. Then would you advocate any change?—No.

3206. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—If these men rise to high posts they should get the pay.

3207. Should any difference be made in the Furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer or on any other and what ground?—I should give furlough to encourage people to go to England, that is the only difference I should make.

Mr. *Nulkar.*

3208 How does the pay of the State servants of Baroda compare with that drawn by Native servants of the British Government?—It is higher and the prospects are better I should say. There are for instance four Subas who get a maximum of ₹1,200 per mensem.

Mr. *Nulkar*—continued.

The Hon'ble Mr. *Quinton.*

3209 You say that generous pay should be given to attract the best Natives. Do you mean that they should receive the higher scale of the Uncovenanted or the same scale as the Covenanted?—That is a matter of finance.

3210 Should there be any distinctions on the ground of nationality? Do you think it necessary to offer as high pay to induce qualified Natives to accept the reserved posts as you would require to do to secure qualified Europeans?—Yes.

3211. Cannot sufficiently qualified candidates be obtained for less pay?—I cannot say. The District Officers at Baroda get ₹1,200, you may call them Collectors, and the Sir Subha ₹1,600.

3212. What is the highest Judicial officer corresponding to District Judge?—We have three Judges of the High Court who get from ₹1,600 to ₹1,800.

3213. Do you find the salaries at Baroda sufficient to attract the best men?—We do not get as good Collectors as we might, but I do not know if this is due to inadequacy of the salaries.

3214. What pay do you get yourself in Baroda?—₹2,000.

Sir *Charles Turner.*

3215 Do officers of the higher ranks get any perquisites, such as carriages and horses?—There are some small perquisites in the case of the Minister The Chief Justice does not receive any.

3216. I think you mentioned ₹1,200 as the pay of the Collector, but what do the Assistant Collectors get or officers corresponding to that grade?—I think they receive ₹600 or ₹700

3217 How many Collectors are there?—Four.

3218 Is ₹600 the maximum pay?—Things are not so fixed under Native as under British rule. We get what we require. We know what a man gets before he comes into the Baroda State, and we make it attractive to him by offering a little more.

3219 May I ask is there the same certainty of employment in the Baroda State?—It is hoped the State has the confidence of its public servants. I think in Baroda it is increasing every day.

3220 Are the higher officers changed with a fresh Minister?—Not since Mulharao's time.

3221 Is not such a change a usual characteristic of service in Native States?—Things have changed a great deal in the Bombay Presidency. Everything is becoming as certain in Native States as elsewhere.

The *President.*

3222. Are you getting more pay than under the British Government?—Yes.

3223 In fact to attract European labor the State has to pay more than the British Government?—Yes.

Mr. *Stewart.*

3224. Do not officers of the British Government taking service in Baroda always stipulate that they may keep a lien on their appointments under the British Government?—Yes. They usually ask for that.

WITNESS No. XLVI.—25th January 1887.

Examination of A. H. Plunkett, Esq., Uncovenanted Service.

City Magistrate, Poona.

Mr. *Stewart.*

3225. You are City Magistrate at Poona?—Yes.

3226 How many years have you been in the service of Government?—Thirty-five years.

3227. What appointment did you hold previously?—I have been Deputy Collector and Magistrate over twenty-three years.

3228. What is your present pay?—Rupees 600. I am in the third grade under the new scale.

3229. You have had opportunities of seeing some of the men in the Statutory Service?—I have, and I do not consider them equal to the Civil Service, nor superior to the men appointed to the higher grades in the Uncovenanted Service It is therefore not equal to the Civil Service or better than the Uncovenanted Service.

3230. To what do you attribute that?—In some measure I suppose to selection.

3231. Is any dissatisfaction felt with the Statute?—No, I think not. I should like to see it made clear that there is no disqualification of domiciled Europeans Some years ago it was a question in dispute, and the interpretation has been unfavorable to them. The children of Europeans in this country have had reason to complain that in some instances they have been refused employment. I consider that as sons of persons brought to India by Government, their claims ought not to be overlooked, provided that they are fit for the public service. We ask for no undue concession.

The *President.*

3232 Do you think that there should be a more clear declaration?—It is still a question of dispute whether, according to the Statute, it is not domicile but birth in the dominions of British India that qualifies. I was born in India, and I have never been out of India.

Mr. *Stewart.*

3233. Do you think any alteration in the rules necessary?—I don't think any alteration in the rules is required.

3234 Do I understand that you would merge the Statutory Service in the Uncovenanted?—I do not like the Statutory Service. I would rather see men of proved merit and ability selected for places reserved for the Covenanted Service.

3235. What is your opinion generally on the subject?—I would reserve the administrative appointments on political grounds for Europeans, and when that was done, I would promote a certain number of men from the Uncovenanted Service for merit and ability to the appointments reserved for the Covenanted outside of administrative appointments. I would reserve Collectorships for Europeans. I think this is a political necessity.

3236. You would take away a certain number of appointments from the higher service and give them to the Uncovenanted Service as it at present exists?—Yes

Mr *Ryland*

3237. Would you have any intermediate service?—No

3238. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—I don't think it would be of any use.

Mr. *Nulkar.*

3239 You said that some doubt exists under the Statute about Europeans. Can you give us a case?—I cannot point at the moment to any particular case One occurred some few years ago in Madras, I believe.

3240. So you would include in the category of Natives, domiciled Europeans instead of those born in India?—I would be in favor rather of a person being domiciled. I would not care if he was born out of India

3241 You were in Sind I believe?—I was for eight years in Sind I served under Sir Bartle Frere, Mr. J. D. Morrarty and Mr. Mansfield.

3242. Do you remember the policy which the Government of Sind followed in helping the backward classes of Mahomedans?—I remember in the beginning that the plan was introduced of finding employment for the aristocracy of Sind There were appointments such as Extra Assistant Collectors, which were held by the sons of the Amirs.

3243 What was done to fit them for the post?—I have no special knowledge of the arrangements I am not prepared to say.

3244. Does that policy still exist?—English education has progressed in Sind since 1843, and when I left in 1866 we had very flourishing high schools in Shikarpur, Sukkar, Hyderabad and Karachi

3245. What has been the result? Have the posts been kept open specially for the Amir's families?—I have been long away from Sind; but to judge from the civil lists, I see that the special posts are held by Natives of Sind, both Hindus and Mahomedans. They are no longer kept specially for that class as far as I can judge.

The Hon'ble Mr *Quinton.*

3246 I understand your dissatisfaction with the Statutory Service is because inferior men are selected?—Yes.

3247 Have you met any of them?—It would be invidious for me to mention names

3248. Are there any in your district?—There have been so few appointed as yet, but there is one I know.

3249 Is he inferior?—He is inferior to the generality of men in the Uncovenanted Service. I would not allow any one to seek admission to these posts except through the Uncovenanted Service There would be a guarantee of merit if they were taken entirely from that service. It would depend

The Hon'ble Mr *Quinton*—continued.

upon the report of the heads of departments as to their ability.

3250. Do you not think it possible that there would be a great difference of opinion regarding "proved merit and ability" if they were selected, as you say, by Government on the recommendation of the head of the department?—I don't think so

3251 There would not be, you think, the same objection as at present?—No, already there is an educational test required for admission to the service, matriculation for the lower grades of the Executive Service. In my office the karkuns on twelve rupees a month are all matriculated men. Then such men, after a certain limit of time, have to pass the subordinate standard departmental examination, and then, afterwards, if they want to take a higher post, they have to pass a higher examination, so that you have qualified men who have been tried and selected for their ability.

3252 Don't you think imputations might be cast on the fairness of Government even then?—I don't think so.

Mr. *Ryland.*

3253. If the candidates are selected carefully from the Uncovenanted Service, you do not think there will be any apprehension such as exists now with regard to the Statutory Service?—No.

Sir *Charles Turner*

3254 The appointments that will be made will create considerable discussion?—Yes.

3255. Do you think public opinion will be a sufficient safeguard to secure for the appointment men certainly above the average, of proved merit and ability?—There would be the further guarantee that they would do good service by reason of their previous training

3256 You think public opinion would be a safeguard against favoritism?—Quite so: it would be.

3257. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Natives of India desire admission to the Covenanted Civil Service, and recruitment, as regards themselves, in India. I consider a period of special study in England essential for members of the Covenanted Civil Service I do not consider that at present there are sufficient educational facilities in India to satisfy the high tests required for entrance to the Civil Service Having regard to the necessity for the most superior men procurable for the higher branches of Civil administration in India, and that the best, the most liberal, and the most finished education to be procured in England is a necessary qualification for admission to the Civil Service, I advocate examinations being held in England only. Indian candidates would thus require to undergo some education in England, a condition very necessary for fitness for high and responsible employment in India Native candidates are however placed at a disadvantage in respect of age, the present maximum of nineteen years not being sufficient to enable Indian candidates to go to England to prosecute their studies in time to pass the preliminary test before the expiry of the age limit. I am of opinion that the age limit should be raised equally for both European and Native candidates. and that the limit might be twenty-three years On political grounds I would reserve the highest administrative appointments for Europeans, and fix the proportion of Natives

Sir *Charles Turner*—continued.

for admission to the Covenanted Civil Service at not more than 50 per cent of the entire establishment of that service. I do not consider that any further alteration need be made to minimize the disadvantage felt by Natives of India in competing for employment in the Covenanted Civil Service Certain classes of Hindus have caste objections against a voyage to England and life there, but these prejudices are diminishing, and will ere long die out I do not advocate examination in India for the Covenanted Civil Service, as I consider that the Educational Institutions available in India are at present not capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure.

Assuming that an examination is held in India, I would advocate that it should be identical and simultaneous with that held in England, the same question papers being used at both examinations, that it be held at one centre only; that the number of appointments to be competed for be fixed annually for all India, and that the successful candidates be required, as a condition obligatory, to proceed to England to complete their training before final appointment, under the conditions and period of probation applicable to candidates passing in England, suitable allowances being given to enable them to prosecute their studies there, their passage to England being also paid by the State. In the case of Natives entering through the competitive channel in England, I would give the same rates of pay and pension and allow the same leave and furlough as are allowed to Europeans.

Mr. *Nulkar.*

3258. Would you fix any proportion of Natives for the Covenanted Service?—It should not exceed 50 per cent.

Mr. *Stewart.*

3259. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Cap 3, Section 6, or from all natural-born subjects of Her Majesty?—I am of opinion that the Uncovenanted Service should be recruited from and be open to all natural-born subjects of Her Majesty as the Covenanted Service is, provided the candidates possess the qualifications that may be from time to time prescribed. This would be in accordance with the terms of the Acts of Parliament and Her Majesty's Proclamation of 1st November 1858.

3260 How would you recruit for Mamlatdars?—I consider that the present system works very satisfactorily. There is always a very large number of men available for employment in the Bombay Presidency, who have passed the Entrance examination of the public service. I would allow the present system to continue.

3261. What do you think of the system by which preference is given to graduates?—There has been some outcry on the subject of graduates and non-graduates I would abolish the distinction and make all who pass the public service examination equally eligible.

3262. Would you advocate provincial recruitment?—I would say provincial.

Mr. *Nulkar.*

3263. You advocate an apportionment of appointments to the Uncovenanted Service?—Yes.

Mr. *Nulkar*—continued.

I should like to see the proportion recognized, Hindus generally one-half; Europeans, Eurasians, and Christians generally one-fourth, and Mahomedans, Parsis, and Jews one-fourth. That is, I think, a fair proportion.

3264. Do you know, or have you seen the work of the present class of Subordinate Judges?—I am not familiar with that branch. I have had no occasion to compare their work with that turned out by the Native Magistracy.

Sir *Charles Turner.*

3265. You would reserve one-fourth of the appointments for Europeans, Eurasians, and Christians generally?—I think that a fair proportion. There are fewer now in the Uncovenanted Service than there were twenty years back.

3266. Have you had much experience of the work of Mamlatdars?—My work has been entirely that of a Special Magistrate for the past ten years Previous to that I was treasury officer with magisterial powers.

Mr *Stewart.*

3267. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service, according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted Service?—I propose that up to ₹1,000 no distinction should be made, but above that I would make a reduction of 30 per cent.

3268. What is your reason for placing those limits?—For this reason that, according to the plan that I advocate, the appointments taken from the Covenanted Civil Service would be given to men from the Uncovenanted of approved merit and ability A thousand rupees is somewhat better than the pay of the higher grades of the Uncovenanted, therefore I would make no reduction up to ₹1,000. After that I would make a reduction of 30 per cent., as the expenses of Natives in India are less than those of Europeans.

Mr *Ryland.*

3269 What about the Uncovenanted Leave and Pension rules?—I am not prepared to say anything on that point.

Mr *Nulkar.*

3270. Why do you think the pay should be the same up to a thousand rupees?—If it is not the same up to a thousand rupees, it will not be worth while for the members of the Uncovenanted Service to take the appointments.

Mr. *Ryland*

3271. What is your present pay may I ask?—Rupees 600.

3272 Have you no other lines open to you in the way of promotion?—Not in the Bombay Presidency.

3273. Is there nothing else you can aspire to?—There are no openings; there are so few appointments, the judicial being separated from the executive. I was once appointed Cantonment Magistrate at Poona

3274 Appointed to that office especially for your qualifications?—It was so

3275 How long did you hold the post?—The question was raised by the Accountant General as to whether an Uncovenanted Officer could hold the appointment permanently. He held that the appointment was reserved for a Military Officer The matter went to the Government of India, and, under the ruling of the Government of India and the Secretary of State, it was considered that so long as a Military Officer was available an Uncovenanted Officer should not be appointed. Accordingly, when a Military Officer became available, I had to go back to my grade in the Uncovenanted Service.

3276 Was this done against the opinion of the Local Government?—The Government at the time passed an order that I had been specially selected for the appointment on the ground of fitness.

3277. In your case, where efficiency *versus* interest was concerned, you had to give way?—Hardly. It was according to rules.

3278. Could the appointment be held by a Civilian?—It could

WITNESS XLVII.—25th January 1887.

Examination of Ráo Báhádur GURSHIDAPA VIRBASAPA GILGANCHI, District Deputy Collector, Belgaum, representative of the *Lingayat* Association.

Mr. *Crosthwaite.*

3279. You are, I believe, in the Uncovenanted Service?—Yes I am District Deputy Collector of Belgaum, and I was previously Mamlatdar and Head Clerk.

3280. Do you represent the views of the Lingayat Association?—I do.

Sir *Charles Turner.*

3281. What is the object of the Association?—To promote education among the Lingayats.

3282. Who are the Lingayats?—A section of the Hindu community.

3283. Are they Brahmans or Non-Brahmans?—Non-Brahmans.

3284. Are they Sudras?—I don't admit that.

3285. Has your society taken any particular steps to induce Government to appoint persons to office who are not Brahmans?—They have, and I have laid on the table a memorandum addressed to Government on the subject.

The *President.*

3286 How many members does the society consist of?—Eighteen members.

3287. Do the Lingayats form a large proportion of the community of the Bombay Presidency?—Yes. In the districts of Belgaum, Dharwar, and Bijapur, there are several lakhs.

The Hon'ble Mr. *Quinton.*

3288. They are shown separately in the census Report, and the number is stated at 168,000 or 1 34 per cent.?—But there are several in Mysore and other places.

Mr *Crosthwaite.*

3289. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—The prevalent feeling in the Carnatic regarding the existing Statutory system is one of indifference, that is to say, the majority of the population are not very particular about the individual appointed to the service, so long as he is above corruption, just and kindly disposed towards them. There exists, however, a feeling of dissatisfaction among a small number of educated persons such as B A.'s, M A.'s, and other graduates and in the Uncovenanted Service such as Deputy Collectors and Mamlatdars of proved merit and integrity, and also among the leaders of different castes.

3290 What are the grounds upon which any such feeling is based?—These graduates complain that men inferior to them in education are put over their heads, receive larger salaries and are more respected in society on account of their high official position, the Uncovenanted servants for the latter two reasons, and the leaders of castes for the reason that each caste is not represented in the service.

Mr. *Crosthwaite*—continued

3291. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic, Chapter 3, Section 6), or is it directed against the rules framed thereunder?—The feeling of dissatisfaction is directed neither against the Statute nor against the rules, but only against the mode of selection actually adopted.

3292. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—British India is inhabited by numerous castes or classes of people, one hating the other on religious grounds, and these castes can never be reconciled with each other till there is one religion for the whole of India. Of these castes only a few have advanced in education and these are the Brahmans in the Bombay Presidency, the Amals in Sind, the Babus in the Bengal Presidency, the Mudiliyars and Nayadus in the Madras Presidency, and the Aiangars or Ramanujas in the Mysore State. The remaining classes are, however, backward in point of education owing to several causes which it is unnecessary to mention here, but it is a fact that they form the bulk of the population, that they contribute mainly to the public funds, and that, as such, they have stronger claims to the public patronage. There is, however, no analogy between the success of Scotchmen in England and of Brahmins and Babus in India, because a Scotchman represents in national and social instincts, any other subject of Her Majesty the Queen in Great Britain, whereas caste makes a Brahman or Babu, and a Brahman or Babu represents only a Brahman or Babu. If, however, mastery over the English language were declared to be the only test of fitness, then the abovenamed few classes, whose numerical strength is comparatively insignificant, and who pay little or nothing towards the support of Government, would continue to monopolise the service to the detriment of the backward classes. By this means another bureaucracy, which the educated Natives deprecate in strong terms, would be created, and the consequences of which would be dreadful when it is borne in mind that caste has the most powerful influence over its members. As an instance of this I may refer to the late riots of Delhi and other places, where a Hindu Honorary Magistrate was reported to have sided with his caste fellows, and the Mahomedans to have expressed their determination to kill him. But this is human nature and one cannot help it. The real danger to the State lies, however, not in not advancing the already advanced, but in not conciliating and advancing the ignorant yet influential and physically strong classes of Natives. It must also be remembered that eminent educationalists are not required for the Statutory Service and a thorough knowledge of English, of which alone the Indian graduates can boast, is not an exclusive test of fitness. A moderate amount of education, coupled with a strong constitution, and good moral and social status, is all that is necessary to make an efficient officer of Government. For these and other similar reasons I consider that

Mr. *Crosthwaite*—continued.

the educational test to be imposed, should be such as would enable a man to perform his duties satisfactorily and the selection so made as to secure the representation of all classes in the service, so long as there are qualified persons in those classes; or in other words, the first appointment should be given to a Bráhman, the second to a Maratha, the third to a Mussulman, the fourth to a Lingayat, the fifth to a Jain, the sixth to a Mhar, and so on until all classes are provided for, and this mode of selection should be repeated In order to secure the services of the best men from each caste, a competitive examination should be held in the Presidency town between the candidates of the caste whose turn it is to get the appointment The Collector of each district in the Presidency should recommend one man from his district belonging to the caste from which the selection is to be made in the particular year. This arrangement will give eighteen candidates, or perhaps less in some cases of each caste in the Presidency proper, and the fittest of them would succeed This mode of selection or some such other method would or ought to satisfy all classes of Natives.

3293 Should be the limit of age for the Covenanted Service be increased?—I think so.

3294 Do you advocate any simultaneous examination in India and England?—No

3295 Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Chapter 3, Section 6, or from all natural-born subjects of Her Majesty?—I am content with the definition Natives of India, including Eurasians.

3296. You advocate no amendment of the Statute?—No.

3297 Should the recruitment be by competition or by nomination or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—By the tests that are in force—a Deputy Collector should be promoted from Mamlatdar.

3298 —You advocate no change?—No.

3299 What is your opinion with regard to District Judgeships?—I have none.

The *President*.

3300. Are you satisfied with the present system of appointing to the Uncovenanted Service?—If the appointments are made caste by caste, supposing there were ten castes, the appointments ought to go in rotation.

3301. What should be the test of fitness?—It should be by examination.

3302. Would you keep the present rules?—The appointment should go to competent persons as tested under the present rules.

Mr. *Nulkar*.

3303. Do you count Lingayats among the backward classes as regards education?—Yes, I do.

3304 What is the general cause of the backwardness of certain classes under the Government system of education?—A higher class education is beyond their means, and another reason is, that

Mr. *Nulkar*—continued.

those who have acquired a little education do not yet get Government appointments.

3305. How can Government help the backward classes?—By encouraging education and appointing men to Government posts.

3306. How can Government encourage education?—By founding scholarships.

3307. For the Lingayats?—Not only for the Lingayats, but for all backward classes.

The *President*.

3308. If the appointments in the Government service are apportioned among the different castes, would you advocate different, educational qualifications, or would you apply the same test to all?—I would apply the same test.

3309 —You would not lower the test in some cases?—No, I would only have the appointments apportioned.

3310 You would not make it necessary to have a University degree?—No.

3311. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of Native community?—The present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services is regarded with disfavor by influential sections of the Native community for the reasons I have mentioned, as it brings into the service only a few classes Even persons belonging to these favored classes, such as Karkuns, stigmatise the system as unfair, because under it they cannot rise to the posts of Subordinate Judges and Mamlatdars and other *reserved* posts for graduates, and for those that pass the Lower and Higher Standard examinations. But their exclusion from high offices is due to no fault of theirs, because Government admits them to the service knowing that they are not graduates and that they are either forbidden or unable to pass those examinations They are, however, often more competent than graduates and others to conduct the duties entrusted to graduates, from their intimate acquaintance gained from long experience with the details of the work to be done. This state of things creates despair, and forces even good men to go astray. In my opinion, either no person, not a graduate, should be admitted to the service, or the person admitted should be promoted to the highest position in the service which he is fitted to occupy In this connection the "umedwar" (volunteer) system is to be stigmatised as unfair to the backward classes, as it fills the offices with relations and friends of the existing monopolists and excludes others. It also ties the hands of the officer having the power of appointment, and precludes him from bringing in an outsider even if he is disposed to do so.

3312 Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service, according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—The present pay should be maintained, and the leave rules must be the same.

3313. Is there any other point on which you have evidence to offer?—No.

WITNESS XLVIII.—25th January 1887.

Examination of F. L. GOLDSMID, Esq., District Superintendent of Police, Kolaba.

Vol. IV Sec II Bombay.

F L Goldsmid, Esq.

Sir *Charles Turner.*

3314 What position do you hold?—I am District Superintendent of Police, Kolaba; I was formerly Assistant Commissioner, Northern Division.

3315. I believe you take great interest in the Uncovenanted Service question.—I do.

3316. Do you wish to give evidence as regards the Statutory system?—Yes

3317. What is your objection to it?—I object to it because I think men of approved merit and ability ought to be appointed to it from the Uncovenanted Service That seems to me the proper way of discovering proved merit and ability.

3318 Assuming the Statutory system to be retained, what amendments would you suggest in the Rules with a view to remove any reasonable objections which may be felt to them?—I would add in Section 6 "and others," after the words "Natives of India," and I would emphasise the word "proved." The proof of the merit and ability should be proof given before the general public, whether by brilliant success at the University or by satisfactory service under Government or in a profession. If I do not make a mistake, one person actually resigned two or three years ago, because he could not pass the departmental examination.

Mr. *Stewart.*

3319. You think the best way to ascertain approved merit and ability is by service in the Uncovenanted branch?—I would do away with the Statutory service, and have the Statute kept as a reward for service.

3320. If the Statutory service is retained, would you send the persons appointed to England?—Yes, it might be done.

3321. Would not the fact of sending men to England to undergo a special training imply that there has been a violation of the Statute respecting men of proved merit and ability?—It would, and that is another reason for doing away with the Statutory system.

Sir *Charles Turner.*

3322. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—There is dissatisfaction among the Natives, and very reasonable dissatisfaction.

3323 What is the reason. Do they object to the age?—Yes, they think the age too low. I think we should find the same objection on the part of parents in England to sending out their sons at that age to this country.

3324. What limits do you advocate?—The maximum limit should, I think, be twenty-three. That is what I believe it was at first.

3325 Are there any objections beside that of age?—I believe the Natives think that oriental languages should receive higher marks. My own opinion is that we should keep the recruitment of the Covenanted Service exactly as it is, except in respect of age. I would reduce the Covenanted Service and add to the Uncovenanted, and have an examination in India for the Uncovenanted Service open to everybody. I would make the Uncovenanted Service one great service, so that Government would have the power of transferring men from one branch to another Now if men who are not a success in a particular branch are transferred to another, an injustice is done either to them or to the men already in the department. Every single department is crowded with men. In any department where a man is transferred from another he has either to go over the heads of those in the department, or else go to the bottom and lose a great many years' service.

Sir Charles Turner—continued

3326. What appointments chiefly would you take away from the Covenanted Service, executive or judicial?—Some of the lower judicial. It is a question which one person cannot settle.

3327. I am merely asking your opinion?—Well, in all cases there ought to be a maximum and not a minimum of appointments for all castes and nationalities.

3328 Would you advocate a simultaneous examination in England and India?—I do not think that advisable.

3329 On what grounds?—I do not think the education out here is sufficiently advanced for it. I speak from limited experience. I have taken a good deal of interest in education in the different collectorates in which I have been; and I have always made it a point to visit the High Schools I have examined some schools in one subject taken up for the matriculation, namely, arithmetic and algebra, and my experience, like that of others, is that, although it may come up to the test of the matriculation, it is not yet up to the standard required by the Civil Service.

3330. But would not such a system tend to improve education in India?—It would probably tend to cramming, but I do not know that it would really benefit education.

Mr. *Crosthwaite.*

3331. You would have all the higher educational training for the Civil Service undergone in England?—Yes.

3332. Would you limit the number of Natives who are to compete in England?—I do not think so.

3333. If you cut down the Covenanted Civil Service and throw the appointments you take away from that service into the Uncovenanted Service, will it not be recruited almost entirely from the Natives of India, and will that not be a disadvantage politically?—I think there might be a difficulty if you had a minimum number for castes and nationalities, but not if you have a maximum.

Mr. *Stewart.*

3334 Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Chapter 3, Section 6, or from all natural-born subjects of Her Majesty?—All natural-born subjects of Her Majesty.

3335. How would you recruit your Mamlats?—The only way I can see is by having competitive examination open to all natural-born subjects with a maximum limit.

3336. What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service?—I can most conveniently reply to all these queries in one answer. The ideas I state are rather startling, but I think that my scheme would work well, and if it were carried out, the salaries of many of the higher officers might be considerably reduced. I would greatly reduce the Covenanted Civil Service, which might for the future consist of about 75 men in the Bombay Presidency, from these 75, Members of Council, Commissioners, Collectors, Judges, Assistant Collectors, and Assistant Judges should be selected, the numbers of Assistants in the Covenanted Civil Service should be much fewer than they are at present. The Uncovenanted Civil Service should be divided into two branches—the Superior Uncovenanted and the Inferior Uncovenanted. Examinations should be provincially held for entrance into the superior branch, and all nationalities and castes should be represented, with the solitary condition that the members must be natural-born subjects of Her Majesty. Candidates for the superior branch should be liable to examination (competitive) and should be between the age of twenty and twenty-five and the examination should be in India. passed candidates should belong to *one* service and should be liable to transfer to any branch of it, for instance, a Superintendent of Police might be made, if qualified, a Subordinate Judge—the Local Government would find out each officer's special qualifications. It is universally acknowledged that Mamlatdars are underpaid, and it is equally universally acknowledged that they are overworked. I would abolish them, and in their places I would appoint Assistant Collectors to be in charge of each taluka, and these should be members of the Covenanted Civil Service and of the superior Uncovenanted Civil Service they should do most of the work now performed by the Mamlatdars, and one of the channels of communication, which makes the machinery of the Government resemble somewhat a gigantic Post Office, would be done away with. At present Government calls for an opinion—the Commissioner refers to the Collector, he to his Assistant, and he to the Mamlatdar. Why should not the Assistant be competent to give the opinion? He would know his district as well as the Mamlatdar if he had but one taluka. Again, the benefit to unfortunate witnesses would be inestimable they would only have to follow the Magistrate over one taluka and not over hundreds of miles. One of the highest of the inferior Uncovenanted Service could perform the taluka treasury work, and take third class magisterial cases when the Assistant Collector was on tour. Seventy-five per cent. of the Collectors and of those holding higher appointments should be from the Civil Service and twenty-five per cent from the Uncovenanted Civil Service.

The pay of the superior Uncovenanted Civil Service should be as follows for Europeans, and two-thirds of this ought to be sufficient for Natives,

Mr. *Stewart*—continued.

whose daily expenses are less and whose expenses for visiting their homes are infinitely less —

1st year	Rs.	200	per mensem.	
2nd	„	„	300	„ „
3rd	„	„	400	„ „
4th to 7th	„	„	500	„ „
8th to 11th	„	„	600	„ „
12th to 14th	„	„	700	„ „
15th to 17th	„	„	800	„ „
18th to 20th	„	„	900	„ „

and after that Rs. 1,000 with necessary allowances, *e.g*, a man holding an appointment which necessitated travelling over the whole district should receive a larger travelling allowance than one who only had to travel over a taluka. Rs. 1,000 should be the maximum monthly pay, except for special appointments Collectors would of course receive more, but Rs. 1,500 or Rs. 1,800 ought to be amply sufficient for Collectors appointed from men of proved merit and ability in the Uncovenanted Civil Service There would of course be a great many appointments in the superior Uncovenanted Civil Service, but many appointments would be also abolished, and I do not think that the cost of governing would be increased the abolition of the appointment of Mamlatdar and the substitution of more Assistant Collectors principally selected from Natives would be a decided gain. If my scheme were carried out, there would be a very few acting appointments. Men would be promoted after so many years' service (which should of course be approved—Government must have the power to punish idlers by delaying promotion), the work in the office of the Accountant General would be considerably lightened.

This is of course only the shadow of a great change, and I have made no provision for the present Covenanted Civilians, who have undoubtedly the strongest right to protest against the admission of outsiders to appointments now only held by Covenanted Civilians. This is beyond my province, but I deferentially offer the above scheme as one which should be pleasing to all, as it opens the highest appointments to Natives without necessitating their going through the examinations in England, it gives the best chance of holding these appointments to men appointed in England it gives a chance to Europeans and Eurasians, and it would enable Government to transfer a round man from a square to a round hole better suited to him, *e.g.*, a Superintendent of Police, when too old (and perhaps too round) for very active work, could be given the duties more congenial to him, *viz*, those of an Assistant Collector, where activity is not so essential, the work being in one taluka Finally, men of approved merit and ability in the Inferior Covenanted Civil Service should have a chance of promotion into the superior branch even if they have passed the age of twenty-five.

3337 What are your views regarding Subordinate Judges?—I have had no experience of them.

3338 Would you allow residents in other provinces to compete?—I would have the recruitment provincial.

Mr. *Ryland*

3339 Would you select candidates who were likely to turn out good officers, or would you leave it to open competition?—Yes, I think I would have competition

3340. How would you secure the necessary qualities—physical and moral—which are considered very necessary?—By probation.

MR. *Ryland*—continued

3341. During what period?—Two years.

3342. How would you apportion the appointments?—I should certainly keep eighty per cent. of the higher appointments of the Covenanted Service for men recruited in England as appointed at home.

Mr. *Stewart.*

3343. Supposing the Statutory service is retained, would you make any distinction between the pay of an officer in that service and the pay of a Covenanted Civilian?—I think there ought to be a difference if they are admitted by favor.

3344. What should be the difference?—I do not feel prepared to say.

3345 Do you think the present two-thirds satisfactory?—So far as I can give any opinion.

3346 What about leave rules?—The difference between the two sets of rules is no small one, an officer who is allowed to enjoy the favorable rules can take two years' furlough after eight years' service, his less fortunate brother has to work for ten years before he has earned his furlough, and then he is permitted to take one year, if he wishes to take two years at once, he must work for eighteen years before he earns them, and then he is not entitled to any more furlough for the whole of his service (thirty years), unless he obtains a medical certificate, the "fortunate" officer may spend six years of his service on furlough. the "unfortunate" one can only spend two. Again, the "fortunate" one is allowed under certain rules to take special leave for six months, without prejudicing his right to take furlough when it is due, if the "unfortunate" officer is obliged to take special leave, he forfeits *all claim to furlough during the rest of his service*

I think it may be laid down as an axiom that although pensions may be given as rewards, leave is only given because it is absolutely required, there can be little doubt that Government fixed the leave rules for Covenanted Civil Servants because they found that it was absolutely necessary in some cases for a man to take the amount of

MR. *Stewart*—continued.

leave given, in order for him to preserve his health and to work up to the highest standard. If more leave than is necessary is given, then public money is wasted, but if this is not done, there can be no reason why every European should not be allowed to take the leave which is deemed necessary for any individual European or Europeans. Thinking this, the Uncovenanted Civil Servants ask in the first place that they may be all granted the favourable leave rules.

We Uncovenanted Civil Servants recognise the fact that it is the present policy of the Government to appoint only Natives to the Uncovenanted Civil Service, and of course it is not for us to comment on this policy, but we naturally cannot help recognising a still stronger fact, *viz*, that we are already in the service, that we have been appointed by Government to this service, and I think we strive to repay Government by working for them to the best of our ability. We therefore feel confident that Government will not leave us in a position which will render our working for them harder for ourselves, injurious to our healths, and which is detrimental to the best interest of Government, because it renders us useless at an early age, owing to our being kept in this country without a change for a longer period than other Europeans. We therefore ask Government with confidence to make us the above concession.

I think all the leave pension rules require alteration. There is a great deal of discontent in the Uncovenanted Service at the rules I give an example—according to the rules a man cannot work after the age of fifty-five. Our service for pension does not count until after twenty-two. We have to serve thirty years before we are entitled to pension. In thirty years it is not too much to expect that a man will require three years' leave. Therefore he does not serve thirty years, but Government declares that he shall be turned out at fifty-five.

Mr. *Ryland*

3347. I suppose the hardship depends on whether the rules are worked harshly or not?—Yes.

WITNESS XLIX.—25th January 1887.

Examination of NÁRÁYAN GANESH CHANDÁVARKAR, Esq, B A., L C.B, Fellow of the Bombay University, Pleader, High Court, Bombay, Editor, *Indu Prokash* Newspaper, Bombay.

Sir *Charles Turner.*

3348 What is your profession?—I am a Fellow of the Bombay University and a Pleader of the High Court. I am also Editor of the *Indu Prokash*

3349. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—It has been generally disapproved of by the educated classes in this country The masses have no decided opinion on the subject, though, so far as my knowledge and observation go, I have reason to believe that, in places where Statutory Civilians have served or are serving, the people are inclined to look upon their position in the service as one of less respectability and trust than that of Covenanted Civilians

3350. What are the grounds of disapprobation?—The grounds of disapprobation are three—(1) that the men selected get in, or are supposed to get in, by means of patronage and favoritism, and not because of their fitness or of any merits or abilities of their own, (2) though in a few cases well-educated men have been chosen, yet they are not regarded as the equals, in all respects, of men who have entered the service by passing a competitive test, and who have by their travels to, and residence in, England shown that they are men of pluck and enterprise, (3) the failure of one or two men selected as Statutory Civilians to pass certain tests during the period of probation has, in addition, served to discredit the system.

3351. Are the defects of the existing system (if any) susceptible of remedy—(*a*) by an amendment of the Rules; (*b*) by an amendment of the Statutory provisions in that behalf, or should those provisions be repealed?—I am of opinion that the Statutory Civil Service should be abolished

In so stating my opinion, I feel bound not to forget that its retention is said to be desired in the interests of the backward classes in this country, who, it has been urged by some, need the help of patronage to enable them to get into the service. This latter view, it seems to me, assumes that the service is made for men and not the men for the service If the duties which a civil servant is called upon to perform, were capable of being adapted to the capacities of individuals appointed to discharge them, there would be some reason in the argument that a man must be appointed because he belongs to a particular class. But such adaptation is not possible Men must adapt themselves to the needs of the service In other words, the fittest man, whatever class he belongs to, should be appointed; and all classes should be judged by the same test and should be compelled to get into the service by one door I admit that the practical statesman must deal with the interests of all classes impartially, and, where a class is lagging behind others, give it a helping hand. But the duty which the British Government owes to the backward classes can best be discharged, not by thrusting men belonging to them into the service on the principle of patronage and favoritism, but by placing within their reach

Sir *Charles Turner*—continued

special educational facilities which shall enable them to compete with other classes for appointments in the Civil Service on equal terms I may state that the classes who are now ahead of these backward classes were encouraged and helped in the way I have here indicated, as may be observed from the Reports of the Board of Education of Bombay, which presided over the educational movement in this Presidency in its earlier stages

Vol IV Sec II Bombay

Náráyan Ganesh Chandávarkar, Esq

3352 If the provisions of the Statute 33 Vic, Section 6, are not repealed nor substantially amended, so as to take away the power conferred on the local administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—The provisions of the Statute 33 Vic, Section 6, may be amended so as to include the subjects of Native States in the definition of "Native of India" No other amendment seems to me to be required.

3353 If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—They should not merely be encouraged, but compelled to go and reside there for a period of two or three years. That period should be spent by them at some University, and at the close of it they ought to be required to produce certificates from some responsible authority connected with the University, showing that their moral conduct has been good

3354 In your caste is there any objection to going to England?—No, I have been to England.

3355 How long were you there?—Two and a half months.

3356 On your return did you find any difficulty in respect to your social position among your fellows?—None whatever

3357 Was any caste objection raised?—No objection has been raised up to now. My caste friends come to me and mix with me freely.

Mr. *Crosthwaite*

3358. Had you to undergo any purifying rites?—No.

Sir *Charles Turner.*

3359 Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Dissatisfaction is felt by the Natives of this country, because they think that though pledges and promises have been given to them, both by Parliament and the Crown, that all classes shall be treated equally so far as admission into Her Majesty's Service goes, yet the rules for admission into the Covenanted Civil Service have been so framed as to debar them practically from entering it.

3360. Should any, and, if any, what, change be made in that system?—The changes that I would recommend are—(1) that the limit of age for the open competition be raised to twenty-three, (2) that Sanskrit and Arabic be treated in the same way as Latin

Mr. *Crosthwaite*—continued.

3361 Do Natives of India labor under any, and, if any, what, disadvantages in competing for employment in this branch of the service?—The disadvantages which Natives of India labor under in competing for employment in the Covenanted Civil Service are these —

(1) That on account of the reduction of age they are required to send their sons to England at a very early age.

(2) The open competition being held in England, parents do not wish to expose their sons to the risk of a failure and of returning to this country disappointed after having undergone great trouble and incurred much expense.

3362 By what changes may those disadvantages be minimised or removed, *e g*,—(*a*) by the establishment of scholarships and allowance of passage-money to Native candidates; (*b*) by altering the limit of age, (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects, (*d*) by holding simultaneously examinations in England and in India?—The disadvantages indicated may be removed (1) by raising the limit of age to twenty-three, and (2) holding simultaneously examinations in England and in India

3363. If an examination is held in India, (1) should it be identical with that held in England, (2) should it be held at one or more centres in India; should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations; (3) if such an apportionment is made, on what principle is it to be regulated, (4) should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects?—If an examination is held in India, it should be identical with that held in England, and it should be held at more than one centre, *i e*, in the Presidency towns The candidates in England and India should be selected solely according to their order of merit only

3364. If an examination is held in India, should the successful candidates be required as a condition obligatory to proceed to England to complete their training?—Yes, because a Civil Servant in India must be a man of pluck, enterprise, and moral courage These are virtues, which, in the present state of things, can best be acquired by a travel to England and residence there for at least two years Another reason why I would insist upon the successful candidate proceeding to England is this —on entering the service his lot is generally cast in the mufasal among European members of the service It is absolutely necessary, in the interests of Empire, that between the former and the latter there should be a perfect *entente cordiale*, which is possible, generally speaking, only where the two are able to meet each other on terms of equality and can move and mix with each other freely Natives should not expect to get into the service and at the same time cling to their caste traditions

3365 Are the young Natives obtained under the existing system of open competition in England the best as regards character and capacity, who could be obtained under any system?—I do not feel in a position to answer this question But it seems to me the wider the range of choice, the better will be the class of men selected

3366 Should the Uncovenanted Service be recruited only from Natives of India as described in

Mr. *Crosthwaite*—continued

Statute 33 Vic, Chapter 3, Section 6, or from all natural-born subjects of Her Majesty?—It may be recruited from all natural-born subjects of Her Majesty, if the present rules of admission into the Covenanted Civil Service be so modified as to enable Natives to compete for it in their own country. Otherwise it should be recruited only from Natives of India, as described in Statute 33 Vic, Chapter 3, Section 6,—that description being modified, however, so as to include the subjects of the Native States

3367. Should the recruitment be by competition or by nomination, or by both systems combined, and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—The present system of nomination seems to me on the whole good

3368 Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations respectively, or with a preference for such residents?—The recruitment should be made by the several Administrations, with a preference for residents in the territories under such Administrations

Mr. *Ryland.*

3369. Are you yourself in favor of an examination in India as well as in England?—Yes.

3370 Why make it a condition of admitting Europeans to the Uncovenanted Service that the Covenanted Service rules should be altered?—If the bar is to be removed at all, it should be removed all round The Covenanted Service is practically restricted to Europeans

3371 There is no absolute prohibition against Natives entering the Covenanted service?—But it is practically so

Mr *Nulkar*

3372 Have you had any practice in the mufasal Courts —I have appeared before Native Judges

3373 Before Magistrates?—Not much, but I have seen appeals from Native Magistrates coming before the High Court

3374 In your opinion what is the comparative efficiency of Native Magistrates and Subordinate Judges?—I think Subordinate Judges much superior to Native Magistrates The legal training of the former is better

Sir *Charles Turner.*

3375. What has been your practice amongst Native Magistrates?—Not of that character that I can speak with authority on their work.

3376 Do you know any of these gentlemen in private life?—Yes

3377 Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—Yes.

3378. If such distinction should be made, on what principle should it be regulated?—On the principle that the Statutory Civilian should draw only two-thirds of the salary given to a Covenanted Civilian of equal rank. Natives who enter the Covenanted Civil Service by the door of competition and who have been to England ought to be entitled to the same pay and privileges as the European members of the service.

WITNESS No. L.— January 1887.

Examination of the Hon'ble Káshináth Trimbak Telang, C.I.E., M A , LL B , C S , Member of the Legislative Council, J. P.; Fellow of the Bombay University, Advocate of the High Court, Bombay.

Mr *Crosthwaite*

3379 How long have you been an Advocate of the High Court?—I was admitted in April 1872

3380 You have taken a leading part in several literary movements in this City?—I have

3381 Are you President of any Association?—No, I am not, but I am Secretary of the Students' Literary Society, which has several girls' schools under its charge I am also Chairman of the Sub-Committee of the Deccan College, established for the purpose of translating foreign books into the vernacular

3382. Have you been to England?—No

3383 Have you graduated?—Yes, at the Bombay University

3384. What is the prevalent feeling in your province regarding the existing Statutory System? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—The feeling regarding the existing Statutory System is one of dissatisfaction. It is not, I think, confined to any particular sections of the community, but is general among those members of all the sections who are qualified and accustomed to think and speak about public affairs.

3385. What are the grounds upon which any such feeling is based?—The dissatisfaction is due, I think, first, to the fact that, on the part of Government, the system is, or at least was, supposed to afford an adequate recognition of the proper and reasonable claims of the people of the country to a share in its administration, whereas the adequacy of it was very generally denied. Secondly, it is due to the fact that, on the side of the people it was supposed—and the supposition has in great measure been verified, especially in the case of the earlier appointments—that the system would only introduce into the Service men not of proved merit and ability in the true sense of the phrase as used in the Statute, but men who could directly or indirectly get themselves into the good graces of the higher officials. And it was and is generally believed that the best passport to the good graces of the higher officials is not afforded by genuine "merit and ability," so much as by more or less questionable proceedings on the part of the candidate for employment, or of those who interest themselves in his favour, or of both. Thirdly, it is thought that persons admitted under the Statute must needs be regarded as necessarily of inferior calibre or status, by whatever tests they may be tried, to those getting in by open competition, and some dissatisfaction was felt at the attempt made (when rules came to be framed for putting the Statute into operation) to place the gentlemen of proved merit and ability on a distinctly lower level as regards pay, leave, pension, &c., than the other members of the Covenanted Civil Service of Her Majesty. Lastly, another cause of dissatisfaction was the restriction of these appointments to not more than one-sixth of the admissions to the Superior Civil Service—a restriction which in

Mr. *Crosthwaite*—continued.

1884 Lord Kimberley said the Government was not prepared to abandon

Vol IV Sec II. Bombay

The Hon'ble K T *Telang*

3386. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic, Chapter 3, Section 6), or is it directed against the rules framed thereunder?—The last answer shows that the feeling of dissatisfaction was not by any means confined to the rules made under the Statute The Journal of the East India Association, Vol V., pp. 56—67, will show that long before the rules were framed and promulgated, this dissatisfaction had already found expression among my countrymen.

3387 If objection taken to the Statute, because its provisions admit persons to specific appointments only and not to membership in an organised "Service"? If a desire is felt for enrolment in general service, what are the reasons for this desire?—The circumstance referred to doubtless was and is one ground of objection to the Statutory System The reasons for the desire to be enrolled in one general service are based on an ambition, which I hold to be a perfectly legitimate and reasonable ambition, to serve one's country in the highest departments of its service What we want—what alone we have all along asked for—is justice We want no favour, and ask for none. If justice is to be given us, we ask how can there be any justification for our practical exclusion from the Covenanted Civil Service of Her Majesty, which is regarded as the highest branch of the Indian Civil Service? We have also a desire to prove, that tried by the test of actual experience, we can under proper conditions discharge our duties in the highest posts in our country's service with as much efficiency as the large majority of our European brethren. The opportunity for such proof is almost entirely foreclosed, if we are to constitute a separate service of our own Again, it is our desire to take the full benefit of the robuster civilisation with which our own has now come into contact If in each department of activity, where we and Europeans come into communication with each other, some of us can associate with them on terms of equality, that benefit is more easily secured, than if we are always to look upon ourselves, and to be looked upon by others, as inferior to Europeans, even when in other respects we have vindicated our claims to equality.

3388. What amendments do you advocate in Section 6 of the Statute?—On the whole I am disposed to think that Section 6 of the Statute should be repealed altogether. No mere tinkering with it will improve that which as a general provision is radically defective on the points above dwelt on.

3389. Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fullness, and accuracy the various classes

Vol IV
Sec II.
Bombay.

The Hon'ble
K T
Telang

Mr. *Crosthwaite*—continued.

of persons for whose appointment to Covenanted posts it is desirable to provide? If not, can you suggest any more complete or more satisfactory definition?—On the whole, I think the definition will do, and cannot suggest any modification I am of opinion that domiciled Europeans ought to be included under the term "Native of India," but not only for the purposes of this Statute. They should be so treated for *all* purposes of State.

3390. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted? Do they relate to the general conditions, in regard to pay, promotion, and retiring annuity under which Statutory Civilians hold their offices?—There have certainly been felt and expressed objections to the mode of nomination to the Statutory Service, and also to the pay, leave and pension rules relating to it In the mode of selection, there have been some changes recently made, but I do not think that it is possible to work the scheme quite satisfactorily so as to meet all reasonable requirements.

3391 Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel? If such a feeling exists, on what grounds is it based? Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted Officers? If so, on what grounds?—Statutory Civilians are looked down upon in the way suggested in these questions. The grounds have been indicated above It is generally supposed that they get into the service because they, or those interested in them, are the personal favorites of Governors, or Members of Council or such like officers, and not for any sterling merits to be found in them; that having got in, they get less pay and have far less privileges in the way of leave, &c, than the others, and that when they retire, they retire with smaller pensions They are also supposed in some way or another to be in the service not by right, but by sufferance, and therefore not to be so strong and independent as the competition-wallahs can afford to be I am not aware that any specific comparison is instituted by the general public between the status of Statutory Civilian and that of Uncovenanted Officers But there doubtless is a lurking belief that there is no difference between the two save one of name, in consequence of the circumstances to which attention has been already drawn.

3392 On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your Province? How would a system of nomination to be followed by a period of probation be regarded by the same classes?—I presume the whole of the nomination system will be generally regarded in future as it has been in the past, *viz*, as a very unsatisfactory system, inefficient from the point of view of administrative success, demoralising from the point of view of its effects on the community at large. The indolent among the so-called aristocratic classes may perhaps like it, as affording them a cheap means of getting into good berths, but even amongst those classes, the intelligent cannot, I think, fail to perceive that its ulterior consequences must in the long run be disastrous to their class as a whole

3393 Would a system of nomination, with or without probation, be likely to secure well-qualified persons? Has experience actually shown such a system to secure well-qualified officers?—The system of nomination whether with or without probation may of course sometimes secure well-qualified persons, as there are corrective forces always at work to nullify in a greater or less degree the results of the very worst systems It mainly depends on the men who have to nominate In actual fact, good nominations have now and then been made even under the system now prevailing. But such nominations are not the natural results of the system. They occur in spite of it

Mr. *Crosthwaite*—continued.

3394 Do you consider that nominations should be confined to persons of proved merit and ability?—If so, how do you consider that merit and ability should be held to have been proved for this purpose?—The Statute in terms contemplates "proved merit and ability" as a ground of admission, and this seems to be quite right in principle—on the assumption that the nomination system is to be retained How "merit and ability" are to be "proved" is a difficult question Amongst those who are already in office somewhere, the choice is comparatively less difficult than among those who are fresh from their academic studies Under a system of pure nomination, probably, the best course—or I ought perhaps to say the least unsatisfactory course—would be to call for full reports on all candidates from their official superiors in the one case, and the Principals and Professors of their Colleges in the other The nominating authority should then, as best it can, make a choice on the basis of such reports.

3395. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—I cannot say with any confidence how the system here suggested would be regarded. Speaking for myself, I would say that I should not regard it as a very good one. And I think many will agree with me Nominations by the Local Governments as a first step to competition would still remain open to many of the criticisms made upon the system of pure nomination, while nominations by the Universities would depend almost entirely on the results of their various regular examinations which it would not be always easy to compare If we are to have limited competition among nominated men—a system which would be somewhat more satisfactory than the present one—the power of nomination may perhaps be entrusted to the authorities of the Collegiate institutions, in which the candidates have been educated. The Universities which are almost entirely examining bodies afford scarcely so appropriate an agency for this purpose as the Colleges.

3396. In preference to either of the above systems (nomination and limited competition) would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community?—I think, on the whole, that an open competition would be likely to prove more satisfactory than any other. Probably, however, to prevent the examination becoming too unwieldy and unmanageable, and also for other reasons, it might be well to require from candidates the production of certificates, like those which the Bombay University requires—*mutatis mutandis* of course—from the Principals of the Colleges or Collegiate institutions in which the candidates have been educated This cannot prevent the competition from being really an open

Mr. *Crosthwaite*—continued.

one, as few youths now receive any liberal education who do not attend some one or other of our Colleges.

3397. If competition (whether limited or open) is preferred, should there be one competition for all India or separate competitions in each Province? If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several Provinces? Having regard to the varying educational standards reached in the several Provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some Provinces being more or less excluded from a due share of appointments?—In case competition for the Statutory Service is ordered, I think it will be better to hold the competitive examinations separately for the separate Provinces. The difficulties alluded to in the last two questions, though not quite insurmountable, render this, I think, a desirable course.

3398. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social, and physical fitness? If so, what should be the tests under each of the heads specified?—I would have no limit of age, save the general limit which I believe already exists at present for entrance into Government service I would have no test of intellectual capacity other than the examination itself, nor of moral and social fitness other than that I have already suggested, *viz.*, the certificate of the Principal of the candidate's college As to physical fitness the rules should be the same as now apply to other branches of Government service.

3399. Do you consider that after selection whether by nomination or competition there should be a period of probation? If so, what should be the duration of the probationary period?—Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—I would not have any period of probation. The selections ought to be carefully and deliberately made.

3400. Do you consider that after selection, and before entering on probation (or on duty), the person selected should undergo special training? If so, should the special training be undergone in India or in England? If in India, would it be possible, and if possible advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—I do not see the necessity for special training in the case of Natives of the country. They can have no better training than being called upon to do actual current work under supervision. I do not think we want a Haileybury College in India; and if there is to be any *special* training in England, of which the precise nature is not quite obvious to me, I do not see why the Statutory Civilian and the competition Civilian should not then be put on a perfectly equal footing. I would, however, certainly encourage Statutory Civilians to visit England after their selection whenever they liked. I would do this with a view "to add to their qualifications" for the service in this sense, that it will open to them almost a new world, it will enable them to associate with members of the ruling race in their own land, and will give them a personal

Mr. *Crosthwaite*—continued

familiarity with the progressive and powerful civilisation which they have to be instrumental in adapting and spreading in their own country. The encouragement should take the form of placing the Statutory Civilian on the same footing as the competition-wallah.

3401 Are you in favour of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service? If so, how would you connect such a scheme with the selection of Natives for employment in the higher administrative posts in India?—If what I have recommended in the last answer is done, no scholarships or other encouragement of that sort will be wanted

The Hon'ble Mr *Quinton*

3402 In one of your answers you say, that it was and is generally believed, that "the best passport to the good graces of the higher officials is not afforded by genuine 'merit and ability,' so much as by more or less questionable proceedings on the part of the candidate for employment or of those who interest themselves in his favour or of both"?—I mean what is called paying respects to the officers, as they suppose that by socially pleasing the officers they will get what they want I do not suggest any questionable proceedings on the part of the officers

3403 May I ask whom you mean by "we" in your reply to Question 3369?—I mean the Natives of the country; those who have made demands on the subject

3404 Have you made any demands on the subject?—I have, and others of the country

3405 What do you mean by justice?—The carrying out in the proper sense of the promises made in the Statute and Proclamation

3406. What promises do you understand were held out?—I understand that the promise held out by the State was that whenever qualifications were shown by Natives, they should be eligible for office under Her Majesty equally with Europeans

3407 Have any Native gentlemen, notwithstanding the obstacles you mention, succeeded in getting in by examination?—Some have succeeded.

3408. Several from Bombay?—I believe so

These gentlemen have succeeded in fulfilling what the Government of the day considered necessary to qualify them for employment in India, and I suppose Government should do its best to secure the best men?—Yes

3409 Then where is the injustice to any particular class? Have you any doubt of the motives?—The matter does not turn on motive, but the question is, does it operate. The rule might have been framed in justice, but it is not a just rule

The *President*

3410 Does the operation of the rule exclude any man who is qualified?—Yes; people would get in who do not get in now

The Hon'ble Mr *Quinton.*

3411. I do not mean has it acted unjustly on the subjects of Her Majesty in India, but has it operated unjustly on subjects generally?—Yes

The Hon'ble Mr *Quinton*—continued.

3412. Has it furnished a less efficient administration than you have a right to expect?—No

3413 Ought there to be a more efficient administration?—I do not suggest that

3414 You are, I presume, a resident of Bombay?—Yes

3415 Were you born in Bombay?—Yes.

3416 Were you educated in Bombay?—Yes

3417. Have you ever resided in any other place?—Always in Bombay

3418. Have you ever resided in any other part of the Bombay Presidency?—No

Mr *Crosthwaite*

3419. You speak of a reasonable ambition to serve one's country, which is the country you wish to serve?—I call the whole of India my country

3420. Do you call the Punjab a part of the same country as Bombay is?—Yes.

3421. It is hardly part of the same country; it belongs to the same continent?—I call it the same country; you can call it the same continent.

3422 So does Central Asia?—I don't want to include Central Asia. There is a certain unity between us and the people of the Punjab, which does not exist with the people of Central Asia. We are all Hindus

3423. Are the Sikhs Hindus?—Yes.

3424. The Pathans?—No, Mussulmans, but we have a certain union with them as they have been settled for a long time in India

3425. Before the British Empire was established in India, was there any tie between Bombay and the Punjab?—I should say so.

3426 Could you, for instance, have gone up to Runjit Singh's Court, and claimed an appointment?—No

3427 Now you claim it?—Yes.

3428. And claim it in virtue of the British Empire?—Yes.

3429. Did not the English establish the British Empire?—Yes

3430. In order to administer a British Empire you will allow that we ought to have a British Government?—Yes.

3431 Do you not think, then, that there ought to be such tests for entrance into the posts of the higher service as will secure a British character to the Government?—Yes

The *President.*

3432. If the operation of such tests is merely to exclude those who have not the qualifications, wherein lies injustice?—I say this is not the test to secure the result which is wanted.

Mr. *Crosthwaite.*

3433. According to you, the result is judged by the nationality of the men who obtain the appointment, and not by their efficiency?—I say both considerations should be taken into account.

3434. Supposing that a certain test is considered necessary, and that owing to this test a certain class of people are excluded, then would you object?—I should not, if I was certain that it was the test which had that effect.

Sir *Charles Turner.*

3435. Then you admit that the Government are not bound to meet the wishes of the majority of the population in making appointments to administrative posts at the cost of efficiency?—Certainly, I don't want efficiency to be sacrificed. I admit that it is the highest duty of Government to secure the most efficient administrators.

3436. And, subordinate to that duty, the Government should consult the wishes of the mass of the people?—Yes.

3437. And not any particular class?—Certainly not.

Mr. *Nulkar.*

3438. You say, "on the whole, I think, the definition will do, and cannot suggest any modification. I am of opinion that domiciled Europeans ought to be included under the term 'Native of India,' but not only for the purposes of this Statute. They should be so treated for *all* purposes of State" What do you mean by that?—With reference to jurisdiction in criminal trials I say they should be treated as Natives as well as for the purposes of this Statute.

Mr. *Ryland.*

3439. You say that an English training is necessary, and yet you would not have Natives of this country obtain a special training?—Not a special training for a special *office.* I lay stress on that.

Sir *Charles Turner.*

3440. You mean that they should have a general English education and not a technical education?—Yes.

Mr. *Ryland.*

3441 You do not mean to do away with an English training?—I have spoken distinctly as to that.

Mr. *Crosthwaite.*

3442 Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not?—Having regard to the grounds on which Statutory Civilians get lower pay than competition-wallahs, it would seem that the different rates of emoluments, such as those suggested in this question, ought to be preserved.

3443. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—Such opportunity would be availed of by other classes than Hindus pretty largely, but by Hindus to a limited extent at present. In time, however, Hindus also will probably avail themselves of it to a considerable extent.

3444. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system? If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—If the system was revised, so as to make the competition a fair one between Europeans and Natives, the Statutory system then could not properly be kept up except

Mr. *Crosthwaite*—continued.

to the extent hereafter stated. I do not think that the question of the maintenance of the Statutory Service is in any way dependent on the larger or smaller number of Natives competing in England I consider the Statutory system indefensible and one that is not required. And I consider it to be particularly indefensible in creating on the one hand a service which is not the Covenanted Indian Civil Service, and on the other enabling some people to say that having got that system, we have no right to ask for any modification of the rules for the Covenanted Indian Civil Service.

3445. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India?—If the question refers, as it seems to do, to an examination held *in* England, I don't think competition for such examination is looked on favourably by any classes of Natives of India. In fact, the demand made time after time by such of the Natives of India as have hitherto formulated any views on the question, has taken the form of an open competition in India on precisely the same terms and of precisely the same nature as the competition in England.

3446. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition? If so, what form or forms should such facilities take? What conditions, if any, should be attached to them?—I do not think any such facilities as are alluded to here are wanted, except for the so-called backward classes, and I don't think that they will, if given, be satisfactory except as a small instalment of a just reform, which reform itself the Government were not prepared to concede. For the backward classes, some provision of this sort would be desirable as I have stated further on.

3447. What class or classes of Natives in your Province readily go to England? Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—I believe that all classes except Hindus readily go to England. Among Hindus the objections to a visit to England are becoming gradually weaker, but they still prevail to a not inconsiderable extent. The objections entertained by Hindus in particular are on the score of caste and religion. By all classes objections are felt to throwing young men adrift in a country so far away, where it is generally believed the temptations in the path of young men are many and widely scattered, and where any satisfactory check and regulation is not always possible The great expense also, and the chance of the visitor to England returning with ideas impracticable or at least ill-adapted to the existing conditions of India and Indian society, are also considerations not without their weight—the latter especially in the case of young boys.

3448. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all? If the standards and conditions were different, how would it be possible to compare the results in the two examinations so as to bring out one list in order of merit? Would it, under such circumstances, be desirable to allot a fixed proportion of appointments to each of the two examinations If a fixed proportion of appointments were allotted for a Native examination in England, do you consider that in view of the objections against a voyage to England and life there, the cost thereof, and the chances of failure, a sufficient number of suitable candidates from your Province would be available to make the competition a real competition? If the examinations were distinct, what should be the limits of age for the Native examination? What should be the conditions, nature and subjects of the separate Native examination?—I am emphatically of opinion that such separate examinations would be neither desirable nor defensible Their institution might prove unfair either way. I am not aware that any such separate examination has ever been asked for by any individual or body of individuals among my countrymen, and assuming that such distinct examinations, especially for the Natives of this country were instituted, I cannot understand how their being held in England could be justified But my opinion is so strong against the main idea that I need not dwell upon such points which form merely the fringe of the question involved in it

3449 Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates? If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—Certainly. The value assigned to subjects connected with Oriental history, languages, and literature, as contrasted with that assigned to Greek and Latin, is one of the most important points of complaint In regard to age, I don't know, except from the Blue-Books on the subject, and from Mr Wren's pamphlet, and similar sources, how the present limit of age tells in the case of English candidates. But this I know, that in the case of Native candidates the rule is almost a prohibitive one. Unless and until the age limit is enhanced to twenty-three, and the Original languages and literature are placed on a par with Greek and Latin, the disadvantages under which Native candidates at present labour will not be removed, and the complaints of injustice will not cease.

3450. If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be? If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—I don't ask for any higher limit of age for Native than for English candidates In fact, I should object to any distinction, whether it was in favour of the Native candidate or against him As far as I can judge from the materials available to me, twenty-three will not be an unsuitable age for English candidates. It was the limit fixed by Lord Macaulay's Committee, and every change made in it has been, in my judgment, most distinctly a change for the worse

3451. What is the average age at which Natives at the Indian Universities pass the examination for F.A., B A., and M A., respectively? From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province?—Our graduates are usually drawn from the middle classes. The Mussalmans among the number are fewer than is to be wished. The same remark may be made of those classes of Hindu society, which are commonly spoken of as

Mr. *Crosthwaite*—continued.

the lower classes, as well as of the Portuguese and Native Christians During the past few years the Parsis have distinguished themselves in large numbers at our University We have now no F. A. Examination at our University, but ordinarily, I believe, our students take their B.A. degree at about twenty-one.

3452. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question paper being used at both examinations?—Certainly I do. I think that is the central point in the demand for a modification of present rules, and in one sense even a more important point than the demand for raising the limit of age Until recently I was not aware that any section of the community was objecting to this demand On the contrary, according to my recollection, whenever the demand has been publicly made, as it has been made several times, it has been made with the countenance and support of all classes of the Native community. I would not have any restriction in regard to the competition of English and Native candidates I would admit candidates from all classes of Her Majesty's subjects to the examination at whatever local centre they chose to present themselves—Natives in England and Europeans in India, if they so pleased.

3453. Do you mean more than one centre in India?—I should be satisfied with one centre.

3454. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—I have no personal experience of English educational institutions. But I can well believe, from what I have seen and heard, that the educational influences at work in English institutions are more potent and more stimulating than those in our own At the same time, I am clearly of opinion that the education (using the term in its broadest sense) which is received in our Colleges is of a high order, and that when its effects on those who have received it are viewed in the light of their subsequent careers, taken as a whole, there is cause for great satisfaction and just pride. Some of the evidence touching this point, as far as regards my own Presidency, may be seen summarised in the Report made to the Education Commission of 1882 by the Bombay Provincial Committee of that body, pp 144-5.

3455 Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others? Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—In the event of the competition being opened in India, some classes of the Indian community would get an advantage over others at present and for some time to come I expect that the Parsi, being well advanced in education, and not hampered by restrictions of caste and so forth, will outstrip all other sections of the population, and Hindus of the "higher castes," though advanced in education, will for some time not benefit to any considerable extent by the change. Those of the "lower classes" and Musalmans generally will, perhaps, benefit somewhat less in consequence of their educational backwardness. On the whole, therefore, I do not think that there is much need to fear any undue preponderance of one section of the Indian community over others Such preponderance as may occur will be only temporary, and

Mr. *Crosthwaite*—continued.

the educational advance of the one section, and the social advance of the other, which may be reasonably expected to take place within the next few years, will, it is to be hoped, set everything fairly right. At the same time I am free to admit that if the leaders of the so-called backward classes are not satisfied with this result, there may be some reason for the special interposition of the Government In some quarters it has been suggested that the need for such interposition should be entirely avoided by the retention of the Statutory system and a refusal to open the competition in India I cannot consider this to be a reasonable course I cannot regard it as reasonable, that a system which is objected to, and not without fair grounds, as a demoralising one, should be forced upon some sections of the community in the interests, or rather the supposed interests, of the other sections On the other hand, I am willing to concede that some measures should be adopted to enable these latter sections of the community to surmount any special obstacles that may stand in the way of their availing themselves of the new system to be introduced It appears to me that the justice of the case would be completely met, if the competition was opened in India, and special scholarships, or other similar modes of encouragement, offered to individuals from among the backward classes, to enable them to prepare for the competition These would be helps to educational advancement, to which, I think, no reasonable objection could be taken I cordially joined in the recommendations to this effect made by the Education Commission of 1882 (see Report pp. 506-8) And I am still clearly of opinion that such educational helps to certain sections of the community, labouring under special disadvantages, are properly given in special cases out of the general funds of the Empire Such helps, too, be it remembered, in the present circumstances of Western India, will be in reality supplemental to the efforts which these "backward" sections are now making, and have been making for some time, in order to secure their own intellectual advancement.

3456 Do you think there are any objections on political or administrative grounds to open competition in India?—The only political objections that I can see to an open competition in India are those which I have referred to in my last answer As regards administrative objections, I can see none except this, which I have heard made, that the people of certain Provinces would not like to be governed by people of certain other Provinces, and such a result may arise under the operation of the competition system I have not seen any evidence to satisfy me that this objection comes really from the people supposed to harbour the feeling here indicated The objection itself, and others of a kindred nature, when they have come to my notice, have emanated frequently from men who believe in the old principle of "Divide and rule" I am not, therefore, inclined, on the information available to me, to attach much weight to this objection The Bengalis are supposed to be despised by people of other Provinces than their own But we have not had many officers in Western India, who have obtained the genuine friendship of the people amongst whom they have lived and worked in a greater degree than Mr Satyendranath Tagore. When many years ago, he was supposed to have incurred the displeasure of the Government of the day in the discharge of his duty, great sympathy was felt and publicly expressed for him in all quarters I grant at once that it will be an evil, both

political and administrative, if in any Province the people of it come to be excluded, or practically excluded, from its administration. But it appears to me, that the true remedy for this result, in so far as an open competition in India tends to produce it, is to be looked for, not in withholding that measure of general justice, but in removing any extraneous obstacles or disadvantages which may render its operation in special instances undesirable or productive of evil In other words, wherever any Provinces of the Empire are found to be backward in education, the resources of the Empire should, to a reasonable extent, be specially employed in bringing up that Province abreast of those which are now ahead of it in the race If this is done, the evil is minimised by being confined within narrow limits of time; while on the other hand the operation of the general rule will tend to weld together the various Provinces of the Empire—an advantage, in my judgment, alike to the rulers and the ruled.

3457. Under such a system how would it be possible to provide against Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province?—In so far as such exclusion is to be deprecated, I think the suggestion I have referred to in my answer to Question 3437 will afford a sufficient provision against it.

3458. Under a system of open competition in India, would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—Not generally, unless their privileges as to pay, leave, pension, and so forth were inferior to those of the persons selected by the competition in England By some, however, even if those privileges were equal, the position would be looked upon as somewhat inferior unless the candidate visited England.

3459. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—The system here indicated, may get rid of some of the objections urged against the present system But it will not get rid of them all, and it certainly will be open to some difficulties and objections, which do not exist under the present system. For example, a difficulty will arise about the allotments of the appointments to the respective systems, and an objection on the ground that a man of inferior merit under the one system will get into the service, while a man of superior merit in the other will be left out in the cold.

3460. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed? If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of the Acts of Parliament and Her Majesty's Proclamation of 1st November 1858, is this to be justified?—On principle, and in view of the Acts of Parliament, and the Proclamation of 1858, it seems to me to be quite plain that the Uncovenanted Service ought to be open to all classes of Her Majesty's subjects. And practically I believe it is so, in spite of the order of the Secretary of State for India. Whether the order of the Secretary of State can be regarded as constituting even a theoretical breach of the Acts of Parliament and the Proclamation, as appears to be assumed by the question is a point which may at least fairly admit of controversy. The order is merely that certain Uncovenanted offices shall not be given to any others than members of certain specified classes of Her Majesty's subjects without the special order of the Secretary of State. I think this last reservation saves the rule from being a violation of the Statutes and Proclamation, either in letter or in spirit. And it must be remembered that the fact of a person being a Native of this country is a very important additional qualification for employment in the service of the country. And further it must be remembered that that order had to be issued, because in actual fact, under the operation of the system of patronage which still prevails to a great extent in the Uncovenanted Service, the classes supposed to be unduly favoured by the order, had before it was issued, been unduly excluded from their legitimate rights, under those very Statutes and that very Proclamation which are here referred to

3461 If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to and residence in England? If so, what provision should be made for this purpose?—I doubt very much whether any such provision is wanted. I am, as a rule, averse to such provision, and I don't think there is any reason for such in the case of our community. I would add that no scheme of the sort suggested in this question will have those "elements of finality" which the Government of India wishes for.

3462. Would you give some of the appointments to be competed for in India?—I would have an identical examination.

3463 If you are so strongly in favour of the necessity of sending successful candidates to England, what then is your objection to their proceeding to compete there? Is it the risk of failure?—That is one reason of course.

3464 Why?—Because after they have passed an open competition here, they will go at a more advanced age with less chance of going to ruin, and their expenses during that period, I presume, will be paid by Government

3465. Do you not find that men proceed to England to fit themselves for other avocations in life. Have you enquired into the advantages of that?—Yes, but then they undergo no examination like the Civil Service.

The Hon'ble Mr. *Quinton.*

3466. You advocate an open competition for the services in India. I want to know in your opinion what classes are likely to succeed locally?—I should say Parsis, and Hindus, and Mahomedans in much lower numbers.

3467. What class of Hindus?—Those generally which we call the literary classes, Brâhmans and Parbhus.

3468 What about Khojas,—Mahomedans?—They would also take a fair share.

3469. When you speak about the backward classes you recommend Government to encourage them to attain a higher educational standard? What period of time do you think it would take to bring about that result?—It is very difficult to say.

The Hon'ble Mr. *Quinton*—continued.

3470. Yes, quite so, but it is very material to the enquiry?—In the course perhaps of ten or twenty years

3471 In the meantime for the next ten or twenty years these examinations will lead to the preponderance of Brâhmans and Parsis?—Yes, if they have special qualifications.

3472. I am well aware of the intelligence of these classes, but have they an influence in this Presidency disproportionate to their proportion to the bulk of the population. The total percentage of Brâhmans to the total Hindu population—is something between five and six, is their influence greater than those figures would seem to imply?—Yes.

3473 They have an influence in what way?—With the people of the Presidency.

3474 Are they regarded with affection and respect?—I should think so.

3475. Do you think for ten years it is fair to the other classes of the population that they should be kept out of the public service absolutely for the benefit of Brâhmans and Parsis?—As you put the question you can only get a negative answer, but I do not admit that the conditions are correctly expressed in the question

3476 The result would be that in the competition Brâhmans and Parsis would have the predominance?—I have not said anything about predominance, but there would be larger numbers

3477. Well, I may take it that for the next twenty years, until an educational level is reached, these classes must predominate?—Quite so.

3478 Do you think that just to the backward classes, do you not think that these classes are actuated by the same desires which actuate you in wishing to serve your country?—Yes.

3479 But the effect will be that they will be kept out altogether?—I do not think that will be the effect

3480 They will certainly be kept out in the first instance?—Yes

3481 Until you bring them up to a higher level, would you absolutely debar Government from making use of the Statute?—Yes, I would

3482 You recommend the limit of age to be twenty-three?—Yes

3483 Would you make any difference in the number of marks for any particular subject?—Yes, I would put oriental languages and literature on the same level as Latin and Greek.

3484 Explain what you mean by oriental literature and what Arabic books you would prescribe. Can you give a list of Sanskrit books?—Literature is the term used in the examination-papers. I should think Sanskrit works possessed educational value.

3485 Equal to that of Greek and Latin?—I have never read them, so I cannot compare the two

3486 But surely a gentleman of your attainments must have read translations (at least) of Greek and Latin authors?—I know a little Latin and no Greek, and I have read translations, but I am not in a position to judge of their relative merits and value as a means of culture

The *President*

3487 Don't you think you had better leave the question to the Civil Service Commissioners who can assess them at their proper value?—Certainly, if I was satisfied that the authorities were competent to decide fully the value of all these languages for purposes of culture.

The *President*—continued.

Mr. *Quinton*

3488. Are you not taking on yourself to decide as to the respective merits of languages of which you know very little?—I am not deciding I am only giving evidence. My opinion is subject to correction.

3489. Do you know who the Civil Service Commissioners are?—No.

3490. Then you are not in a position to judge of their qualifications?—Yes, I am.

3491 Where were you educated?—In Bombay. At the Elphinstone College, and before that at the Elphinstone Institution.

3489½. Was Sanskrit taught there?—Yes.

3492. Did all the boys of the school learn it?—Those who took it as a subject In my time at school, only a few took up Sanskrit. In my class I and a gentleman, who has since become a Civil Servant, took up Sanskrit. At College all were obliged to take up one or another of the classical languages.

3493 How long did it take you to learn Sanskrit before the matriculation?—Three years

3494 At College what time?—The whole course. It took me about three years to get my B A, and one to obtain my M A.

3495 Did you pass in Sanskrit for M.A.?—Yes.

Mr. *Nulkar.*

3496. Are you connected with Sanskrit scholars in Europe?—I have been now and then. I was asked by Professor Max Muller to translate a work for his series.

3497 Then you are well-known to Sanskrit scholars in Europe and they are known to you by name?—Yes.

3498. Are any of these Sanskrit scholars in Europe on the Civil Service Commission, in order that they may judge of the relative value of languages?—I believe not.

Mr. *Crosthwaite.*

3499. If there was an open competition in India, do you think many Natives would succeed?—I should say not in the beginning, but more would get in than now.

3500. Why do you want open competition in India, for the efficiency of the service or for what reason?—I should say it was due to us under the promise made by Acts of Parliament. I should say the principle of those Statutes and the Proclamation ought to be carried out. The present system results in a practical exclusion of Natives.

3501. Whether they are fit or unfit men?—Yes.

3502. How do you know that?—Because they cannot appear at the examination. The examination should be open.

3503 Your real reason for wanting a competitive examination in India is because you think more Natives would get in?—Yes.

3504. At the same time you believe that many Natives will not get in?—Yes

3505. Supposing that the result of the competitive examination was that no more Natives got

Mr. *Crosthwaite*—continued.

in than now, I suppose that would be a fresh cause of discontent?—I do not think so.

3506. You say that if the standard of marks is altered and the examinations are held in India the service would not be more efficient, but that more Natives would get into the higher posts of the service? Supposing that result does not follow, then will you ask that the examination shall be further altered?—I do not say so I am prepared to say that I shall not agitate for that.

The *President.*

3507. But if Natives are still practically excluded?—If they are excluded in fair competition I have nothing to say.

3508. At present is it not fair then?—No.

3509. Do you not think that for the higher posts an English education is necessary?—It is not absolutely necessary for a man to go to England to be trained. A man may do his official work just as well without going.

Mr. *Quinton.*

3510. Do you not think Government ought to try to get the best officers?—Certainly.

3511. And for that end do you not think a man ought to go to England and be trained there, passing some of his school days there?—No. I do not think sending boys to England will do as much good as sending youths of a more advanced age.

Mr *Crosthwaite.*

3512. You say:—I believe that all classes except Hindus readily go to England. Among Hindus the objections to a visit to England are becoming gradually weaker, but they still prevail to a not inconsiderable extent. The objections entertained by Hindus in particular are on the score of caste and religion. By all classes objections are felt to throwing young men adrift in a country so far away, where it is generally believed the temptations in the path of young men are many and widely scattered, and where any satisfactory check and regulation is not always possible The great expense also, and the chance of the visitor to England returning with ideas impracticable or at least ill-adapted to the existing conditions of India and Indian society, are also considerations not without their weight—the latter especially in the case of young boys. Is that your firm opinion?—Yes.

3513. Is it an objection to an officer holding a high post under the British Government that his ideas should have been changed?—Certainly not, but a violent change is not desirable.

3514. Is it not necessary for the purpose of the British Government that men who hold such posts—say a Collector or Commissioner—should be able to understand the English system of administration?—Certainly. But a voyage to England and a stay of a few years there would make them appreciate England and an English system of administration.

The *President.*

3515. What would be the practical effect of the system you propose?—I should think in time a larger number of Natives would get in.

Mr. *Nulkar.*

3516. What class of Parbhus are they in this Presidency?—Kayasts and Pathans; they are mostly in Government service.

3517. If what you regard as the backward classes were left out, would that be anything new?—There would be no change for the worse in their position.

3518. As regards the result of the present examination, are the best class of Natives brought into the service?—I should think not.

3519. You think a better class of Natives would come if the examinations were held in India?—Yes.

Mr. *Crosthwaite.*

3520. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—Appointments to the Subordinate Judicial Service in Bombay are made, I think, on a perfectly unexceptionable system. Those to the Subordinate Executive Service are also, I think, of a generally satisfactory character There have been some complaints about the latter, I think, at various times, but I am not sufficiently conversant with the whole matter to be able to say how far they can be fairly remedied.

3521 Have complaints been made to you about preference being given to graduates or not?—There have been complaints both by graduates and non-graduates

Sir *Charles Turner.*

3522 On what grounds do the graduates complain?—That their general culture is not given sufficient recognition.

Mr. *Crosthwaite.*

3523 Would you restrict the service to Natives of the Province?—I would not restrict it.

3524. What special provision, if any, do you think should be made for the appointments to Covenanted posts of deserving members of the Uncovenanted Service? If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service, and if so, what classes? Should persons so appointed be appointed provisionally, and be required to pass through a period of probation before final confirmation? Should provision be made for the appointment of qualified members of the Uncovenanted Service to the *higher* Covenanted offices without requiring them to pass through the lower grades? If certain appointments in the Covenanted grades are set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service? Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service? Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India?"—I think provision should be made for the promotion into the Covenanted Service of specially deserving officers from the Uncovenanted Service. I hold this view on two grounds—first the Covenanted Service being, and

Mr. *Crosthwaite*—continued.

Vol IV Sec II. Bombay

The Hon'ble. K T Telang

being regarded as, the superior service, a pathway into it from the inferior service might usefully be kept open to stimulate a wholesome ambition; and secondly it is desirable to pave the way for an eventual amalgamation of the Uncovenanted and Covenanted Services. Such promotions ought not, I think, to be confined to any particular classes of appointments in the Uncovenanted Service, but should be made in all cases when the reasons above indicated render them expedient. Upon the whole, I think, the Uncovenanted Service should be treated as a whole, without distinction as to the race or class to which the individual meritorious officer belongs. The European Uncovenanted officer should not be excluded from his chance of promotion, nor the Pársi nor Hindu. But, I think, on the other hand, that in this matter special consideration might be shown *for the present* to individuals of the backward classes as they have often been called, *e g*, the Mahomedans, the Marathas and non-literate classes of the Hindus, and others similarly situated I don't think any period of probation is wanted in these cases, nor do I think that any fixed proportions of appointments need be reserved for such promotions. When a proper case arises,—and it ought to be a very special case,—the power to make such promotions should be exercised by Government. I think, too, that such promotions may be made to the higher grades of the Covenanted Civil Service at once. This would be in accordance with the principle on which I conceive this system of promotions ought to rest. The only objection I can imagine to the course is the possible injustice to the claims of those members of the regular Civil Service above whom a person promoted under this system may happen to be placed. This is a consideration obviously of some importance for the preservation of the Civil Service as a desirable career But I must say that that consideration has often had too much weight attached to it. After all, the country, I assume, will for long continue to be governed by the members of the regular Civil Service, and the highest offices, those which carry with them the authority to make these promotions, will be held by members of that Service. Any such chance of injustice, therefore, to members of that body from their own brethren must always be a very remote one. Complaints of a block in promotion are often heard coming from members of the Civil Service, and such complaints have resulted at times in special burdens being laid upon the country. Such tenderness has, not often, as far as I know, been shown to the Uncovenanted Service. Again, it is also forgotten, that for one such place lost to the members of the Civil Service, they are always gaining, at least temporarily, many to which they are not in strictness entitled. When one Uncovenanted officer was promoted to the Statutory Civil Service, some years ago, this complaint was made by the regular members. But they forgot at the time, that for many years there had been more Civilians on the Bench of the High Court than there must be under the High Courts Act, that the posts of Political Agent, Director of Public Instruction, Educational Inspector, Municipal Commissioner of Bombay, College Professor, Private Secretary to a Presidential Governor, and so forth have often been bestowed on members of the Covenanted Service, though the appointments are not comprised within the "close preserve" belonging to that service It seems to me to be obvious, that if the very occasional promotions from the Uncovenanted Service into the Civil Service referred to might now and then aggravate a "block in promotion," the very frequent annexations of places outside the special pale of the Civil Service, must often tend to relieve such a block. But in the future, I suppose, as in the past, the almost constant relief will remain unnoticed, and the occasional temporary aggravation will be made too much of.

Mr *Crosthwaite*—continued.

3525. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes?—The only professional class I can think of in this connexion is the class of lawyers. The members of the Medical and Engineering Professions could scarcely be drafted into the ordinary Civil Service But about them I do not feel myself qualified to speak As to the lawyers, I am of opinion, that as a general rule the practising lawyer makes the best Judge. The rule is not by any means without exception, of which we have had some very notable ones in this Presidency. But that, I think, is the general rule. And special provision for promoting practising lawyers to Judgeships will be desirable, unless the rule as to promotions from the Uncovenanted Service is made elastic and wide enough to meet their case. Under the present rules all the practitioners in the High Court, and many (though not all) of the capable ones in the Mofussil Courts, are eligible for Subordinate Judgeships. The men to be selected for Covenanted posts might then be appointed Subordinate Judges for a day, to be transferred the next day to the Covenanted post for which they were selected. I think, however, that no such appointment should be made except on a nomination by the Chief Justice and Judges of the High Court.

3526 You say: "It must be remembered that the fact of a person being a Native of this country is a very important additional qualification for employment in the country." What do you mean?—I mean that he knows the vernacular, and the habits and feelings of the country, and will remain in the country, and thus be an economical benefit to the country.

3527. Do you speak Telegu, Pushtoo or Punjabi. Are these qualifications not more or less local?—Yes.

3528. Is there any difference between my spending ten rupees out of the country and your spending ten rupees out of the country?—No.

3529. If I order a coat from England, is any more harm done than if you order a coat from England?—No.

3530. If I travel in a train the engine of which has been made in England, is that a loss to the country?—No. I do not call that a loss to the country.

3531. If you have a man to do a certain kind of work which cannot be done by a Native, do you call that a loss?—No.

Mr. *Ryland.*

3532. Are you aware of any Europeans having been admitted to the Uncovenanted Service since the order was passed?—Yes.

3533 How many?—I can't tell.

3534. One or two?—I believe the appointments have been made.

3535 You are not aware of the exact appointment?—No. I have not made any specific en-

Mr. *Crosthwaite*—continued.

quiries. I have read of two appointments which were made in Madras being objected to locally. The objection was overruled by the local authorities; but finally, after two or three years, was given effect to.

3536 Are these the instances you refer to?—No. They are by way of illustration.

3537. Do you not think the Secretary of State's order a violation of the Statute? How would you regard an order that no Native of India should be admitted?—I should not regard that as a proper order.

3538 Would you not regard that as a violation of the Statute?—I should; but there is an obvious distinction.

3539. But the Statute makes no difference?—But there were no other means of getting a proper rule observed except by laying it down distinctly No such similar justification could be shown if Natives were excluded.

Mr. *Nulkar.*

3540. Supposing that those who have gained most valuable experience of India in the administration were to remain in India, and spend their lives and their pensions in the country, do you not think that would be an advantage to the country in various ways?—Yes; certainly. They would be valuable for special purposes, for instance, sitting on this Commission They would also be able to help in Local Self-Government.

Mr. *Crosthwaite.*

3541. In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal, and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and Colleges at present supply an education of so high a standard?—I do not think that Indian schools and Colleges can at present supply "the best, the most liberal, and the most finished education to be procured in England" But is such an education now insisted on as a necessary qualification for admission to the Civil Service? It seems to me impossible to say that it is, having regard to the class of persons whom the competition in England is now sending out to India. And one has only got to read the recent Blue-Books on the "age question," and especially the opinion of Professor Jowett therein stated, to see that at all events under the operation of the last change of rules, now especially objected to, and, I would add, even of the previous changes in the limit fixed by Lord Macaulay's Committee, such an education as is referred to in the question has not been "a necessary qualification for admission to the Civil Service," and has in fact not been acquired by many of those who have entered that service.

3542. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—Yes, I do. There are two or three instances of a remarkable character within my own knowledge, of such qualities being displayed when the occasion arose.

3543 How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to and residence in England?—If the "journey to and residence in England" here contemplated comes after the competition in India, the objection seems to me to be an excessively weak one. If before, it is one of considerable weight. And I think this is the general opinion.

Mr. *Crosthwaite*—continued

3544. Does a voyage to or residence in England involve the loss of social position or other unfavourable consequences in the case of any section of the Native community?—Among Parsis and Mussalmans, if we except cases of individual peculiarities and defects, a voyage to England involves no loss of social position, or other unfavourable consequence, but probably the reverse Even among Hindus on this side of India, the only unfavourable consequence is, that the people of the caste of the person who goes to England will have no caste intercourse with him, though even this refusal of intercourse is becoming more and more unfrequent. While, as regards all other than caste-relations, I think it may be now said that there is no unfavourable consequence at all. I may add, too, that there are cases now of persons who have gone to England being received into their castes They are admitted to caste-dinners, they are allowed to marry within their castes, and indeed they are dealt with as if nothing worth noticing had happened to them or been done by them.

3545 Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—To a certain extent the result here referred to does follow. I should say, however, that this does not, in my opinion, happen very frequently. When it does happen, it happens in the cases of those who go to England as raw boys rather than young men; and even in those cases it is generally to be explained, to some extent at least, by the defects or weaknesses of individual character.

3546. Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—Just now, I think, it will have this effect in the case of the Hindu community. But I also think that the signs of the times show this will be so only for a certain period, which though probably long enough in the life of an individual, will be but a small one in the life of the community.

3547 Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—If this was confined to cases of high families, in the sense of families of high political influence, families to neglect whom might be a source of political danger, I should not consider the rule very objectionable I should, however, feel less hesitation than I do about such provisions, if some plan could be devised by which a statement could be publicly made of the reasons which weighed with Government in each such case—a demand which has also been made, and reasonably, in regard to the Government's distribution of titles and honours. But I cannot see my way to any feasible suggestion on this point, as I fear the whole object in the case now under consideration might be frustrated by any such statement.

Mr *Crosthwaite*—continued.

Vol. IV. Sec II. Bombay.

The Hon'ble K T Telang.

3548. Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government Service, or in the exercise of a profession, without preliminary examination or competition?—In the case of selections from the Uncovenanted Service or from the professions, ordinarily, there ought, I think, to be no examination. In the former, perhaps, when several candidates were recommended by divers authorities, such an examination might be resorted to.

3549 If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—I think not in this Presidency.

3550 Would it be desirable to rule that the proportion of persons being Hindus and Mahomedans respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any Province, should bear a certain relation to the number of the two classes composing the population of the Province concerned?—What classes, ranks or professions of the Native community should be included among Mahomedans and Hindus, respectively, for the purpose of ascertaining the proportion of the population of each of those classes in the several Provinces?—I don't think such hard and fast rules work well The evil, however, which is contemplated in this question, may at any time, and in any place, become a real practical evil, and when such a contingency becomes probable, steps may be taken by Government in view of all the then existing circumstances. But meanwhile, I think, no such scheme is needed The latter part of this question itself indicates one of the practical difficulties of such a scheme Another difficulty is that Hindus and Mahomedans are not the whole of the Indian communities In Bombay we have a third very important public-spirited and intelligent community—the Parsis. We have, again, the Portuguese and the Native Christians Taking the Hindu community itself, too, we have divisions, which are marked not merely by differences of caste but also by differences of tradition, of character, and so forth If we are to recognise the two main divisions mentioned in the question, it seems doubtful whether, on principle, or even as a matter of mere expediency, we could fairly refuse to recognise minor divisions, such as those to which I have now referred

3551. Explain under what circumstances it might become a great evil?—For instance, when a large majority of one race succeeded in entirely excluding another, then it might become a practical evil.

3552. How far should appointments in each Province to Covenanted posts be restricted to Natives of the Province concerned?—I don't think any rigid restriction, such as that referred to in this question, is wanted. The feeling which is to be respected by the arrangement suggested, is doubtless at present a living one to some extent. But it is dying out, and it is not desirable in any way to galvanise it by artificial processes. Still, even as a help to its ultimate annihilation, it is desirable that the executive Government in each Province should for the present have regard to its existence in fact, and regulate its policy accordingly.

Mr *Crosthwaite*—continued

3553 How would the following scheme be regarded by the Native community? (1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible. How would you regard such a scheme? How would the Native community regard the following? (1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England to which Natives and Europeans alike would be admitted. The appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible How would you regard such a scheme? If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service, so as to form an enlarged Civil Service to be recruited in India? How would you view such a proposal? How would the Native community regard the following scheme? (1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India; (3) the remainder to be filled by competition in England. How would you regard such a scheme?—I don't consider any of the schemes here suggested to be satisfactory, or to possess the "elements of finality" referred to in the Resolution appointing the Commission, in the only sense in which such schemes can have "finality," that is, that they should be such as will be willingly accepted for any reasonable length of time by those who are affected by them. The first of the schemes proposed seems to run counter to the policy of the Acts of Parliament and of the Proclamation of 1858, and therefore, in my opinion, will not do. I think that those among us who take interest in public affairs will not be satisfied with such a solution of the problem. The second scheme is not open to this objection in the form and to the extent above stated. But it is open to the same objection in substance, which is, in truth, the objection made against the rules now in force. The Covenanted Service under that scheme, though nominally open to Natives of this country, will not in practice be so, and the reduction of the number of reserved appointments will be only a partial alleviation of the evil now complained of. The result, too, of either of those schemes will be that a virtual amalgamation of the lower departments, of the Covenanted and the Uncovenanted Services while certain of the highest appointments were still excluded from such amalgamation, and practically reserved for Europeans. The third scheme will present difficulties and grounds of complaints in detailed working And it will not serve all the objects to be kept in view in the solution of this problem as indicated by me elsewhere. All the schemes here suggested seem to proceed on the basis that an open competition in India would lead to the entrance of an overwhelming number of Natives of this country into the ranks of the Civil Service. No such fear appears to have been entertained by the authorities in 1833 and subsequent years, or at all events, if entertained, it was not then allowed to govern their policy and proceedings. I don't think that any such fear need be entertained now. And I

Mr. *Crosthwaite*—continued.

may add, that when such a fear appears, in the course of events, to be about to be realized, Government will be at liberty to reconsider the system that may be now established. I for one certainly will not object to a reconsideration then. A modification of the system, based on such reconsideration then, will be more practically useful, will be more likely to give satisfaction than any provision that may now be made in anticipation of what many think, and I think, to be an improbable event.

3554. What Statute do you refer to?—The statute of William IV, making all Natives eligible for appointment.

3555. Was there any competition at that time?—No.

3556. Is this not a difference because in throwing open appointments to competition Government gives up the power of selection?—Yes.

3557. Assuming a system of nomination of, or limited competition among, nominated candidates, would Native opinion be in favour of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order, to (*a*) members of families of tried loyalty and distinguished service, (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M A.?—Other things being fairly equal, the classes of considerations here suggested ought to be allowed weight, I think. But I am of opinion that none of them should be allowed absolutely and by universal rule to override the others I think weight ought to be given on one occasion to one of these considerations, and on another to another and so on, thus utilising both classes of forces, political and educational, for the general good.

3558. How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates? How would you regard such a system?—I do not know to what department of the service these questions are intended to apply. As to the Covenanted Service which seems to be referred to, my view in regard to it has been already expressed.

3559. If the Statutory system were maintained, and if a probationary period were required from nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases, *e.g.*, in the case of a person who has done good service in the Uncovenanted ranks? In the case of persons nominated from the professional classes, is it desirable that a probationary period should be prescribed? If so, is it necessary that the incidents of such period as to duration and pay should be the same as those attached thereto in the case of Statutory Civilians appointed on probation to the lowest grade of the Covenanted Service?—I would certainly have no probation in the case of promotions from the Uncovenanted Service, nor in the case of promotions from the professional classes. The previous service of the one and the professional practice of the other ought to be treated as being their real apprenticeship to the work.

3560. What caste or classes predominate in the service in this Presidency?—I believe Brâhmans

Mr *Crosthwaite*—continued.

3561 Do they form ninety per cent. of the whole number of public servants?—I can't say.

3562. Would you be surprised if you heard it was ninety per cent.?—No.

3563. Are there any Mahomedans who are Mumlatdars or Subordinate Judges?—Only one or two I believe Subordinate Judges.

3564. Do you think that fair?—No. I do not.

3565. Do you think that any system which perpetuates that state of things would be fair?—No

3566 If an open examination resulted in that preponderance, should you deem it desirable?—No. I should not.

Mr *Ryland*

3567. When do you think the limit which you say it might be desirable to place on the admission of Natives into the Civil Service will be reached, and what do you think a safe proportion of Europeans to retain?—I cannot say I could not fix a proportion.

3568. Can you state when the danger would arise?—No I cannot tell It depends very much on the feeling of the people.

3569 Well, how much of the agency ought to be European and how much Native?—That is a question of very great importance on which I am not, under present circumstances, prepared to give an opinion.

Mr. *Nulkar.*

3570 Have you had much to do with the Native Magistracy and Subordinate Judges?—With Subordinate Judges to a certain extent, and with Native Magistrates less

3571. Have you formed any idea of their comparative merits? And does their training tell on the work they turn out?—I think it does, so far as I have had an opportunity of judging.

Mr. *Crosthwaite.*

3572. What class invest money on railways and Government loans in this country?—I believe that the railway capital is mostly held by Englishmen and Europeans.

3573. Do you think it necessary to make railways in India?—Yes.

3574 Would you advocate that it should be rendered more difficult than now to get money for railways?—No I should think twice about doing such a thing unless there was a countervailing advantage.

The *President.*

3575. Supposing any arrangement was made which would diminish public confidence in the efficiency of the general administration, might that not prejudice the credit of the Indian Government?—Yes.

3576. And render it more difficult to get loans except at an higher interest?—I should think so.

Mr. *Crosthwaite.*

3577. Has not Local Self-Government had that effect?—Not that I am aware.

3578 Have not Municipalities had a greater difficulty in getting loans since they have had greater powers?—I have not heard of that.

Mr. *Nulkar.*

3579. Are you Secretary of the Bombay Presidency Association?—I am.

WITNESS No. LI.—25th January 1887.

Examination of Ráo Sáheb MAHIPATRÁM RUPRÁM NILKANTH, C.I.E., Principal, Training College, Ahmedabad.

Mr *Crosthwaite.*

Vol II Sec II. Bombay

Ráo Sáheb *Mahipatram Rupram Nilkanth*

3580. What is your official position?—I am the Principal of the Ahmedabad Training College.

3581. In what other capacities have you served?—I have been Assistant School-master and Deputy Educational Inspector, and also Guzerati Translator in the Educational Department.

3582. Where do you come from?—I am a Native of Surat.

3583. Are you a graduate of the University?—I left the Elphinstone College before a University had been established.

3584. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Service approved?—It is not considered good by the Indian public, that is, by those who understand the subject.

3585. On what grounds?—Because it is wrong in principle, and the appointments are not given to men of proved merit and ability.

3586. Why is it wrong in principle?—Because in the selection no competition is allowed. The men are not selected who have been proved the best by efficient service.

3587. If the provisions of the Statute 33 Vic., Section 6, are not repealed nor substantially amended, so as to take away the power conferred on the local administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised, or in respect of the sanction required for appointments made thereunder?—My opinion is that we ought to have free competition. I should have the service under a different system.

3588. What system would you have?—I propose this, that in the Covenanted Civil Service we have two branches—one branch superior, and one inferior, in one of which the Statutory Service will be placed.

3589. Would you admit the subjects of States in subordinate alliance with Her Majesty?—Yes; as the princes of these States admit British subjects, so I think the British Government should admit their subjects so that the whole Empire may be united.

3590. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—It is not necessary.

3591. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—I think the age should be increased. People do not like to send their boys to England so young as is necessary now, and besides the present age limit tends to cramming and has a bad effect on the health of the boys and upon their brains. Therefore one great objection is the age, another is the place of examination, another the system of examination.

3592. How would you raise the age—to what extent?—I would raise the age up to twenty-two or twenty-three.

3593. Where would you hold the examination?—Simultaneously in England and in India.

3594. Should the examinations be identical?—Yes.

Mr. *Crosthwaite*—continued.

3595. Would you give the appointments to the best men out of the whole?—Yes. The best in order of merit.

3596. What change do you suggest in the system of examination?—The Indian classical languages should be put on an equality with European classical languages. Persian, which is taken up by a large number, should have the same advantage as French and German.

3597. Do you know Sanskrit, Latin or Greek?—I do not.

3598. Would you make successful candidates go from India to England?—I would not make it compulsory. I would have the service in two branches,—those who elected to go would form the higher branch of service, and those who declined to go and remained here I would put into the inferior branch of the Civil Service.

3599. Would you promote those who were fit from the lower branch?—I would reserve that power to Government in cases of extraordinary merit. Men should go from the lower into the higher, but not more than one should go in a year.

3600. How about the Uncovenanted Service? Would you keep that as it is under your system?—Yes, with some little change.

3601. Do you approve of the Subordinate Judges?—Yes, I think they do very well now. The Mamlatdars, I think, under the system which Government has introduced, will do very well in course of time. If graduates are appointed the service will improve.

3602. Would you recruit for Mamlatdarships from all natural-born subjects of Her Majesty, or keep them for Natives as defined in the Statute?—I would keep them for Natives as defined in the Statute, and my reason is that in the lower grades the pay is small and it would not do for Europeans to enter it.

3603. Would you keep the service for Natives of the province?—Yes.

3604. What is your opinion about the Furlough rules?—Furlough rules for visiting Europe should be alike for all. All the officers of the Covenanted and Uncovenanted Services should be encouraged to visit England from time to time during the course of their service; the Furlough rules should be applicable to no other purpose. I should like to add that competent Natives ought to be appointed with Englishmen to the Board of Examiners, and that one Native language ought to be made compulsory, because I think it very desirable that people who have to serve in India should have a good knowledge of its language.

3605. Supposing a candidate learnt Telegu and was appointed to the Punjab, what would he do?—If he learnt Marathi, for instance, he would have little difficulty in learning Bengali or Punjabi. We should have Madras Civilians for Madras, and others for Bengal and Bombay. There would be no difficulty in that respect.

The *President.*

3606. Is there any other point you would like to bring before us?—No.

WITNESS LII.—25th January 1887.

Examination of Ráo Báhádur YESHWANT MORESHVAR KELKAR, Deputy Collector, Assistant to the Commissioner, Southern Division, Bombay.

Mr. *Stewart.*

3607. Where are you now employed?—I am at present Oriental Translator to the Government of Bombay.

3608. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The present Statutory system is looked upon with disfavor by the educated classes. The intelligent Native opinion is also decidedly against it. Because, first, the best men available are not secured, second, the number of selected candidates is too small to satisfy the reasonable ambition of those who by their education are qualified to hold more important appointments in the public service not hitherto open to them The feeling of dissatisfaction is directed both against the Statute itself and also against the rules framed thereunder.

3609. If it is not, what are the grounds of disapprobation?—The objections to the Statute itself are:—

The Statute provides for the employment of the Natives in the Civil Covenanted Service, and for their appointment to that Service There is a badge of inferiority attached to those who are selected for enrolment in the service, which consists for the most part of men who have secured their appointment to the service by hard competition.

The other objections are—

1st. That the rules framed under the Statute are not in consonance with the spirit of the Statute itself. The selection of cadets of old families as recruits for the Civil Service was therefore a distinct departure from the original intentions of the Legislature.

2nd. The experience since gained shows that the mode of selection is faulty.

As far as my experience goes, the selections made in the Bombay Presidency do not fulfil the objects aimed at as stated above.

3rd The difference in the scale of pay allowed to the Statutory and the Covenanted Civilians is invidious. In cases of salaries below Rl,000, it is not even justifiable.

3610. Are the defects of the existing system (if any) susceptible of remedy (*a*) by an amendment of the rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—I would withdraw the present rules altogether, and substitute in their place fresh rules to provide for a few years for the promotion of officers of approved merit and ability from the ranks of the Uncovenanted Service to make up the complement of Native Civil Servants, and in future also for their promotion in rare cases as a special reward for meritorious service But I would in no case place the Uncovenanted officers so selected above the Civilians who have joined their appointments prior to the passing of the Statute of 1870.

Mr. *Stewart*—continued.

If the fresh candidates for the Civil Service cannot be selected from among the Natives by any other more eligible mode than the *present* Statutory system, then I would prefer they should be obtained by limited competition.

3611. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service?—I would encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service. I would allow them passage-money and subsistence allowance during their residence in England, not exceeding two years. If possible, the candidates should be induced to go to England to spend their period of probation with the successful European candidates of the year, but they may be permitted to visit England at any later time also

3612. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—The Native candidates are greatly handicapped by the rules which regulate the competitive examination at present

3613 Would you alter the number of marks in any subject?—Persian, for instance, should be added to the list of classical languages. The knowledge of Indian languages is more essential to the future Indian Civil Servants than the Continental languages of Europe Hindi, Marathi, and Tamil should therefore be added to the list of subjects, and placed as regards marks on the same footing as French and German. The maximum of marks obtainable in Sanskrit should be raised to 800 as for Latin, and Arabic, and the Persian should be placed on a level with Greek with 600 maximum marks

3614. Do you advocate a simultaneous examination in India and England?—In fact, there should be only one examination held at different centres in England and India in the same way as the matriculation examination is now held at different places in this Presidency. There is therefore no good reason to restrict the competition in India to Natives and that in England to English candidates. I would admit both classes freely to either examination, two *separate* lists, however, being drawn up of the result of the examination,—one for Natives, whether residing in India or in England, and the other for Europeans. I deprecate open competition for the Indian Civil Service both in England and in India. I think the service should be recruited by candidates selected by a system of limited competition. I would leave it to the Executive Government to select candidates who should be permitted to compete for the examination in India. Whether the competition be open or limited, the classes who intellectually hold the highest place in Native society will for a time secure the greatest benefit, but this fact in itself will and does act as the best stimulus for the backward classes to advance. In this Presidency the public

Mr. *Stewart*—continued.

service is no longer the monopoly of the Bráhmans, Kshetris and Parbhus that it was in the last generation. Gradually other classes, such as Parsis, Marathas, Lingaits and Mahomedans are getting a footing in it. Twenty years ago there were not more than ten Lingaits in the Government service in the Dharwar District, but there is no public office in that district now without its complement of Lingait Clerks or Karkuns. I think Government should be in touch with the intellect of the country, they should not give undue importance to the obstructive traditions of the old families and backward classes. Their policy should be to *ignore* caste altogether. I am not aware of any political objections to open competition, but it would not always secure the best men for administrative purposes. Competition will put to test only the intellectual acuteness of the candidate, but this alone will not make a good administrative officer. I would therefore leave it to the Executive Government to select for competition from among the applicants young men who, on the grounds of their parentage, social status, and influence in the country, are likely to answer their purpose best.

3615. If candidates are selected in India by limited competition, would you oblige them to go to England for a period of instruction?—Yes, for two years.

3616 To be spent at the University?—If at a University, I would allow three years I had in view that they should spend their time with the passed Civil Service candidates in England.

3617. Should there be an apportionment of appointments?—Any proposal to allot to Natives a fixed proportion of the appointments at present reserved exclusively for the Civil Service will be favorably viewed by the Native public, as it will ensure a certain number of administrative appointments being always held by Natives; but, considering the advance of education in the country, the proportion of appointments to be thus made available to Natives will have to be considerably higher than that fixed in the case of the Statutory Civilians. From one-half to one-third of the appointments now reserved to the Covenanted Civilians may safely be filled by the Native Civil Servants. Any recruits that may be necessary to make up the proportion so fixed should be drawn from the lists of the successful European and Native candidates If the number of Native candidates fell short, the deficiency should be made up by selection from among the Uncovenanted Service under the Statute of 1870. After a few years, however, it will be unnecessary to resort to this special mode of obtaining recruits for the Native branch of the Civil Service, and the provisions of the Statute need then be enforced only if the Executive Government have to promote to the rank of the Civil Service any Uncovenanted officer of special merit and ability.

3618. Should the Uncovenanted Service be recruited from Natives of India or from all natural-born subjects of Her Majesty?—Both the Covenanted and Uncovenanted Services should be open to all natural-born subjects of Her Majesty, but of all Her Majesty's subjects Indians have the best claim to the Indian service Preference should, therefore, be always given to them when they may be found to possess the qualifications that may be from time to time prescribed. The employment in India of Her Majesty's subjects other than Indians could only be justified on the

Mr. *Stewart*—continued.

ground of political or administrative necessity. The present rules* regulating the admission of Europeans in the Uncovenanted Service under certain restrictions meet the justice of the case very fairly. If at all, they require modification in the direction of further restrictions against the employment of Europeans in the Opium, Salt, and Customs Departments, which can now safely be imposed consistently with maintaining the efficiency of these departments.

3619. Would you have any change in the recruitment for Subordinate Judges?—I think that the present system of filling up Subordinate Judgeships the best. I would not interfere with it in the least.

3620. Would you recruit for the Uncovenanted Service only from the residents in each province, or would you permit others to share?—I would not interfere with the present rules.

Mr. *Nulkar.*

3621. Have you been employed as a Mamlatdar?—I have been in the Executive Service as Chitnis.

3622. Have you also worked as Deputy Collector?—Yes.

3623. Have you seen the work of the Native magistracy in this Presidency?—Yes, as far as my limited opportunity went.

3624 How is the work of the Judges performed, Civil as well as Criminal?—I have no personal experience of the work done by Subordinate Judges.

3625. Is the magisterial work susceptible of improvement?—It is daily improving. The Magistrate of to-day is far superior to what he was when I first entered the service twenty years ago.

3626. What do you think of the present rule for recruiting Mamlatdars? Is it properly worked?—It is capable of improvement, but the rules need not be amended; but in working them more sympathy might be shown than has hitherto been the case when an educated young man comes to the department.

3627. By an educated young man do you mean a B.A.?—Well, he is eligible after three years' probation, but I do not say he is fit for the appointment.

3628 How are they encouraged?—At present, under the rules framed by Sir Richard Temple, graduates are admitted as second Karkuns, where they remain on probation for eighteen months, when they have to pass an examination. If they pass they are made Head Karkuns, and are promoted to Mamlatdars when their turn comes. I hold that the experience of Head Karkuns of a taluq is not sufficient to qualify a man for a Mamlat. It requires a wide experience in the lower branches of the service in posts such as Chitnis, &c. Then, after these graduates have been trained carefully and kept five years in subordinate appointments, two or three in a taluq, they will have received an excellent training, and be better qualified for the full administration of their appointments than they are now.

Mr *Stewart*

3629. How long will it take an ordinarily well-educated man to obtain sufficient experience for a Mamlat?—For the son of a Deputy Collector or Mamlatdar I think five years; but a man with-

* Letter from the Secretary to the Government of India, to the Local Governments, No 21—746-53, dated 18th April 1879.

Mr. *Stewart*—continued

out social status would, I think require eight years' experience.

3630. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—I would have the pay of the appointments reserved for the Covenanted Civilians fixed irrespective of their holders. There should be no distinction between Europeans and Natives as regards salaries below ₹1,000. In posts the salaries of which exceed that sum, the European holders might be allowed a staff allowance of 25 per cent. There is one point which has occurred to me which I have not yet mentioned. I have read and heard a great deal about the difficulty of promoting Natives in the Executive service to the headships of departments. I think we might get over the difficulty if we follow the example of Native States and have a joint form of government, in which the energy and higher qualities of the Englishman will be coupled with the intimate knowledge of the people. There ought to be a joint administration just the same as is introduced into the Political Department. At Bhavnagar there was a joint administration, and for the last forty years there has been one in Kolapur with a Political Superintendent and Karbari. In the old days there was something very much like this when

Mr. *Stewart*—continued

the Collectors were guided by the Dufterdars.

3631. But the Dufterdar was not supposed to have any responsibility?—They had a certain amount of responsibility, but they ceased to be useful and were done away with in 1869. I would like to see the administration of a British district made over to joint administrators.

3632. As an experiment?—As an experiment, and if it succeeds it might be extended.

3633. Would you put Natives in charge of a district?—Experimentally it might be tried, but it would require careful selection, and I would not try it in more than one or two districts.

3634. Have you seen records of the olden times in which Dufterdars were held responsible for certain kinds of work?—Yes, in the early days of British rule, the people felt a certain security if they had the Dufterdar between them and the Collector.

The *President.*

3635. If the Dufterdar went wrong, who was held responsible?—I know an instance in which a matter went wrong; the Dufterdar was reduced from his position and the Collector was reprimanded. Both were held equally responsible.

WITNESS LIII.—26th January 1887.

Examination of W. B. MULOCK, Esq, Acting Collector, Surat.

Vol IV. Sec II. Bombay.

W. B Mulock, Esq

Mr. *Stewart.*

3636. You are Acting Collector of Surat?—Yes.

3637. What appointments have you held in the administration previously?—I have been Assistant Collector in Surat, Assistant Registrar of the High Court, Assistant Collector of Tannah, Collector of Nassick, Assistant Collector of Kandeish, and Assistant Commissioner of Sind.

3638. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—I disapprove of the system, as I am unable to see how Government can make sure of securing efficient men when they are guided, as at present, only by family connections and personal appearance, and not by educational attainments and ability. The selections hitherto made have certainly been unhappy ones, and have not answered expectations. Three Statutory Civilians have served under me as Assistant Collectors, and I do not think they were popular either with the people or with their subordinates. I found they had not the same capacity for work as a European Assistant has, and the physique of two of them was decidedly inferior. The feeling against the system was, however, strongest amongst the members of the Uncovenanted Service, who looked on the Statutory Civilians as having unfairly supplanted them in their chances of promotion without having superior educational or tried administrative qualifications.

3639. If it is not, what are the grounds of disapprobation?—The system was judged by the men who were appointed, and, as stated above, they were not the most eligible in many ways. The result is disapprobation of the scheme. In Haileybury days the nomination system succeeded in the Civil Service, because nominees had to undergo a College course which insured mental training.

3640. Are the defects of the existing system (if any) susceptible of remedy (*a*) by an amendment of the rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—As I stated above, I cannot see how Government can make sure of selecting better men than they have done hitherto, so long as they are guided in the matter only by family connections and personal appearance and without any consideration of education and ability. In my opinion the Statute should be repealed, and nominations should be made from the Uncovenanted Service after some experience has been gained by Government of the nominee's capacity for work and fitness for such a high service. After nomination from the Uncovenanted Service an examination should be passed in Jurisprudence, Political Economy, the History and Geography of India, and, possibly, Persian, Arabic and Sanskrit, the subjects of the second or qualifying examination in England, in which candidates who have passed the open competition in England have to qualify before appointment in India.

3641. If the provisions of the Statute 33 Vic., [illegible]

Mr. *Stewart*—continued.

amended so as to take away the power conferred on the local administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—The Statute should be so amended as to permit of Government appointing to the Covenanted Service from amongst deserving members of the Uncovenanted Service. In India there will always be a difficulty in providing an educational test equal to the open competition in England, but the manner in which a servant has performed his work in the lower grades of the public service ought to afford a very fair criterion of his fitness for promotion to the higher ones. Consequently, in the absence of a great public examination test, Government should make selections from those who have already displayed administrative or judicial capacity in their Uncovenanted Service.

3642. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—I certainly think that they should proceed to England. This would be some safeguard against such incapacity as I have complained of with respect to the Statutory Civilians I have known. One of the latter had been to England, and had failed in the competition, and he was infinitely superior to the other two Statutory officers who had not been to England that I have been officially connected with. The outcry that parents do not like their sons proceeding to England with all its temptations and distractions is one that can scarcely be given much attention to The State's duty is to see that public offices are filled only by those best qualified to govern the country, and the chances are that young men without sufficient ballast to go through the fire or avoid the distractions of England are not the men most likely to fill public office in India with most advantage to the community.

3643. What is your experience of Statutory Civilians, so far as you have observed them, as compared with the higher members of the Uncovenanted Service?—I certainly think the older and more experienced members of the Uncovenanted Service are infinitely superior,

3644. Generally, in what have you found the Statutory Civilians to be deficient?—I should say the two or three who served under me were decidedly inferior in physique. Again, they had not the sound common sense that sees the young European officer through most of his difficulties. They issued orders which I do not think, had they considered the matter, they would have issued, and which certainly the gentlemen of the Uncovenanted Service I have known could never have issued.

3645. Do you think these defects of experience and judgment could be supplied by a period of training in England?—I think it would certainly be an advantage.

3646. You say, of the men you knew, the Statutory Civilian who had been to England was in-

Mr. *Stewart*—continued.

finitely superior to the other two. In what respect?—His English letters were better. They were really most excellent. He seemed to grasp a subject better.

3647. How, so far as you know, do the rural population view the idea of placing Native officers in charge of districts?—Not with satisfaction, I think.

3648. Do they assign any cause?—They seem to me to have an idea that they get more impartial treatment from the Europeans Of course the ryot is averse to any change, and, as regards those whose opinions I have been able to gather, they seemed to think, whether rich or poor, Hindu or Mahomedan, that they get very unbiassed judgments from us in most cases, and that the change was not one they would care for Probably they drew their comparison from the Native State of Baroda close by.

3649. Would you extend the Statutory definition of Natives of India to subjects of Native States?—I think, in justice to our own people, subjects of Native States should look to their own Government for employment.

Mr. *Nulkar*.

3650. I suppose you are aware that the present rules provide for candidates for Statutory appointments undergoing a medical examination?—Nothing like that which we of the Covenanted Service undergo.

3651 Is there anything to prevent the application of a better test?—Nothing whatever.

3652. You know that Native States, particularly Baroda, are officered by men taken from our own service; that of the four Subahs three at least were so taken, that the Dewan himself is a member of our Uncovenanted Service, and two of the High Court Judges?—I was not aware of it

3653. We were told yesterday by Mr. Elliot, that he had the authority of the Gaikewar for saying that His Highness would be glad if the British Government would undertake to train candidates in England and afterwards in its service, at His Highness' expense, in order that he might have the benefit of their services hereafter. Is not that feeling prevalent more or less in every Native State; and do you not think that it ought to be reciprocated and encouraged by the British Government?—I imagine they take our servants because they find them the best men.

3654. But if Natives of these States pass the same tests as our own men, why object to them merely on the score of their being subjects of Native States?—Because I think we have already more applicants for service among our own people than we can hope to satisfy, and I certainly think they have the first claim on us.

3655. Do you know anything of the Subordinate Judges?—Yes.

3656. How do they compare in efficiency with members of the Statutory Service?—The present Subordinate Judges are very highly spoken of, and I have no doubt myself that they are a first-rate class of servants and thoroughly honest. I think, as a class, they compare favorably with Statutory Civilians.

The *President*.

3657 Do you think there is a certain community of interest between these Native States and the British Government which it is desirable to foster?—I think there is.

3658. And I suppose the better they are ruled the better for us?—Quite so.

3659. And they can be better ruled by employing either our men or their own men whom we have trained in our own service?—Quite so.

Mr. *Stewart*.

3660 Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service? Should any, and, if any, what, change be made in that system?—I have heard of no dissatisfaction being felt with the existing system of recruitment for the Covenanted Civil Service, and I should leave it open to Natives to go to England and engage in the struggle with the English lads for the open competition In fact, I would have two doors open to the Natives of the country to the Covenanted Civil Service. One through the open competition in England, and the other through the Uncovenanted Service in India. It would necessarily tend to raise materially the tone of the present Uncovenanted Service if its members saw within their reach for meritorious service the higher rewards of the Covenanted Service I am of opinion that the age might be increased from nineteen, which I believe it is now, to twenty. To increase the age to twenty-three, as some suggest, would be to practically exclude the Natives, who would stand but a poor chance against the class of University men who would then compete.

3661. Do Natives of India labour under any, and, if any, what, disadvantages in competing for employment in this branch of the service?—I do not know of any disadvantages beyond the very obvious ones of having to proceed to a distant and foreign country, and there pass a severe test in a foreign language But these, after all, are the disadvantages under which the European Civilian has to labour during his whole career in India.

3662. By what changes may those disadvantages be minimised or removed, *e g*, (*a*) by the establishment of scholarships and allowance of passage-money to Native candidates, (*b*) by altering the limit of age, (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects, (*d*) by holding, simultaneously, examinations in England and in India?—I think, all things considered, that I would be inclined to enhance the age to twenty-one. I don't see how simultaneous examinations can be held in England and India. There are insuperable difficulties, amongst which I may mention the providing of examiners and of a *vivâ voce* examination. I was examined by men like F. D Maurice and Max Muller—men of undoubted ability and European repute. Such men are not procurable in India, and from the late experience we have had in University examinations, I do not believe the public would have any trust in an examination conducted in India. If the papers were sent to the home examiners, there would still remain a difficulty about the oral examination, the best test of the thoroughness of the information of the candidate. Like the cross-examination of a witness, it exposes ignorance and mere cramming immediately We have all known how a plain, elementary but practical question has nonplussed

Mr. *Stewart*—continued.

the shallow candidate. The answer was not in his text-book, nor had it been mentioned in his lectures, so he was flooied. I believe, from what I have heard, that the Native candidate will learn his book off by heart like a parrot and put his answers well on paper, but signally fail at cross-examination, or when expected to apply his information in a practical form.

3663 If an examination is held in India—(1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects?—If an examination is to be held in India, it should be in every way identical with that held in England, or so far as it is possible to be so. All should compete in the same field and at the same place. The number of Native candidates to be declared passed should not exceed, of course, the number of appointments apportioned to them. For the due administration of the country, the European element in the higher appointments should predominate, and must predominate for some time to come, especially in the Political and Executive lines and here I may state that the general community, including all castes and creeds, seem to prefer the European officer. He may be an expensive article, but I believe the mass of the governed prefer him, and have decidedly more faith in getting what they consider an unbiassed decision from him, otherwise it is hard to account for the numerous applications I receive through Pleaders, and direct from the parties concerned, to transfer magisterial and other enquiries from the Courts of old and experienced Native officers to the Court of any European officer that I might select. This feeling deserves consideration and should not be ignored. The question of supplanting European supervision with Native supervision, and of filling the Covenanted posts with Native gentlemen is not a burning question in Guzerat, and the agitation I do not believe to be one of spontaneous growth amongst the people or amongst the mass of the governed. Speeches have been made and printed, pamphlets have been circulated, but they have fallen very flat, doubtless because those most interested in the matter of the nationality of their rulers are perfectly satisfied with the present staff of officers. They have an idea that they get unbiassed justice now from the European, and this is more valuable to society than the grandest constitution or the finest Civil Service we could provide it with. Amongst his subordinates also the European officer is preferred. He is above caste cliques, and the best and fittest man gets promotion in his office, regardless of caste or religion. The two best Native officers I have ever known whose services were lent to Baroda in troublesome times, reverted to their posts in British territory, unable, they declared, to get on with the best Dewan Baroda ever has had or ever will have. The European subordinate also dislikes serving under a Native superior, and I have had infinite trouble sometimes in getting them to work cordially. It is a characteristic of the Englishman that he will not patiently serve under a foreigner, and this

Mr. *Stewart*—continued

idiosyncrasy may occasionally cause embarrassment; but, on the other hand, the advantage derivable from the feeling dictating it cannot be denied, and I don't know that the Native gentleman should consider it any disparagement to his qualities as a public servant, for the Briton would resent just as strongly serving under a French, Italian or Greek as under a Native Collector. The question of apportioning a certain number of appointments to the territories of the several administrations, or between the members of the principal religious sects, is a most difficult one, for if such an arrangement be conceded, it militates against the open competition contended for by those now agitating for throwing open the service to all irrespective of colour.

3664. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—I certainly think they would qualify themselves much better for the higher posts by completing their education in England, and from my own experience of a Statutory Assistant, who had been to England for the competitive examination but had failed, I can say that he was an infinitely more efficient District Officer than those Statutory Civilians who had never been out of India.

3665 Would you have any apportionment among provinces, so that the appointments in each province might be held by the residents of that province?—I am entirely opposed to men serving in their own provinces I should be very sorry myself, with the powers I have, to be serving among my own relations.

3666 Do you think that if a large number of Natives of other provinces were introduced into offices in Guzerat, it would give rise to discontent?—I do not think that the Natives would much object if they thought they would get unbiassed decisions from them; but they have an idea that an Englishman is above anything like bias In other respects a Mussalman, a Hindu or a Parsi are much the same to them.

3667. You say you have had trouble to get Europeans to work cordially under Native superiors?—Yes.

Mr *Nulkar.*

3668. Do you know any of the Native Competitive Civilians in the Bombay Service?—I have never met any that I am aware.

3669. Have you heard anything about their work as compared with the work of English officers?—I have never been in a district where they were serving.

3670. And you have never heard their partiality contrasted with the impartiality of English officers?—No.

3671. Then your remarks as regards the relative impartiality of English and Native officers had no reference to Native Covenanted Civilians?—No: I do not think Natives have ever been in Executive posts.

The Hon'ble Mr. *Quinton.*

3672. In what subject did Professor Max Muller examine you?—In Sanskrit.

3673. Did you take up Sanskrit for the purpose of examination?—Yes.

The Hon'ble Mr. *Quinton*—continued.

3674 How long had you been studying it?—Two years for the first examination, and another year for the second examination. Professor Max Muller examined on both occasions.

3675. Do you know how many marks you got in the open competition for Sanskrit?—Three hundred and seventy-eight out of five hundred.

3676. Do you think that the same knowledge of Latin and Greek would have secured the same marks?—I certainly think you make more by Sanskrit for the time you devote to it.

Mr. *Crosthwaite.*

3677. You say that to raise the age to twenty-three would practically exclude Natives. Now, in order to get the best men, no matter whom you exclude, would you raise the age to twenty-three?—In my own year, in 1862, it was twenty-three, and the men we got were excessively good.

3678. But do you think we should get better Native candidates at that age?—Probably you would.

3679. You wish to employ Natives out of their own province. Do you think you would profitably employ a Bengali in the Punjab?—I do not know.

3680. Would it not be enough for your purpose if you employed them out of their own districts?—I think it would. They would equally be free from the baneful influence of home and caste.

3681 Are not the Deputy Collectors and Mamlatdars in service here men of this province as a rule?—Yes.

3682. Do you find that any inconvenience arises from that? Would you prefer to see their places filled by Punjabis or Bengalis?—My remarks had reference to the higher posts.

3683. But surely the men in the lower posts are more susceptible to the influences you have described?—I think with European supervision they would be properly looked after.

Sir *Charles Turner.*

3684. Were the Englishmen you spoke of as having evinced an unwillingness to serve under Natives born in this country?—They were.

3685. And were, I presume, not men of very high education?—No. I think that if they had been they would not have evinced the same objection.

The *President.*

3686. Have you known cases of Europeans taking service under Native Governments in high Civil and Military employ?—Yes; but it was rather in the lower grades that I found the difficulty I spoke of

3687. Do you know any case in which English gentlemen have taken service in private firms owned by Natives?—I do not know of any.

Mr *Stewart.*

3688 Are there not many mills, owned by Natives, the managers of which are Europeans?—Yes, but a European is generally a director. Of course there are some European Engineers under a Native directorate, but I fancy that in matters relating to their particular employment they are allowed pretty much their own way.

Mr. *Stewart*—continued.

3689. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Chapter 3, Section 6, or from all natural-born subjects of Her Majesty? Should the recruitment be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—From all natural-born subjects of Her Majesty without distinction of caste or creed. I don't quite understand this question, as far as possible the present system should be retained. It seems to work well in the Revenue Department, as the District Officer can see that a fair number of each caste is employed in the service. I shall be afraid, if open competition was to be enforced, that the appointments might be monopolised by one or two castes to the exclusion of all others It is absolutely necessary that there should be a mixture of castes in Government offices. After nomination to an appointment in a department, the nominee should be on probation until he passes a departmental test in the Act and Rules of his department, inefficiency would thus be guarded against.

3690. Whatever system be adopted, should the recruitment be made by the several administrations only from persons resident in the territories under such administrations, respectively, or with a preference for such residents?—On account of the language difficulty, I certainly think recruitment for subordinate appointments should be made from persons resident in the territories of the administration making the appointment. Care should be taken, however, that officers are not employed immediately in the neighbourhood of their homes where the influence of caste, relations or friends may have a baneful effect.

3691. Is the present system of recruiting Mamlatdars as good a one as we could have for obtaining the best men?—I have had a number of them under me, and I do not think the present B As are as efficient men, or quite so much in touch with the people as the older class of Mamlatdars; but they are decidedly more honest Indeed I have a very high opinion of them in that respect, and of the Subordinate Judicial Service also. But as regards administrative qualities, they compare less favourably. I do not think they know about their taluqs enough, and I think that to-morrow if a requisition for horses for a hundred carts came from the Commissariat Department the B. As. would be rather stumped, while the old Mamlatdars would produce them. The B. As would turn up the law to see whether it was on their side; the old Mamlatdar would get the carts.

3692. Is their any royal road to learning the duties of Mamlatdar?—I certainly think five years ought to be passed in the subordinate grades.

3693. Do you think the present system by which B. As. receive training in the Mamlatdar's office is sufficient?—I do not think it is. I do not think they have got the same command in their office. I do not think their subordinates quite look up to them as they do to men who have been some time in the service.

3694. Do you think by placing them in these offices you endanger the efficiency of the Revenue Department?—I certainly would prefer men who have been longer in the subordinate posts, say five years. I think they would be more in touch with the people.

The *President.*

3695 That is to say, you prefer service in the subordinate offices to educational qualifications?—Certainly.

Mr. *Stewart*

3696 But you do not undervalue the necessity of an educational test?—Not at all It has certainly had one good effect in giving us much honester men.

3697. Would the result you desire be attained just as well by subjecting the men to a longer course of training in departmental work?—Certainly

3698 You say, it is absolutely necessary to have an admixture of castes in Government offices. Is that the result of your experience?—Yes.

3699 What is your reason for thinking so?—I think myself that probably the head of the office would never know what was going on in the office if his subordinates were all of one caste If there is an admixture of caste, he knows pretty well what is going on.

3700 You have found that to be the case yourself?—Certainly I should be very sorry to have any office consisting altogether of Mussulmans or Parsis

Mr. *Ryland.*

3701 Would you allot some appointments in all the grades of the service for the promotion of Uncovenanted men to Covenanted posts, and allow Government to select men for those posts?—We want the best men wherever we can get them—Parsis, Hindus, Mussulmans or Europeans. I believe we have a large field of selection in the Uncovenanted Service, and I would give Government every facility for selecting men from that service.

3702. They should not necessarily enter at the bottom of the service?—Certainly not To a man fit for the post I would give a Judgeship, if the man was fit for a Collectorate, I would make him a Collector

Mr *Nulkar.*

3703 You say, as regards this new class of Mamlatdars, that if you could secure that their efficiency equalled their honesty there would remain nothing to be desired?—Certainly.

3704 Do the rules provide for only a limited training?—The candidates must have been six months in charge of a Treasury and six months as Head Karkun. They are then eligible for Mamlatdarships, and some of the older men of over twenty-five years' service have found themselves superseded by their own subordinates

3705. We have heard that they practically undergo a training of two or three years?—There are four of them in my district, and I think the appointments run up very quickly.

3706. You say they succeed to a Mamlatdarship as the necessary result of their probation, and that efficiency is not looked to?—I do not think it is I think they have a right to these appointments and are pushed on

3707. But cannot efficiency be secured under the present rules?—It could be, certainly.

3708 Has all been done that could be done to make the B A. Mamlatdars as efficient as the others?—No.

Mr. *Nulkar*—continued

3709. What more do you think might be done that has not been done?—I would not promote them nearly so quickly. They should remain certainly five years in subordinate posts.

3710. Would you have them pass an examination in riding?—Yes, I think for a District Officer it is essential.

3711 Then the present defects might be removed by an improved system of training and selection?—Yes.

Mr. *Crosthwaite.*

3712. Is there at present any preponderance of one class or caste in the Subordinate Service?—Yes, I think Brahmans preponderate. I should think they were very much in the majority. My own district is almost a Parsi district, yet Brahmans quite outnumber all the other castes together I should say 90 per cent. of the subordinates were Brahmans.

3713. Would any system of competitive examination for recruiting the Subordinate Service perpetuate this preponderance of Brahmans?—At present I think it would. They are very much better educated as a class

3714. Then the present system, which gives a preference to B As, has the same effect?—I think it has, though I think the B As are more mixed I have got a Bania, a Parsi, and two Brahman B. As in my district.

3715 Do you think this preponderance of Brahmans is good for the administration?—I should prefer to see a fair admixture of different castes.

Sir *Charles Turner.*

3716 You say yours is a Parsi district?—Yes· Surat is the native place of these Parsis.

3717 To what section of the community do the Mamlatdars of your district generally belong?—I think most of the old men belong to the Brahman class Under the new system we have one Parsi, one Bania, and two Brahmans. These men are not necessarily from my district.

3718. I suppose they all belong to the same class, education apart?—Yes

3719 —Is not the superiority of the older men due to their longer experience in the work?—Yes

3720 And may we not expect that the new men, owing to their education, will acquire that experience in less time than it took the older men to acquire it?—Yes Of course it is a little hard on subordinates of long service to put these men over their heads, and rather risky also to put an inexperienced man in the position of Mamlatdar.

3721. You have had four of these new men under you. Could you give specific instances of their defects?—I could give very many, but I will give you one. I gave one of my Mamlatdars, a B A, ₹1,000 to plant trees along the road, and next year when I went to inspect not a tree was alive. He had spent the money in making holes, and, I believe, he had handed the whole business over to a sepoy But the money was gone, and not a tree to show for it; and when I went to his nursery I found most of his trees eaten by white-ants. I believe, though only a hundred yards from his office, he had never taken the trouble to look at them.

Sir *Charles Turner*—continued.

3722. Experience would hardly overcome a defect of that sort?—I do not think the man could get the laborers With one of the old Mamlatdars the case would have been different

3723. You say that in carrying out a commissariat requisition for carts, the new man would look to his law books and the old man would get the carts Would the latter have overstepped his powers?—He would have used tact and succeeded in that way. There is a way of doing these things

The *President.*

3724. Not necessarily in an oppressive manner? —Not a bit of it He would have more personal influence and more tact.

Sir *Charles Turner.*

3725. And occasionally a little less regard for law, perhaps?—Occasionally they would be a little high-handed, but only in exceptional cases · as a general rule, they get what is wanted, and I have never heard any complaints

Mr. *Ryland.*

3726. They manage the people in their own way, in fact?—Exactly.

Mr. *Nulkar.*

3727 If riding and shooting were insisted upon as a qualification for first appointment, would you not get a better class of Mamlatdars?—I think you would if you have a physical test also.

Mr *Stewart*

3728. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted Branches?—The expenses of living, &c, are much less in the case of a Native, and his remuneration need not be sufficient to recompense him for the comparative exile that the European officer has to undergo when serving in India I am very decidedly of opinion that the same rate of pay should

Mr. *Stewart*—continued.

not be given to Native Civilians as to European Civilians, and every Native gentleman that I have consulted is of the same opinion. Native gentlemen serve in India under none of the same unfavorable conditions as Englishmen do. To begin with, the European style of living is much more expensive I believe now that my Native Assistants live for less than a fourth of what my European Assistants live for. The European lives thousands of miles away from most that he cares for, and his visits to England for health, rest, or family matters are heavy drags on his purse. The climate is in most cases unfavorable to his constitution. We constantly see European officers leaving the Indian service to work in England on even less than half the salary they drew in India. Mr. Pedder, now in the India Office, Captain Daniell, Sir Alexander Grant, and those who have left India to join the Indian Council are all cases in point If Europeans with such excellent prospects and salaries in India are willing to serve in their native country for half the salary they draw in India, I can see no valid reason for Natives serving in their own country expecting more than 64 per cent of the European officers' Indian rate of salary. I have always understood that the chief cry against the present Civil Service was its great expense, and that, on grounds of economy, Native agency was to be more largely employed with a view to relieving a poor country from the heavy expenditure of what was alleged to be an overpaid service. The reduction of one-third seems a fair one in the case of Natives

3729. Are the privileges in regard to pay, promotion, and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory rules?—I consider that Native gentlemen serving in their own country under much more favorable circumstances than Europeans should, as a general principle, have a commensurate reduction made in their emoluments and retiring annuities, &c.

The *President.*

3730. Is there any other point on which you wish to give evidence?—No.

WITNESS LIV.—26th January 1887.

Examination of J. W. Orr, Esq., M.A, Barrister-at-Law, Prothonotary, High Court, Bombay.

Mr. *Stewart.*

Vol. IV. Sec. II. Bombay

J. W Orr, Esq.

3731. You are a Barrister-at-Law, and Prothonotary of the High Court?—Yes

3732. In what capacity have you previously served?—I have held appointments in the High Court I was Secretary to the Chief Justice, afterwards Clerk to the Insolvent Court, and then Prothonotary and Registrar. I have volunteered as a witness. I have given some consideration to the general question. I knew very little of the Statutory Service, and have heard very little about the men or the system, but what I have heard about the system has been unfavorable to it. Where I think the whole system is wrong is with reference to the divisions of the service into Statutory, Covenanted, and Uncovenanted. You establish a Covenanted Service and certain tests for admission to that service. If a man passes those tests, he considers himself fit for all the appointments that have been apportioned to that service, but, in point of fact, he does not get the higher Executive posts, nor do I conceive that he ought to get them I mean to say that a Native ought not be get them. The natural logical division of the service appears to me to be into European and Indian, subdivided into Executive and Judicial, and again subdivided into higher and lower, both services running parallel as it were Because, as long as we are responsible for the administration of India, we must, I take it, employ Europeans in posts of control and supervision. For such the Indian races are not fitted by nature or education, though I am aware that different views are held on this point. I know that Her Majesty's Proclamation has said that all shall be admitted to the public service who have proved themselves qualified by their ability, integrity, and education; but I submit that education does not mean a mere facility of reproducing words—mere intellectual power, as it has erroneously, I think, been interpreted to mean, but includes also physical capacity. I conceive that a man of ability, such as the Proclamation contemplates, is one who will not lose his head in times of trial, but will stand steadfast in the hour of peril: and can this ability be predicated of the Native race? I think it cannot. It has taken our race the training of centuries to acquire it, and we derive it, not from learning or books alone, but from the training of school-life and discipline, from the exercise of self-denial in the cricket-field and foot-ball ground, and the practice of physical exercises These give us self-reliance, readiness of resource, and a higher sense of duty, and endue us with that moral and physical courage which may not flinch from danger—the courage which teaches a man how to obey and fits him for command I say Natives have not yet got this training, although they may get it eventually. Hence I say they labor under a very great disadvantage where Executive duties are required of them, though I admit to the fullest extent that there are duties for which Natives are fit. There are men among them of high character and education who make excellent Judges, and in that capacity command the confidence of Europeans, I think, to a greater extent than they command the confidence of their own countrymen. You see evidence of that in many ways. You see the preference of the Native to be judged by the European: you see it at the Bar of the High Court, where, although there are men of the highest character and commanding eloquence in a language not their own, who know Sanskrit, the very fountain of Hindu law, and yet when questions of difficulty arise and in important cases it is not the man who is so endowed to whom the Native suitor goes for the purpose of leading his case, it is the European barrister. This, in my judgment, is owing to the fact that greater confidence is felt by the suitor in the powers and abilities of the English Barrister than regard for his own countrymen to whom you might suppose his preference would be given. For this reason I say there ought to be the division into the two services. The European is brought from home with the training I have mentioned. He is the imported article brought from thousands of miles away to a climate that is deteriorating to his energy and strength He has all the expenses of keeping up two establishments, if separate from his family and country therefore I say the scale of pay for them should be quite a different scale from that of the man who is serving in his own country amid kindred scenes, his relatives, and in a climate congenial to his physical constitution To pay them both alike would be to pay the Native considerably more in proportion. If, then, the necessity of employing Europeans in the higher executive posts is admitted, my idea is that there should be a certain number, made as small as possible, of posts allocated to a European service, and only so far capable of being augmented as to provide for the admission of persons from the lower service who fit themselves for the duties of these higher posts. I would have this higher branch of the European service recruited as at present from England by competitive examination, and I would raise the present age limit to twenty-three, so as to admit of getting men from the Universities. I find that in the earlier years of the competitive system some of our best men have been men from the Universities. This would also obviate that deteriorating effect which is produced by subjecting immature youth to the intellectual strain of a severe competitive examination. After coming to India the successful competitors should act in an executive capacity for a time in order to get an acquaintance with the people, and should then choose their branch of the service. If they choose the judicial, I should require them to spend not six months or a year, as the practice is now, but three or four years in original work, so as to acquire familiarity with the practical difficulties of cases. I would also recruit the High Court and higher judicial posts from the local Bars. As regards the Native branch of the higher service, I would, in like manner, recruit by competitive examinations held in India and also from the local Bars. For the lower branches of each service there should be a test examination in India so as not to exclude men who have other qualities than those which would enable them to take degrees in Universities

Mr. *Stewart*—continued.

Mr. *Stewart*—continued.

but yet are good men. The pay and allowances of the upper and lower European services should be the same. There should be no invidious distinctions as now between Covenanted and Uncovenanted where the duties are the same; and I think all these causes of dissatisfaction would disappear if you divided the service boldly into European and Native.

A cry has been got up, not without justice, that if we educate Natives of all classes to a high standard of education, which necessarily opens the mind to larger views and therefore to discontent, we ought to provide for them a wider field of ambition. This I fully admit and would give due weight to, by admitting them to as many posts as possible, but would not appoint them to those posts where important executive duties have to be performed which, in the interest of the ruler and the ruled, demand the service of a European; and it must be borne in mind that amid the various races in India, the European is the only one which commands the confidence and respect of all The riots between different races in various parts of India indicate the smouldering elements of antagonism, and show that there would be danger in leaving high executive power in the hand of any race but our own.

3733. You would have the upper service entirely European?—Yes.

3734. Would not that opposed to the Statute of William IV, which declares that no one shall be excluded from any post in the public service on the score of his caste, creed, color or descent?—I think not. The exclusion is not because of his caste, creed, color or descent, but by reason of his being unfitted by ability and education, as I think he is unfitted at present.

3735. Do you say the same of all Natives?—For executive posts, certainly. I would like to ask whether it is contended by anybody that a Native is fitted for the post of Viceroy, Commander-in-Chief, the government of a province, for instance?

3736. But you are aware that Natives have risen to very high posts in Native States?—I quite admit that; but I say it is one of the exceptions which occur to every rule. You might, however, provide for such extraordinary cases as that by revisions, every five years' of the lists, which, I presume, you would have of these posts, which I believe must at present be held by Europeans alone.

3737. What posts would you especially reserve for your European service?—All those in which executive and administrative energies are required —Collectorships of districts for instance.

3738. And how about Assistant Collectors?—I would reserve these appointments only to such an extent as would afford a training ground for Collectors. All other posts I would relegate to a parallel Indian service.

3739. Would you reserve any posts in the Judicial Service for Europeans?—No, except the Chief Justiceships of High Courts, on the principle that it is the supervising Head, which must be European at present, whatever may be the case in future.

Mr. *Stewart*—continued.

3740. Do you wish to say anything on the subjects of examination?—My scheme contemplates an examination in India for the Indian Service.

Vol. IV. Sec II Bombay.

J. W Ort Esq.

Mr. *Ryland.*

3741. If you have an open Indian competition, how would you secure those administrative qualities you speak of?—I said I would have a test of qualification I do not consider those qualities quite so necessary as for the higher service. They are, of course, desirable I would require a good knowledge of English literature and grammar, arithmetic, physical capacity, and a certain amount of energy of character, if that can be tested by examination. It is not easy to test that here Of course at home it is comparatively easy because it has been shown if it exists at the schools and Universities. The Indian examination not being a competitive one, I would take the men best physically qualified

Mr. *Nulkar.*

3742 How do you account for the preference which you say is shown by Native suitors for European Barristers?—I assume that they have greater confidence in the force of character or education, whatever it may be, of the Englishman.

3743 You have no specific reliable information as to that?—No.

3744. You know that certain appointments are reserved for the Covenanted Civil Service, called scheduled appointments, and that when we speak of the fitness or otherwise of Natives for appointments, we can only speak of these appointments?—I do not refer to those specially. I consider the schedule is so limited as to be rather misleading My idea is that after careful consideration those posts which it might be considered necessary that Europeans should hold should be particularised so that there might be no departure from the rule.

3745. But at present you can only judge of the fitness or otherwise of Natives with reference to these scheduled appointments?—Yes.

Mr. *Crosthwaite*

3746 How long have you lived in Bombay?—Over twenty-six years

3747 Have you been in the interior at all?—Not further than Ahmedabad

3748 Your experience is then confined to Bombay?—Entirely

3749 Do you have much intercourse with Natives?—Not very much, excepting those connected with the Court.

Sir *Charles Turner*

3750. You have not had much experience of district work?—None at all

The *President*

3751. Is there any other point in which you wish to give evidence?—No.

WITNESS LV.—26th January 1887.

Examination of VAMAN A'BÁJI MODAK, Esq, B.A., Principal, Elphinstone High School, Bombay.

Vol IV Sec. II Bombay

Vaman A'báji Modak, Esq

Mr. *Stewart.*

3752. You are Principal of the Elphinstone High School?—Yes.

3753. What appointments have you held previously?—I was First Assistant Master in the Poona High School from 1864 to 1867, since which time I have been Head Master of different high schools in the presidency.

3754. You have been exclusively in the Educational Department?—Yes.

3755. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved? If it is not, what are the grounds of disapprobation?—I must state, at the outset, that I am altogether opposed to the maintenance of the Statutory Civil Service, as it can, under no circumstances, do that full measure of justice to the Natives of India, or provide that element of finality to the contemplated change in the law and practice on the subject, which the Government Resolution appointing the Commission contemplates, with a view to adequately fulfil the obligations imposed upon it by the Acts of 1853 and 1855 and the Royal Proclamation of 1858. I shall, however, make a few remarks to show that the system is as unsatisfactory in its practical application, as it is objectionable in its original conception.

The existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service is disapproved by almost all classes of people who take an intelligent interest in public matters, and are thus competent to form any judgment thereon Some members of the Mahomedan community, which is comparatively backward in education and general enlightenment, have been latterly declaring themselves in favor of the said system, on the ground that the Mahomedans can have a due share of the Covenanted appointments only by the method of nomination, which is adopted by the Government of India in making appointments to the Statutory Civil Service.

The grounds on which the system is disapproved by the majority of intelligent people, are:—*1st*, that nomination involves patronage, and patronage cannot but lead, as experience has everywhere proved, to favoritism and partiality. The heads of Local Governments cannot possibly know much, personally, of the applicants for Statutory appointments. They have necessarily to depend on the recommendation of the officers whose opinions they must consult in all such matters, and as all applicants, or their elders, or those who wish to further their interests, cannot have equal access to those officers, the latter must, to some extent, choose from their own knowledge of the antecedents and circumstances of the applicants. This knowledge they can only possess in the case of their own personal acquaintances, private or official. This must, however unconsciously, lead, to a certain extent at least, to favoritism and partiality.

Mr. *Stewart*—continued.

2ndly.—As there is no public test of efficiency attached to the nomination system, it cannot but lead, in some cases, to the selection of more or less inefficient men. Even within the short space of time that the Statutory system has been in force, one of the nominees was found to be so inefficient that he had to resign his appointment.

3rdly.—Although it seems to have been contemplated that the Statutory system would make some provision for the youths of aristocratic families, who, it is supposed, do not care to enter the Uncovenanted Service, yet, as a matter of fact, in this presidency at least, no youths belonging to this class have been found either able or willing to profit by the Statutory system. One, as I have already observed, was compelled to resign in a short time in consequence of inefficiency; while another, who was offered a place in the service, refused to take it up. Nor do the Mahomedans, some of whom now approve the system as necessary in their own interests, seem to have much profited, at least in this Presidency, by the Statutory system Of the two Mahomedan appointments hitherto made, one, which has been above referred to, proved a failure; while the other was conferred upon a young man connected with a family in Hyderabad, who could have easily found an opening for himself in the Nizam's service The rest of the nominees could have easily entered the Uncovenanted Service and did not stand in need of such special provision, from which hundreds of others, of equally respectable families and of equal, if not higher, intellectual attainments, were excluded.

4thly.—The Uncovenanted Service naturally view the present Statutory system with extreme dissatisfaction. When some such provision was first considered necessary, it was to enable Government in some measure to promote men of exceptional merit and tried ability. But, practically, all the nominations, in this Presidency at least, have been made without regard to these qualifications. As I have already said above, most of the nominees would have readily got into the ranks of the existing Uncovenanted Service if this special back-door had not been opened to them To the Uncovenanted Service the Statutory Civil Service is naturally and justly a source of intense dissatisfaction, since it leaves their own able and meritorious services unrecognised, while it makes provision for the employment of young men (some of whom perhaps have been serving under them) who have nothing special to recommend them beyond acquaintance and influence in high quarters. The Covenanted Civil Service must look upon it as an invasion of their ranks by men who have neither had to pass the tests applied to themselves, nor have proved their merit and ability in actual service Again, it cannot even be thoroughly satisfactory to the members of the Statutory Service itself, as their inferiority in pay and privileges makes them look small in the eyes of the general public, as also in those of their competitive brethren in

service; while their acknowledged deficiency in special training and practical knowledge places them at a disadvantage in the presence of their abler and long-tried subordinates in the Uncovenanted Service.

3756. Are the defects of the existing system (if any) susceptible of remedy (*a*) by an amendment of the rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed? If the provisions of the Statute 33 Vic., Section 6, are not repealed, nor substantially amended, so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder? If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—I do not think that the defects of the existing system of recruiting the Statutory Civil Service can be altogether removed, unless the selection is confined strictly to men of proved ability and tried merit, mainly in the ranks of the Uncovenanted Service and in rare cases only from other fields. If the Statutory Service is mainly recruited from the Uncovenanted ranks, the rules with regard to pay, &c., must be altered so as to admit of such recruitment. Under the supposition that the Statutory Service is improved in this direction, it will not be necessary to require the Statutory Civilian to go to England for training which is already possessed by him. But a visit to, and a short stay in, England can even in such cases be secured by special facilities and encouragements. On the whole, however, I am opposed to the retention of the Statutory Civil Service in any form. If it is retained in an improved form, it will be less objectionable, though not quite necessary. For the Act of 1861 already provides, under careful restrictions, for the admission of men of exceptional merit and tried ability from the Uncovenanted Service into the ranks of the Civil Service. If it is retained in its present form, it must labor under the weight of all those objections I have mentioned, besides leading in some cases to mere waste of public money.

The only fair and just way of adequately fulfilling the promises held out and solemn pledges given by Acts of Parliament and Royal Proclamations is to open the doors of the Covenanted Civil Service equally to all natural-born subjects of Her Majesty whether in India or in the United Kingdom.

3757. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service? Should any, and, if any, what, change be made in that system? Do Natives of India labor under any, and, if any, what, disadvantages in competing for employment in this branch of the service?—A great and general dissatisfaction is felt with the existing system of recruitment for the Covenanted Civil Service. It should be recruited from all natural-born subjects of Her Majesty, both Indian and British, by a simultaneous open competition held both in England and India, by the same question-papers, and with the same preliminary certificates, as regards social, moral, and physical fitness. As it is, the Natives of India labor under great, nay, almost insuperable, disadvantages in competing for employment in this branch of the service. First and foremost is the early, critical, and almost prohibitive age at

which boys have to be sent to England for the competition. In order to achieve success at the competitive examination, boys of very tender age, perhaps of thirteen and fourteen, have to be removed from the affectionate care and salutary control of parents and guardians to England, involving a long voyage (a mode of travelling to which, in consequence of its attendant difficulties and sufferings, even grown-up men in this country are not easily reconciled) to a distant and foreign country, where the manners, customs, habits and modes of life are altogether different from what they have been used to in their own country It is not possible to provide real homes for young Indian boys in such a strange foreign country, to whose ways it would take a good while for them to be familiarised and adapted. Then, again, the main object for which they are sent to England requires that they should be, at once and during the whole period of two or three years till the first competition, placed in the hands and under guidance of professional crammers, without which training many even of the English youths are unable to compete with any chance of success It may be asked why this cannot be done in India To this I reply that, notwithstanding the prejudiced clamour respecting the aptitude of Native youths to prepare for and pass examinations, the educational institutions in this country, whether high or low, do not, as a rule, directly encourage cramming.

Boys, therefore, of very tender age have to be placed in a strange land, without any home, and without the parental care, guidance, and control, in circumstances which have been above referred to, and exposed to risks of every kind, physical, moral, and intellectual Few, therefore, are prepared to send their boys for competition to England, even if they should have the means wherewith to make provision for their proper maintenance and training in England. But how few, indeed, have the means to send and properly maintain their children in England? The cost is almost prohibitive, so far at least as the Hindus and Mahomedans are concerned. Hence so few got into the service even before the present low limit of age was fixed, and since then the entrance to the Civil Service by competition in England has been all but closed to the Natives. Thus, owing both to prohibitive age and prohibitive cost, only five men from this Presidency have hitherto succeeded in getting into the Covenanted Civil Service by the competition in England,—three of them being Parsis, (who are comparatively a wealthy community), one Hindu, and one Mahomedan. Moreover, it is simply a game of chance Children have to be separated from their parents, exposed to so many risks, and maintained with costly expenditure. For what? For the barest chance of success, as it must be in competition with those who have all the advantages of competing in their own country without any serious inconveniences and risks attendant on the stay of Native youths in England. In the case of some of the classes, moreover, such as the Hindus and Mahomedans, there are social difficulties also arising from religious considerations, which still have some weight with the parents and guardians of many a youth The force of these social and religious difficulties is felt all the more in the case of boys of extremely tender and unripe age The disadvantages, therefore, as I have above remarked, are all but insuperable in the case of Natives of India, in competing in England for employment in the Civil Service.

Mr. *Stewart*—continued.

Mr *Stewart*—continued.

Vol IV.
Sec II
Bombay

Vaman A'bâji Modak, Esq

3758 By what changes may those disadvantages be minimised or removed, *e g* : (*a*) by the establishment of scholarships and allowances of passage-money to Native candidates, (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects, (*d*) by holding, simultaneously, examinations in England and in India?—These disadvantages could only be removed by holding, simultaneously, examinations in England and in India, by altering the limit of age from seventeen to twenty as the minimum and nineteen to twenty-three as the maximum age admissible for competition, by adding Persian, Hindi and Tamil to the list of modern languages, and by raising the maximum marks in Arabic and Sanskrit so as to place them on the same footing with Latin and Greek.

3759. If an examination is held in India—Should it be identical with that held in England?—Should it be held at one or more centres in India?—Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations?—The examination in India should be identical with that held in England, and it should be held at one centre only. The candidates in England and in India should compete with one another, and should be selected in order of merit It is thus alone that the spirit of the Act of 1833 and the Royal Proclamation of 1858 can be fully carried out. I do not think that it is at all necessary to apportion a certain number of appointments for competition to the candidates at the two centres Such an appointment cannot in justice and fairness be made, and ought not to be made, for reasons already explained I am aware that a fear is expressed by some that the Indian candidates might handicap the English candidates by their large numbers This fear appears to me altogether unfounded. In my opinion the fear lies rather the other way If the present limits of age are equally raised for admission to the Civil Service in the case of both English and Native candidates (as it is absolutely necessary to do for securing men of real culture and solid parts, and for discouraging mere precocity and cramming), men from the English Universities are sure to compete for the Indian Civil Service in much larger numbers than under the present system, and they may, nay I feel quite sure they will, for a considerable time to come, carry away most of the places, examined as they are in their own language, and in subjects more favorably adapted to them than to Native youths, and possessing, as they do, all the traditional knowledge of the natural and practical working of the competitive examination for the Civil Service of India. Under these circumstances, the idea of Natives passing in larger numbers than Englishmen seems to me so remote, and so utterly unlikely a contingency, that it would be impolitic to take it into account in the present inquiry.

Personally, and apart from the highest considerations of justice and fair policy, I have no objection to a reasonable proportion, say one-half the total number of appointments, being fixed for the Natives of India beyond which they ought not to go As regards the minor objections to the proposal of a simultaneous competition, *viz*, those based on the inability of the existing educational institutions to give the very high class education which is required for the competitive system, and their inability also to develope the force of character and other qualities required for English administration, my reply is, let a fair field be opened to Native youths, and I feel quite certain that the educational institutions of the country will rise equal to the occasion. The standard of intellectual education has received a rapid, nay almost startling, development since the inauguration of the Indian Universities; and the best fruits of our educational system will, I think, fairly bear comparison with those of the educational institutions in the United Kingdom. The system as a whole, as I have said before, does not directly encourage cramming; and the education which our youths receive in our colleges gives them more real culture than the cramming institutions to which many of the Civil Service candidates resort are likely to give. As regards the discipline and the moral tone of our educational institutions, I can speak from personal knowledge I began my education under what is called the domestic system, being taught in the first instance by my father From thence I passed on to a village indigenous school, and after about two years' stay there I was sent to a Government vernacular school. After completing the course there I entered a missionary English school of an elementary character, and after completing its course, I joined the higher Government institution in Bombay, which is now in my charge. After completing my studies there, I entered the Elphinstone College, where after a stay of four years I took my degree and joined the Poona College, now called the Deccan College, as a Fellow. After passing about two years there as college tutor, I entered Government service and joined the Poona High School as First Assistant Master. After working there for over three years, partly teaching and partly superintending the work of other teachers under the Head Master, I was promoted to the position of a Head Master, and since then, for the last twenty years, I have been successively in charge of some of the leading schools of the Presidency in all its provinces. On the strength of experience gained as a pupil both in school and college, as an Assistant Master and as Head Master, I can say without hesitation that our educational institutions on the whole will not yield to those of any other country either in their general discipline or their strictly moral tone, maintained without any material help of the rod. As regards physical education, almost all our public schools insist upon gymnastic exercises, and encourage all sorts of out-door sports In Bombay especially the enthusiasm for cricket among our boys is so great that there is hardly room for them all to play in the open spaces in the city Under these circumstances I do not feel afraid of our educational system being ultimately found wanting in the capacity of giving that culture and training which is considered essential for those who are to be placed in charge of the higher administration of the country. The high tone which our Subordinate Judicial Service has latterly attained, both in respect of judicial integrity and intellectual efficiency, is entirely owing to its recruitment, mainly, from the alumni of our higher educational institutions. This also warrants the same opinion. The improved tone of the subordinate Revenue and Magisterial service likewise can only be ascribed to the same cause, *viz*, the increasing admission of men of academic training into its ranks This also confirms the view I have above set forth, of the capability of

our higher educational institutions to impart the requisite degree of intellectual efficiency and moral worth to those who are likely to compete for the Covenanted Civil Service in case the examination is held in India. I do not mean to say that the educational institutions here would at once succeed in competing with the best institutions in England, but they are capable of being soon developed to that standard, if they receive liberal support from Government, which under the existing circumstances of this country is indispensable. As regards the objection that an open competition in India is likely to give decided advantages to some particular classes of the Native community over others, and that this may lead to the undue preponderance of some class or caste in the public service, I reply that if we must have the most efficient and capable men for the higher administration of the country, this cannot to some extent be avoided under existing circumstances. The Mahomedans, from whatever cause, have not yet taken kindly to the English system of education, and are, in consequence, as a community, backward in point of liberal education and general enlightenment The people of the most recently conquered territories also, such as the Punjab and Sind, are in a similarly backward condition. The Mahomedans, the Punjabis, and the Sindhis, therefore, will not as yet be able to take the same advantage of the competitive system in India which the Hindus, the Parsis, and the domiciled Europeans are in a position to take by their superior aptitude for receiving Western culture, and for adopting Western modes of administration in the government of this country But the liberal efforts of Government to give special facilities for promoting the progress of education in these backward communities, together with the benevolent exertions of individual members of those communities who have been awakened to a sense of their backwardness, have given a new impetus to their intellectual advancement, which, there is every reason to believe, will in no long time bring up those classes considerably nearer the advanced classes, so as to deserve greater participation in the administration of the country than hitherto Even as it is, individual members of these communities are quite able to hold their own in competition with the representatives of the better educated communities. All things taken into consideration, however, it must be admitted that the classes, already used to literary occupations, and accustomed to take part in the Civil administration of the country, whether under the Hindu, the Mahomedan, or the Maratha Governments of the past, or under the British Government in recent years, will always have an advantage over other classes whose antecedents have been different. But this preponderance cannot be called undue, if general fitness is, as it always must be, the qualification required in those who ought to take part in the administration of their own country. This, together with what I have already said on the question of the apportionment of Covenanted Civil appointments, is my reply to those who may urge similar other objections on political or administrative grounds to open competition in India As regards the preliminary qualifications that ought to be required on the part of candidates to an open competition in India, they are as follows:—(1) the limits of age for competition from twenty to twenty-three; (2) a certain amount of academical training shown by the position of a University degree

or by satisfactory college certificate, (3) certificates of good moral character attested by college authorities from their personal knowledge of the character and habits of the candidates, (4) a medical certificate of physical fitness from a board consisting of both European and Native medical officers of experience, (5) certificates from competent persons with regard to proficiency in riding, shooting, swimming, gymastics, and drill As regards social fitness, superior collegiate education will in almost all cases be a sufficient guarantee of respectability College education in these days cannot, as a rule, be acquired by men in the condition of the lower classes A patewala's son successfully passing through his school and college career must always be an exceptionally rare phenomenon. People who will still refer to the early years of education in this country for ascertaining the social position of the educated cannot have any idea as to the present cost of higher education which has already made it inaccessible even to the lower middle class Principal Wordsworth's evidence before the Education Commission has sufficiently proved this point, and it is unnecessary for me to add anything to it here.

3760 If an examination is in held India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—In case open competition for the Covenanted Civil Service is held in India as well as in England, I think it will be desirable, for the present at least, to require the successful candidates, as a condition obligatory, to proceed to England to complete their training, as this will give them opportunities of imbibing at their very fountain-head the spirit and the principles that underlie the British Government in this country, and will give them that close familiarity with the habits and dispositions of their fellow-competitors in England which cannot but lead, however gradually, to the growth of that feeling of mutual respect which it is highly desirable should exist between the leading representatives of both the races When the condition above mentioned is made obligatory, everything should be done to make it also agreeable by enabling the selected candidates, by means of liberal allowances, both to enjoy and duly profit by their temporary residence in England.

3761 Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—It will be no reflection on the gentlemen who have been hitherto obtained under the existing system of the open competition in England if one were to say that they are only a few of the best, as regards character and capacity, who could be obtained under the system of open competition in India

The Hon'ble Mr *Quinton*.

3762 Where were you born?—In the Kudremagunny District

3763. Have you been all your life in the Bombay Presidency?—Since being first appointed school-master I have resided in various parts of the Presidency and also in Sind For the last five years I have lived in this city. I am a Bráhman by caste.

The Hon'ble Mr. *Quinton*—continued.

3764 You give very high testimony to the moral and physical training given in the schools here, especially as compared with the scholastic institutions of other countries Have you ever been to England?—I have not, but I have read books.

3765 And your knowledge is derived from what you have read in books?—Yes

3766. Have any pupils from your school passed through the competitive examination in England?—No.

3767. Are Sanskrit and Arabic part of the regular examination of your school?—Sanskrit is.

3768. When do the boys begin to learn it?—From the fourth standard up to the University Entrance Standard, which is about four years.

3769 You know Sanskrit yourself?—Yes.

3770. Can you say whether the knowledge acquired in those four years is elementary or more than elementary?—It is thorough so far as grammar is concerned, and elementary as regards literature

3771. Do you think it is the Government's duty to get the best material it can at the cheapest rate?—Certainly

3772 Is spending money in endowing schools and colleges for the sole purpose of qualifying candidates for the public service a legitimate way of spending money raised by taxation?—In the term 'best material,' I include men belonging to the country which is to be governed, who are qualified by education and their fitness to govern it, in preference to men coming from a foreign country and having no intimate knowledge of the people, except so far as it is absolutely necessary for continuing the relations between the two countries.

3773 You propose a competition in India open to all, and you think that, at all events for the present, Hindus would largely distance the backward classes?—To my mind the results would be altogether so small that no ground would be left for instituting a comparison between the two classes But I admit that Hindus would leave Mahomedans a certain distance behind

3774. Do you think residents of certain provinces are likely to get the better of residents of other provinces?—I think so.

3775. Which provinces would get the better of which?—Bombay, Madras and Bengal would, I think, succeed better than Sind and the Punjab, for instance. But, as I have already said, there are even now individuals in these backward provinces quite able to hold their own with individuals in the more advanced provinces.

3776. Do you think that a Madrassi who succeeds in the competitive examination should be restricted to the service of his own province?—He might be sent to any province.

3777. Would it advisable to do so?—I think so; it would tend to unify the relations between the different provinces

3778. Do you think that a Madrassi sent to take part in the administration of the Punjab would be more appreciated by the people of that province than a European?—If he is thoroughly efficient he will be equally appreciated

3779 Is it proper and just to expend public money in educating Madrassis for service in the Punjab when the Government can get qualified men at present?—I think it is necessary for the good of the country and in the best interests of the Government that Natives of the country should be largely employed in its administration.

The Hon'ble Mr *Quinton*—continued.

Mr *Crosthwaite*.

3780. Do you mean to say that a Madrassi is a Native of the Punjab?—He is a Native of India, and as such he will be considered even in the Punjab.

3781. As an educated man of reading and intelligence, do you mean to say that India is one country?—I should think it is, considering that the habits and customs, the parent language and the religion, of the Hindus at all events, are the same all over India.

3782 But are not the Mahomedans also the same all over the country?—I have admitted that there is a difference between Hindus, Parsis, and Mahomedans.

3783. Do you maintain that Telegu is a kindred language to Pushtu?—No, I do not consider it so.

3784. Is Gonduakin to Telegu and Pushtu?—No; but I spoke of the parent language of those languages which prevail all over India being the same.

3785. Might you not say also that the languages of Italy, France, Spain and, to a certain extent, England are the same because they come from the same parent stock?—Those countries have different Governments, and other causes have prevented their coalescing, which otherwise they could easily have done.

3786 Then it is only the Government which ties the different provinces of India together?—Not only that but the religious feeling all through the country, of the Hindus at least.

3787. The religious feeling of the Deccanni Brahmin and the Afghan Punjabi?—I have admitted that there is a difference in that respect between Hindus, Mahomedans, Parsis and Native Christians.

3788. Then, practically, there is no general unity?—There is so far as the leading population of India, which I consider to be the Hindu population, is concerned

3789. In all parts of India?—Yes.

3790. As you have favored us with opinions on these points, I presume you have studied the question. Will you tell us, then, what the percentage of Mahomedans in the Punjab is?—I have not studied the census of the different provinces. I am speaking generally of the whole country when I say that I regard Hindus as the leading community.

3791. Notwithstanding that the census might show that in parts of India it was not so?—I speak of the country as a whole.

Sir *Charles Turner*.

3792. There is a great deal of difference, is there not, in the religions which are professed by the various classes to whom the general term Hindu is applied. For instance, is the Hinduism of the educated Bengali and gentlemen of Bombay the same as the Hinduism of the people of the Coramandel Coast?—The Hinduism from which they are derived is the same, and differences apart there is a substratum of unity.

Sir *Charles Turner*—continued.

3793. Are you aware that human sacrifice has not yet disappeared from the Hinduism of Eastern India?—It is a very rare survival of a practice which may have prevailed in very remote ages.

3794. Has not the advanced Hindu of Bengal and Bombay become Theistic rather than Pantheistic in his religion?—To a very small extent, no doubt.

3795. Would you wish the administrators of this country, if Hindus, to be the most advanced in religious conception?—Certainly.

3796. Are not a considerable number of educated Hindus Theists?—No; it is a very small number who are.

3797. Have you heard that complaints are made of the state of secondary education in this Presidency?—I have heard complaints occasionally made.

3798. Are you aware that the Vice-Chancellor of the University has expressed in very strong language his dissatisfaction with the present state of secondary education here?—My impression was that his remarks referred to the insufficiency rather than the inefficiency of the schools.

3799 I understand his objection to be that the teaching in the secondary schools was not by any means so advanced as it should be, that the students who commence a course of University study are not in a position to receive such training as they would have been had their previous education been received at a High School in England?—It struck me at the time that he was referring more to the insufficiency of the schools numerically, because he appealed to the citizens of Bombay and other places to open fresh schools.

3800 Did he not also complain of the quality of the instruction?—Not markedly, so far as I remember, but even if he did he might have been referring to some backward and unimproved private schools.

3801. I do not wish at all to convey that the school over which you preside is not in marked contrast to others; but I am speaking of secondary schools generally throughout the Bombay Presidency?—Speaking of Government schools, I should say that their efficiency as a whole has not been called in question.

3802. Does not the Vice-Chancellor complain that in the University classes it is found necessary to give instruction which ought to have been given in the schools?—If by instruction you mean technical education, I admit that secondary schools have taken no part in that.

3803. The Vice-Chancellor referred to the rudiments of a liberal education?—I think the rudiments of a liberal education are given in the schools.

3804. Sufficiently, do you think, to enable boys leaving those schools to receive an advanced training in the University class?—I think so.

3805 Are boys of low caste practically excluded from the schools?—Not intentionally excluded, but practically very few are able to attend the schools.

3806. How is that?—Owing to poverty.

3807. If they do attend, are they allowed to sit on the same benches as scholars of higher caste?—I think they would have to sit there. I have been in charge of many schools, and I have never heard of a single case in which the question was raised.

Sir *Charles Turner*—continued.

3808. You mean to say that no boys of low caste have attended your schools?—Yes.

3809. Have you *Baberhoo* Brâhmans in your schools?—Very few. There is a small percentage.

3810. Are there not a great many in other schools?—Very few can come up even to the middle-class schools.

Mr. *Ryland.*

3811. Have the people of this province no preference for Natives in administrative posts with whose manners and customs their own are intimately connected?—The qualifications of both being equal in every respect, I think they would prefer Natives of their own province.

Mr. *Stewart.*

3812. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Chapter 3, Section 6, or from all *natural-born subjects of Her Majesty*?—If simultaneous open competition in England and India is allowed for the Covenanted Civil Service to which all classes of Her Majesty's natural-born subjects are freely admitted, it is only fair that the Uncovenanted Service should also be recruited from all natural-born subjects of Her Majesty. But if the Covenanted Civil Service is only partially opened to Natives, then recruitment to the Uncovenanted Service should be confined to Natives of India as described in the Statute, no exception being made, as it is at present made, in the case of certain departments of that branch of the service, such as Forest, Police, Revenue Survey, Revenue Settlement, Telegraph, Marine Survey, Trigonometrical Survey, Opium, Salt, Customs, &c

3813. Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—As regards the method of recruitment, I think it is best on the whole to recruit, even the Uncovenanted Service, as a rule, by open competitive examinations, differing in their nature according to the special requirements of the several departments, and differing also in different provinces according to the conditions and requirements of those provinces These special competitive examinations, however, should be open to those only who possess a certificate of having passed an initiatory Public Service examination, different for each province in details, but the same as regards the tests of general attainments, and social, moral, and physical fitness. I think for this purpose the University school final examination lately sanctioned by the Bombay University or some similar examination would be a sufficient test of general efficiency for entrance into superior Government service This entrance examination should be left to be arranged for either by the University or by the Educational Department in each province. As to the special departmental competitive examinations abovementioned, they should, in each province, be entrusted to a Civil Service Commission, corresponding to the Civil Service Commission in England When candidates have entered any particular department after having passed both the entrance and special departmental examinations, their promotions should be left to the head of that department, who should be guided mainly by

Mr. *Ryland*—continued.

seniority—special merit and capacity being taken into consideration only in very exceptional cases, and under strict and sufficient safeguards, every such special case being subject to confirmation by the Provincial or Supreme Government according to the nature and grade of the appointment.

3814. Whatever system be adopted, should the recruitment be made by the several administrations only from persons resident in the territories under such administrations, respectively, or with a preference for such residents?—Under the system of special provincial examinations, which I have above proposed, the Uncovenanted Service in each province must be recruited from candidates generally residing in that province This is only fair to the inhabitants of each province, differing as the different territories in India do in various respects. In the case of the recruitment of the Covenanted Civil Service such a provision is unnecessary, as a very high class liberal education cannot but give, in a considerable measure, a cosmopolitan character to the views and opinions, aims and aspirations, of the Covenanted Civil Servants, which will make them fit for administrative work in any province of the Empire But, in the case of the Uncovenanted Service, admission to it must, for reasons above explained and others, be territorial and not general.

3815. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—In the event of the Covenanted Civil Service being opened to all Her Majesty's natural-born subjects by a simultaneous examination both in England and in India, the appointments reserved for the Statutory Service should be allotted to the Uncovenanted Service, and they should be conferred upon men of exceptional merit, tried ability, and long service, by the Imperial Government on the recommendation of Local Governments under sufficient safeguards, and subject to the sanction of the Secretary of State for India. In each province there will always be found a few men, belonging to the Uncovenanted Service, of proved merit and ability, whose services will thus receive a recognition which they deserve. The present rates with regard to pay, &c, must be modified so as to suit the appointment of Uncovenanted officers to the Covenanted Civil Service, which should not involve any loss of pay It will not be necessary to require such officers either to pass through a period of probation, or through the lower grades of the service. As the competitive examinations for the Uncovenanted Service will, under my plan, be open to all Her Majesty's subjects in India, it will be unnecessary to make any special provision for the promotion to Uncovenanted posts of Europeans or any other class.

Mr. *Crosthwaite.*

3816. What is the Marine Survey?—A department instituted for the purpose of measuring the depth of water in the different harbours and along the coasts of the country.

3817 Are Brâhmans desirous of entering it?—Some of them.

3818 Must they not have been brought up to the sea to perform those duties efficiently?—Some of them would be willing to enter the service as sailors, provided they had a chance of becoming Superintendents.

Mr. *Crosthwaite*—continued

3819. Do we now obtain for Government service Natives of the classes who under Native rule carried on the Civil administration of the country? As a rule, we do obtain for Government service Natives of the classes who, under Native rule, carried on the Civil administration of the country.

3820. Does a voyage to or residence in England involve the loss of social position or other unfavorable consequences in the case of any section of the Native community? Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—Under existing circumstances a voyage to and residence in England does, to some extent, involve a loss of social position and other consequences not unfavorable to the character of the persons visiting, but inconvenient to him personally, inasmuch as it somewhat restricts his intercourse with the unenlightened portion of the community to which he belongs This is especially the case in the Hindu community, and, as far as I know, to a small extent even in the Mahomedan community. But if the person visiting England takes care not to make an unnecessary departure from the forms and modes of life prevailing in his community, it need not necessarily place him out of touch and sympathy with his fellow-countrymen on his return to India.

3821. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes? If so, what provision should be made for this purpose?—Under the head of Uncovenanted Service I have proposed that the Statutory Service being discontinued, the appointments at present reserved for that service should be made available to members of the Uncovenanted Service of proved merit and tried abilities under certain safeguards and strict rules To these appointments meritorious men of the professional classes may, under the same safeguards and rules, be appointed in exceptionally rare cases, provided the men seeking these appointments have deserved such special recognition on the ground of acknowledged services to the people of the country or in the opinion of Government and people generally are likely to render such services.

3822. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—As regards candidates of high family, I do not think that Government ought to have any power reserved to it to appoint such candidates to Covenanted posts, unless they have deserved any such reward by their own merit and ability shown in any work generally admitted to be of great public utility. Mere antecedent guarantees of fitness, the sufficiency of which is to be determined by Government in each case as it may arise, are likely to lead to abuse of patronage.

3823 Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for

political or other reasons?—I do not see any objection to a special provision being made for the occasional appointment, in very special and exceptional cases, to Covenanted posts, of persons of known ability and local influence, whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons. This provision should be subject to two conditions first, that a person so appointed is thoroughly fit to discharge the duties of the post to which he is appointed, and, secondly, that his general character and ability and public spirit commend him to the confidence of the people

3824. Should subjects of Native States be eligible for appointment to Covenanted posts in British India?—I think there is no objection to subjects of Native States, in subordinate alliance with the Crown, being made eligible for appointment to Covenanted posts in British India, subject to the same rules and conditions as the actual subjects of the British Government in India

3825. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—It is regarded as, on the whole, satisfactory by influential sections of the Native community But the system is capable of further improvement in one important respect, *viz.*, that the judicial qualifications required for the satisfactory discharge of the magisterial duties of Executive officers should be raised nearly to the same standard as that exacted from the members of the Subordinate Judicial Service

3826 To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judical Services, respectively?—Men who accept appointments under existing conditions in those services, belong, as a rule, to the more literary and enlightened classes, who under any administration would be chosen for similar appointments.

3827. To what extent do Natives of good family and education in your province offer themselves as candidates for Subordinate Judicial and Executive appointments?—If by "good family" is meant an aristocratic family, then candidates from such families do avail themselves, to such extent as their educational opportunities will fit them, of the Subordinate Executive and Judicial Services. Members of such distinguished Sardar families as "Vinchurkar," "Dhamdhere," "Purundhare," "Biniwále," "Rajmacheekar," &c, have in times past held appointments in the Subordinate Judicial Service, although the experience of the past in this matter does not warrant our going out of the way with a view to show special favor to candidates from such families. But if by good family is meant an ordinarily respectable family, then the members of such families do readily offer themselves as candidates for Subordinate Judicial and Executive appointments, and make no difficulty of going through the educational and other special tests to which they are subjected.

Natives who have been to England for purposes of study, but have failed to qualify themselves there

for any service or any other career, will readily accept such appointments as have been above referred to, but they should be required to satisfy the same tests which are applicable to other candidates before they receive such appointments.

3828. Is it the case that certain classes of Uncovenanted appointments are practically reserved for Natives of pure descent owing to the fact that conditions are imposed which have resulted in shutting out Eurasians and other Statutory Natives of mixed descent?—What has been the effect on the efficiency of the Subordinate Executive and Subordinate Judicial Services in your province of the orders of Government of India, dated 18th April 1879, which debar, unless with the previous sanction of the Governor-General in Council, (1) the appointment of any person, not being a Native of India within the Statutory meaning, to an office carrying a salary of ₹200 a month or upwards, and (2) the promotion to such an office of persons, not being Statutory Natives, who entered the department concerned after the 1st January 1879?—I do not think that any classes of Uncovenanted appointments are practically reserved for Natives of pure descent, for I have known of several Eurasians and other Statutory Natives of mixed descent who have held and are still holding appointments both in the Subordinate Executive and the Subordinate Judicial Service, which perhaps are meant by the expression "certain classes of Uncovenanted appointments" There is nothing, in my opinion, to prevent the Eurasians and others of mixed descent from taking full advantage of the educational opportunities afforded in this country, and thereby qualifying themselves for the services above referred to. But if they do not exercise sufficient self-denial, and by adopting a costly European style of living above their means incur unnecessary expenditure, if, again, they do not work with sufficient application at their studies, it is neither the fault of the Government nor the public that they practically fail to secure admission to those services In this connection it should be observed, however, that Natives of India of pure descent are practically excluded from several departments, to which they are eligible, and ought to be appointed in sufficient numbers, provided others than such Natives are not wholly excluded therefrom, because the latter, in the case of the Police, Forest, Salt, Customs, and similar other departments, are so freely employed that the employment of the former is only exceptional

3829 Is it, in your opinion, necessary that there should be a proportion of Europeans either in the Subordinate Executive Service or in the Subordinate Judicial Service or in both of those services?—I do not think it necessary that there should be any proportion of Europeans either in the Subordinate Executive Service or in the Subordinate Judicial Service, beyond such as may be able to enter those services by the same door as is open to Natives.

3830. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, prove suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—I do not think that unsuccessful candidates at the

Mr. *Crosthwaite*—continued.

Covenanted Civil Service competition in India would be suitable nominees for the Subordinate Judicial Service, even if they gained high marks and showed decided proficiency in their examination. As regards the Subordinate Executive Service, Government may be enabled in exceptional cases to nominate such men to Executive appointments, provided such nomination does not unduly interfere with the interests of persons who are already in that service.

Mr. *Crosthwaite*—continued.

WITNESS LVI.—26th January 1887.

Examination of GRATTAN GEARY, Esq, Editor and Proprietor, *Bombay Gazette* Newspaper, Bombay; J P, Fellow of the Bombay University.

Sir *Charles Turner*

3831. I believe you are the Editor of the *Bombay Gazette*?—Yes

3832. How long have you held that position?—For the last six years.

3833 And had you any experience of India before that?—Yes, I had about seven or eight years experience of Bombay itself.

3834. In your position as Editor of the *Bombay Gazette* you have, I presume, had many opportunities of becoming acquainted with Native opinion on questions of administration in this country?—Certainly

3835. And you have had opportunities, doubtless, of forming some opinion as to the qualifications of Natives to take part in the administration?—Yes.

3836. Will you kindly favor us with your views as to the existing Statutory system?—So far as my opportunities of observation have extended the prevalent feeling amongst Europeans and Natives is adverse to the Statutory system I have never heard either European or Native speak well of it The grounds upon which Europeans base their disapproval of the Statutory system are, that it tends to introduce into the Covenanted Service Natives for whose competency there is no adequate guarantee, such as is provided for English Civil Servants by the rigorous ordeal of competition With the Natives the grounds of objection are in part the same. It is felt, that in so far as there is a likelihood that men who owe their appointments to favoritism or personal influence may not prove as efficient as their colleagues, a stamp of inferiority may come to be affixed, and has been affixed, to Native officials which would be humiliating and, in various ways, practically disadvantageous to the Native community It is well understood that, from the nature of the case, officials appointed under the Statutory system cannot enjoy the same status as those who have proved their right to their appointments in open competition, and it is foreseen that the Government will not have the same confidence in them, nor the same motives for rewarding and advancing them They will, of necessity, occupy an inferior position to that of their colleagues who, under the new system, will be, and are evidently intended to be, Europeans without any admixture of Indians, the doors being practically closed against Indian competitors in England by the lowering of the age from twenty-one to nineteen years in 1876 The Natives can scarcely be blamed for believing that the age was lowered purposely to exclude them from the competitive examination. I find that is their conviction Lord Lytton, while hinting that a law prohibiting Natives of India from competing in England would be the only complete remedy for the risk of Natives entering on that side instead of depending upon the Statutory door he was about to open to them on the basis of the provisions of an Act passed in 1870, informed the Secretary of State that "the recent reduction of the standard of age will practically render the matter one of

Sir *Charles Turner*—continued.

unusual difficulty," and as "the proposed legislation would be of an apparently illiberal character, we content ourselves with recommending the point ['completeness' of a legislative prohibition] to your Lordship's consideration without making it an indispensable condition of our scheme" The lowering of the age, whatever was the intention, has had the effect foreseen and predicted. It has closed that avenue to the admission of Natives to the Covenanted Civil Service The substituted Statutory Service, as was also foreseen, has been discredited from the beginning and it has not been rehabilitated.

This feeling of dissatisfaction is against both the Statute 33 Victoria, Chapter 3, section 6 and the rules framed thereunder Section 6 of the Statute had for its object "that additional facility should be given for the employment of Natives of proved merit and ability in the Civil Service of Her Majesty in India." It gave power to appoint Natives of India to positions in the Civil Service of India. The object was apparently to enable the Government to promote efficient officers from the Uncovenanted Service to higher positions in the Civil Service But the Act remained a dead letter until it was utilised as sanction for the rules constituting the Statutory Civil Service, not for "men of proved merit and ability," but for aspirants of good family who might be able to recommend themselves to the good offices of the authorities in India. The objection applies then equally to the Statute and to the rules which were framed upon it, as both combined had become instrumental in excluding Natives from entering the Civil Service on a footing of equality with Europeans

No doubt there is a general desire amongst Natives of India to be admitted on terms of equality to the Covenanted Civil Service, the most distinguished of any to which they can aspire Excluded from the military and the political careers, they naturally fix their ambition upon the highest service, which has been declared repeatedly and by the highest authorities to be open to them, without restriction of race, religion or colour The admission of individual Natives into the Covenanted Service under the provisions of section 6 of 33 Vic would not satisfy the natural and legitimate craving for employment giving distinction and power which is afforded in the Covenanted Service, and still less would such appointments as those contemplated when the rules framed under that section by Lord Lytton's Government were devised. For in neither case could the recipient of the honour obtained claim that he had acquired it by his own parts and qualities in competition with the bulk of his colleagues

The only amendment which I would suggest in section 6 of the Statute is one which would confine it to what I conceive to be the true purpose which those who framed it had in their minds, namely, to give to the Government of India the right to reward eminent service to the State by high office in any department of the Public Service. The Act 24—25 Vic, Chap 54, sections 3 and 4, had indeed already given the Government of India the same right

Grattan Geary, Esq.

Sir *Charles Turner*—continued.

The definition of Native of India ought to include persons born and domiciled in India without any necessity for establishing whether their parents were temporarily or permanently settled in the country

The rules accentuate the disadvantages of the Statutory system as compared with that of open competition. If the Statutory system is to be maintained, the rules should be modified, so as to make the conditions of entering the service as nearly as possible the same as those which prevail in England. But the objection is broadly to the system as a whole, and the desire is, that it should be abolished The abolition would not necessarily preclude the retention by the Government of the right to nominate in special cases members of communities which might be quite unrepresented in the service, if the Government did not take account of their special requirements.

Statutory Civilians are not considered to be on an equality with other Civilians, for it is known that they have not won their position *vi et armis*, but were content to accept it as a concession to family claims or indirect influence.

It is very difficult to say whether the public view recognises a difference in the status of Statutory Civilians and that of Uncovenanted officers. I am inclined to think that the public give credit to the Statutory Civilians for great influence and some luck

I cannot imagine that the Statutory system can be made acceptable to influential sections of Native society. It conflicts with all their ideas of what they really want, namely, to rehabilitate themselves by having the right accorded of entering the higher service on an equality with all other competitors They understand very well that for a long time to come there must be a predominance of the European element in that service, but on that very account it is of greater moment to them that those of their body who represent them in the work of public administration should not be of inferior status A period of probation will not affect to any appreciable extent the views of the influential Natives in regard to the system, for it is not likely that the probation would be regarded by the Government itself as an equivalent for the superior training undergone by competitors in England

Nomination with or without probation is not, I think, likely to procure the best men, though occasionally, no doubt, very good men may be procured in that way Favoritism, personal influence, want of knowledge of the various qualifications of other candidates must in many, if not in most, instances be among the motives for giving a nomination, while from the very nature of the circumstances surrounding high officials in this country, individual knowledge of the character and capabilities of the young men of Native families must be very rare indeed All the information, or at least a good part of it, must be second-hand, and much of it interested

Experience has not shown anywhere that nomination, as a system, secures well-qualified officers. It has come to be regarded universally as another name for favoritism and jobbery. It has been abandoned in England, where it so long flourished in spite of the unmerciful invectives that were poured upon it. England shrank from the prospect of the wholesale corruption which must have resulted if the patronage of India was transferred to the Ministers of the Crown; and it was resolved, when it became necessary to take it out of the discreet hands of the East India Company, to institute the competitive system as the best guarantee against nepotism and jobbery. If this was necessary in England where public opinion is so alert, and so powerful, how can that system, which was deemed too dangerous for British morality, be expected to work in simplicity and truth in India?

Sir *Charles Turner*—continued.

It is very desirable that the Government should possess the power of promptly rewarding on the spot proved merit and ability wherever they exist, but the Statutory system need not be maintained for this exceptional purpose.

A limited competition amongst persons nominated by the local Governments and by the Universities would, of course, be an improvement on the present system, but even then the Statutory Civilians could not hope to stand on the same footing with their English compeers.

The Native community would certainly approve of a system of open competition in India for the Civil Service but not for the Statutory Service which is condemned by the relatively inferior status

The competition should be in each province, to make the trial easier to the provinces which are not so favored by general culture as others. If the competitions were all held in Calcutta, doubtless the Bengali would sweep the board, but he would not stand the same chance against a Maratha Brahman in Puna, or a Parsi in Bombay. But one central examination would undoubtedly have greater *prestige* and would more easily be kept at the English level.

The three tests as to age, intellectual capacity, and moral, social and physical fitness, should be similar to the tests applied in the case of competitors in England.

There ought to be a two years' probation after selection, whether by nomination or competition, either in the Covenanted or the Uncovenanted Service as might be found most convenient. A year's special training in England would be of great value It would be better as an educational measure to send the candidates to England rather than to establish a Civil Service College in India, where they would only meet one another and would not be in contact with Western civilisation. Certainly they ought to be encouraged to visit England to increase their qualifications for the service. The form, that encouragement should take, could best be settled after consulting those most directly concerned. Contributions towards expenses, in inverse proportion to the means of the recipients, would probably be the most satisfactory The probationer would enjoy his pilgrimage with a better conscience if he knew that he himself contributed to its cost, which should under no circumstances be permitted to be onerous. I am in favor of establishing scholarships tenable in England by Natives of India to enable them to qualify for the Civil Service. The Government, having accepted the principle that one-sixth of the Civil Service appointments are to be given to Natives, can have no difficulty in the appropriation of a certain number of posts amongst that proportion of successful competitors. If the Government does not desire more than one-sixth to enter the service they must make their intentions understood.

Sir *Charles Turner*—continued.

No one anticipates that more than a sixth will enter by the examination in England. The lowering of the age of candidates to nineteen years has very effectually closed the door against them altogether, and even if it be raised again to twenty-one the influx of candidates will be still restricted by other considerations

3837 Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications, and those who have not?—A higher scale of salary ought to be allowed, at all events for a certain period, say three or five years, to those who have undergone the cost of a protracted residence in England to qualify themselves for the service of the State But not if the Government has already contributed largely to the cost of their training.

The offer of a residence and an allowance in England at a University for two years to enable the candidates to qualify for the Statutory Service would no doubt tempt many to go to England But it would not cost more to enable them to go to England for the purpose of submitting to the test of a competitive examination there, so that they might on their return to India be the best servants of that race which Government could procure

If the system of examination in England be revised, so that the Natives might avail themselves of it to the necessary extent, the supposed necessity for the Statutory system would, of course, be at an end I see no reason why such a revision could not be made, the first and most necessary being the restoration of the standard of age to twenty-one.

From this point of view it is not necessary that the Statutory system should be continued.

3838 If you say the definition of Natives of India ought to include persons born and domiciled in India, what would do you in the case of a man whose parents were domiciled here, but who happened himself to be born in Goa or in London?—That would be a difficulty.

3839. But the difficulty has arisen?—I suppose the same rule would apply, as applies in the case of the child of a foreign parent. He would have a right of election.

3840 Would you allow a man, in order to obtain the benefit of the Statute, to become a native of this country by domicile?—I should say there would be no real objection to it.

3841. An objection has been urged that the sons of persons who have influence in this country might come to India and domicile themselves for the purpose of obtaining employment here?—The door would be open to that.

3842 Would it be open to objection do you think?—It would be an additional complication.

3843. That is to say if a restriction is necessary, it might be necessary to extend it to that class?—It might be

3844. Do you approve of having any restriction at all?—No, excepting as a counterpoise to the greater restriction in the case of Natives excluded from certain lines of employment, you must ensure them something like a monopoly of the minor employments.

Mr. *Stewart.*

3845. Would you have the term Natives of India include Natives of States in subordinate alliance with the British Government?—I think they should be on the same footing in respect to that particular matter as they are in other respects. I do not know whether in other respects they are really considered as part of Her Majesty's subjects

Mr *Stewart*—continued.

Sir *Charles Turner.*

3846 There have been two opinions expressed: one is that, inasmuch as the interests of Feudatory States are so largely bound up with our own, and it is desirable to encourage them to imitate English administration, we ought, as a matter of policy, to allow Natives of those States to receive education in our service The other opinion is that, inasmuch as we count largely upon the loyalty of our fellow-citizens in India, we should allow their allegiance the benefit of a preference in the matter of employment in the public service, if we do not confine that employment to them?—I do not think that the Natives of India would object to a certain amount of competition from Native States It might easily become a very formidable competition. These States are now opening up schools and colleges of their own.

Mr *Stewart*

3847. As a matter of fact, do not Native States freely admit servants of the British Government into their service?—I know they are very anxious to get them.

3848 You say the Statutory system need not be maintained for the purpose of rewarding proved merit and ability where it exists. How then do you propose to reward proved merit and ability?—Under the Statute 33 Victoria, Cap 3, section 6, the Government has power to appoint men of proved merit and ability to any posts in the service.

3849 Except in the case of non-domiciled Europeans?—Yes, they must be Natives or at least have resided for seven years in India.

3850. Then the power of Government to reward such men is not wholly unrestricted —No.

Mr. *Ryland.*

3851. You say the Government having accepted the principle that one-sixth of the Civil Service appointments are to be given to Natives can have no difficulty in appropriating a certain number of posts to the successful Native competitors, and that, if it does not desire more than one-sixth to enter, it should make its intentions understood. Do you think it a wise and necessary rule that not more than one-sixth of the Covenanted appointments should be held by Natives?—I do not, but if the restriction exists, it is better to say plainly whether you are going to enforce it, or whether you will only raise the question when, as might happen, more than one-sixth have passed the examination

The Hon'ble Mr *Quinton*

3852 You would accept the results of the competition in England whatever they might be?—Yes.

Mr. *Ryland.*

3853 You say you would encourage Natives to go to England by contributing to their expenses?—I am against the principle personally, but I understand the Government has accepted it in the case of the Statutory Service, and I agree that

Mr. *Ryland*—continued

if you do it for the Statutory, you ought to do it for the higher branch.

3854. Are you aware that there is a class of Europeans growing up in the country who cannot afford to send their sons to England to compete, or even to be educated there?—No.

The Hon'ble Mr *Quinton.*

3855. You have expressed it as your decided opinion that the effect of lowering the age has been to close the door of admission to the Covenanted Civil Service against Natives. Have you compared the number of those who have passed since the age was lowered with the number of those who passed before?—For a certain number of years I think it is mentioned in a Government blue book which I had in my hand when I came to that conclusion I find that in the year 1876 the age was lowered and one Native passed; in the four succeeding years no Native passed, in the year after that one passed, in the following year two passed, in 1885 one passed; in 1886 no Native passed So that I think I was practically right in saying that the door has been closed against the admission of Natives to the service by the lowering of the age

3856 When did the lowering of the age take effect?—In 1876

3857. Did you take into consideration the age of the men who succeeded when the limit of age was higher, because I think you will find that the majority of the candidates who passed under the old limit were under nineteen, or just about that age?—I think in substance it is correct to say that the lowering of the age has had the result I attribute to it

3858 You say that "England shrank from the prospect of wholesale corruption which must have resulted if the patronage of India was transferred to the Ministers of the Crown, &c" Do you mean to tell us that the Government of India, in selecting candidates for the Statutory Service, has the same temptation to jobbery as the head of a political party in England would have?—The Government itself might not job, but it would be in the midst of a system of jobbery, and, in practice, when matters of that kind were to be decided upon, would be influenced by a system from which it could not escape

3859 Do you think that the Government of this country is unable with certainty to ascertain the qualifications of men?—I think it is very difficult for them to know anything of their own knowledge about Natives They must always get their information from Natives, which constitutes in itself a danger in a system which depends on individual opinion

Mr *Crosthwaite*

3860 Your experience of India is confined to Bombay?—Mainly

3861. Have you resided in any other part of India?—No.

3862. Do you speak the vernacular at all?—No

3863 Then your experience would be confined to English-speaking Natives?—Not entirely

3864 Have you any intercourse with Mahomedans?—I see some of the Bombay Mahomedans

3865 Do you consider them an influential section of the Natives of India?—Undoubtedly, they are a large and important section.

Mr. *Crosthwaite*—continued.

3866. Do you know how they view the Statutory system?—Yes, and I understand also that they are taking very practical measures to relieve themselves of the necessity of dependence on Government aid, which they hitherto thought was all essential to them. They are taking measures to improve their general education.

Sir *Charles Turner*

3867 Is competition of Natives in the examination in England favorably looked upon by the large and important classes in India?—As matters stand now, the examination in England is not looked upon by the interested classes in India as anything but a delusion They consider that the age has been fixed at a point which renders it impossible for Indian boys who have to learn English as a foreign language before they learn anything else, to compete with those who have known that language from infancy. Further, there is the difficulty of sending youths of seventeen to a country so distant as England, away from the customs, the language, the religion, and the climate to which they are accustomed, and leaving them to find their way without guidance or protection. When the age was fixed at twenty-three, this objection had no such force as it has now, and even at twenty-one, the earlier maturity of the Oriental would enable him to make good his footing and escape perils which might prove insurmountable to a boy still in his teens. The weight of authority was undoubtedly against the lowering of the age from twenty-one to nineteen The strain thrown upon the undeveloped constitutions of the boy-candidates is notoriously often disastrous in its effects I have myself seen an instance in which a successful candidate of that age could not be honestly congratulated at a success obtained by a price too heavy to be paid with impunity. If the standard of age be raised and a greater approach to equality be attained between the marks for Oriental classic languages and those for Greek and Latin, competition will not be so severe as to be deterrent to Indian candidates.

3868 Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—The Government having laid it down as a rule that one-sixth of the Covenanted appointments should be held by Natives, we may take it for granted that that concession will never be withdrawn It is idle to discuss the wisdom or the unwisdom of that determination The question now is whether we shall compel the Natives, who are to possess one-sixth of the most important administrative positions in the country, to enter by the gate by which their colleagues entered, or by another door of more easy but less dignified access For the reasons indicated the Statutory system is in disfavor, and it is not likely ever to be regarded as a satisfactory realisation of the hopes which royal and official utterances inspired and sustained The most pressing duty is to see whether, under the circumstances, it be not possible to secure for the Native members of the Civil Service an equality of status, founded upon an equality of training, and in so far as may be, of education with their destined colleagues. To go to England, to study there for the examinations, and to contend in honorable and open rivalry with some of the best young men in

Sir *Charles Turner*—continued.

England is in itself the very best of training for the administrative career which they propose to themselves. No education, no examination in India can compensate for the absence of the moral and intellectual stimulus applied by the supreme necessity of coming successfully through such a struggle for honour and fortune as this. Those who come through it have a right to say with the French statesman, "I have taken a bath of life in the free air of England."

The facilities that should be given to enable a sufficient number of Indian competitors to place themselves in a position to give the best attainable service to the Government, ought not to be extravagant, but they might be sufficient to pay for passages to and from England and to pay the fees for the college course This should be done of course only in cases where candidates who have distinguished themselves are unable to do more than support themselves, but it would be advisable to preserve the independence and self-respect of the sojourners in England by making their own resources in all cases contribute to their maintenance. The conditions to be attached to the facilities given should be decided by Government. This is on the supposition that Government has decided to make the provision in the case of the Statutory Civilians. Personally I object to Government making any such provision in any case, believing as I do that it should be left to private generosity.

3869. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—Failure in any competition is not regarded as a claim for preferment The Statutory Service could ill bear the load of the competition failures. Five Natives of this Presidency have passed the English competitive examination.

3870. What class or classes of Natives in your province readily go to England?—Parsis and Mahomedans and a few Hindus go to England from this Presidency. No insuperable objections stand in the way of any one's going to England so far as I have heard.

3871. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—The Hindus of a high caste fear pollution because they are forbidden to cook while at sea. With this exception, no one would hesitate to make a voyage to Europe were it not for the expense

3872. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—The examination for Natives in England ought to be the same as for Europeans.

3873. Would it under such circumstances be desirable to allot a fixed proportion of appointments to each of the two examinations?—Probably if a fixed proportion of appointments for the examination of Natives in England were set apart, a sufficient number of suitable candidates would be available to make the competition real. Of course it would be necessary to raise the age to at least twenty-one years

3873 (*a*). Are Natives of India placed at a disadvantage in competing in England for the Indian Civil Service? If so, how may those disadvantages be minimised or removed?—

Sir *Charles Turner*—continued.

With one examination in England for both English and Native candidates, the subjects and standards of examination, and the conditions as to age and other matters certainly place Native candidates at a disadvantage as compared to English candidates.

The Native candidates are placed at a disadvantage mainly by fixing the age at nineteen, which gives all the chances to the boy with a knowledge of English. A knowledge of Latin and Greek is more easily acquired by an Englishman whose language is largely made up of Latin words than by a Native of India who on his part gets but few marks for Persian or Arabic, or other Oriental languages, however classic

The limits of age ought to be the same for Natives and Europeans as the latter would certainly complain if they were placed at a disadvantage by being given a year less The best age would be as I have said twenty-three; twenty-one should be the minimum.

3874. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—Hindus and Parsis of the middle classes form the great bulk of the graduates of the Bombay University. Of late the Mahomedans show a disposition to avail themselves of the advantages within their reach

3875. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examination?—I do not advocate a competition in India for the Civil Service if the proportion of one-sixth Natives can be obtained by means of a revised and improved system of competition in London The advantages of training in England for men who are to compete with Englishmen in the administration of affairs in India need not be pointed out; but if it be found that the required number of Native candidates cannot be obtained in this way, then the only course left is to hold in India from time to time an open competition for the number of vacancies not filled by Indian candidates in London The examinations in both countries should be precisely similar The Native community would generally approve of this method of selection. It would be unfair to exclude an English candidate from the examination in India, when Indian candidates are encouraged to compete with English candidates in England

3876 Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—The quality of the high class education given in India is undoubtedly improving, though it might be rash to say, as yet, that it is quite on a par with that to be obtained in Europe.

3877 Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—Open competition in India would undoubtedly give many advantages to those classes which are at present the best educated, namely, the Brahman castes of the Hindus, and the Parsis. The tools will be first taken by those who know how to use them. The educated everywhere have the advantage over the uneducated, and this has at length

Sir *Charles Turner*—continued.

come home to the intelligence of classes whose ignorance at one time seemed impenetrable. The backward are everywhere making haste to abridge the distance between themselves and the reading and thinking people. The Mahomedans will not consent to leave the prizes of life to the Hindu or to the Parsi without a struggle. The greater the number of the prizes that come into view, the more numerous will become the possible competitors.

I see no objection on political or administrative grounds to open competition in India. My only objection, if such it may be called, is that even at its best it will not supply the State and the public with the services of men whose training and education have been effected in the best school and workshop of these modern times, namely, in England. To obtain such a result in certain walks of civilisation, Imperial Rome, by which I do not mean the Government of Rome, sent her youths to Athens, to learn philosophy, literature and art. In the same spirit India should send to England those of her sons who are to associate with Englishmen in the administration of the country and in the development of its resources and civilisation. If, however, it be not found possible to give all the Native members of the bureaucracy this valuable preparation for their great duties, in that case an open competition in India would be the one most useful and easily obtained.

An open competitive examination in India will not, I think, deter the cadets of leading families from any desire which they now may possess of entering the Civil Service. Neither in India nor elsewhere do leading families set much store on any career but that of arms or of the political arena. When the portals of these are closed, great families everywhere show a tendency to resign themselves to the loss of their influence and allow the work of the world around them to be done by other men.

3878. Under such a system how would it be possible to provide against the Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province?—The inhabitants of a Province in which education is very backward may find it to their advantage to have their affairs administered for a time by well-instructed men from neighbouring Provinces.

A system of Provincial examinations would perhaps in some respects be preferable to one for the whole of India, but the multiplication of examinations is not desirable in itself.

3878 (*a*). Have you anything to add on this branch of the inquiry?—Under a system of open competition in India I think that for some time at least the successful candidates would be considered to hold a position inferior to that of persons who had entered the service through the channel of open competition in England.

The allotment of fixed proportions of the Covenanted appointments to competitions in England and in India, both alike being open to English and Native candidates, would, I am inclined to think, place the competitors in India at a disadvantage with their rivals from England.

For open competition in India the age should be fixed within the limits of twenty-one and twenty-three. The candidates should be required to

Sir *Charles Turner*—continued.

possess the educational attainment and the vouchers of moral, social, and physical fitness at present required from candidates for the competitive service.

3879. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c., should not also be different?—I think that seeing that the State in its own interest desires to encourage its future servants to enter on their career by proceeding to England, it ought to make a proportional increase in regard to pay, &c., for a fixed period, say five or seven years, after which the same services should receive the same remuneration, where other things are equal, but not where the State has provided funds for the education of the person concerned.

3880. Should successful candidates go through a period of special study in India like the English candidates who spend two years in special preparation?—Successful candidates in India should go to England for two years for special study.

3881. Should any probationary period be fixed, and, if so, what should be the duration of the probationary period?—The successful candidates at the Indian competition should go through a probationary period of probably two years.

3882 What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service?—Deserving members of the Uncovenanted Service would enter the Covenanted Service under the Act 24 and 25 Vic., Cap. 54 and the 6th section of the Act 33rd Vic., Cap. 3, already referred to.

3883. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—They should.

Mr. *Stewart.*

3884. Have you any preference for the proportion of one-sixth for Natives?—No; I have not. It might be too many.

The *President.*

3885. Would you have any proportion at all?—I do not think you should fix a definite proportion.

3886 Is not fixing a proportion a violation of principle?—I think it is.

3887. Might you not exclude very superior men by fixing a proportion?—Quite so. I do not recognize the principle as a good one, but I accept it.

Mr. *Stewart.*

3888. Have you many graduates of the University in your employ?—We have some.

3889. What pay do you find them as a rule willing to take?—Some of them very little, but those are generally not very efficient. A thoroughly efficient graduate gets more than Rs. 100 a month.

3890. Is there a great demand for them in private service here?—They are taken into offices. There was rather a prejudice against them formerly, but I think it is dying out now.

Mr. *Crosthwaite.*

3891. Have you any knowledge of the way in which Indian candidates who go to England to pass the examination for the Civil Service live in London?—I have no personal knowledge. I have met some of them there, who seemed to me to be rather fortunate people and very well off I could not say how the bulk of them live.

3892. Why do you say—if it be found that the required number of Native candidates cannot be obtained by altering the age, &c.—that the only course left is to hold an open competition in India?—I mean the best course to make up the proportion of one-sixth

3893. Do you think we ought to take that course?—No; I think it is a very arbitrary one.

3894. But having made such concessions as may be considered fair and possible without lowering the standard of the service, would you recommend further steps being taken in order to obtain a certain proportion of Natives?—I would not.

3895. Do you consider it is the duty of Government to obtain a certain proportion of any particular race, or to obtain the best possible servants?—The best possible servants.

3896. Ought we to consider the interests of the class who are eager for service or the interests of the Indian nation at large?—The interests of the Indian Empire at large.

3897. Are there any interests outside of India which we ought to consider?—There are, of course, the interests of the English service, but I think that is, in principle, subordinate to the interests of this country.

3898. Who supplies the capital for the Railways and Government loans—the capitalists of India or of England?—The capitalists of England almost entirely.

3899 Do you consider their interests ought to be considered in deciding a matter of this kind?—Yes, so far as the safe and just government of the country is concerned. Of course Imperial interests, as a whole, would include them.

3900. Might circumstances arise from having an open competition in India, or from other causes, which would render the Government less safe and efficient in the eyes of European capitalists. That is, do you think that if the English element in the governing body was lowered beyond a certain point, it might cause apprehensions in the minds of capitalists, and injure the credit of the country?—I would not attach much importance to the apprehensions of capitalists which are, sometimes, not very well founded, but would give great attention to the question whether such deterioration of the service was a necessary consequence of the lessening of the English element in it.

3901. Do you know approximately the number of men in the Covenanted Service of India?—815.

3902. If the Statutory Service is maintained as at present, that number, so far as the number of English members is concerned, will be diminished by one-sixth?—Yes.

3903. And also by as many appointments as Natives may secure at the competitive examination in London?—Yes. But very effectual precautions have been taken against any great reduction from this cause. It was unfortunate that when

Mr. *Crosthwaite*—continued.

the system was working in a manner which really did not alarm any interest, it should have been superseded by a measure which completely shut out Natives, and brought about an agitation with a view to opening the door still wider and keeping it so.

3904 What do you think are the just claims of the Natives of India to employment in the higher ranks of the service?—I think the Native of India is entitled to be treated on an equality with any one else, and that in porportion to his qualifications he ought to get a fair share of whatever employment is at the disposal of Government.

3905. Do you think that as a Native he has a prior claim to a share in the higher ranks of the service?—I do not think he has any prior claim to be considered by the State The State must do the best it can for itself and secure the best men it can If the person preferring the claim is not able to do the work satisfactorily, I think the State should not consider his claim.

3906 Do you think a Native of Bombay has any claim to service in the Punjab?—Much the same as a Welshman or an Englishman has.

3907. But not any greater?—Certainly not; but he ought not to be debarred from employment, if he is qualified for it, simply because he is a Native of Bombay.

3908. And any claim he may have is, because he is a subject of Her Majesty?—Yes. What I mean is that a Native of Bombay cannot claim it on the ground of being a resident of the Punjab any more than I can. He is a Native of India, and the Queen is the Empress of India. I think one must accept that principle, that he has no special claim to service in the Punjab any more than to service in Bombay.

3909. You have said that the inhabitants of a Province in which education is very backward may find it to their advantage to have their affairs administered for a time by well-instructed men of other Provinces?—I mean that it is not necessary to put up with the deficiencies of a Native of the backward Province, where you can get a better man from another Province.

3910 Supposing you had open competition in India, it might result in so many Bengalis or Madrasis succeeding, that the Government would be compelled to make use of them in other Provinces?—I should say that would be objectionable, but the Government should be perfectly free to place its men where it pleases.

3911. Would you advocate an arrangement which might lead to that result?—No.

Mr. *Nulkar.*

3912. You were asked whether you thought that the reduction of the English element in the Indian service might not have the effect of deterring capitalists from investing in this country?—In my opinion the capitalists would not think about the matter at all, so long as things went well.

The Hon'ble Mr. *Quinton.*

3913. When a larger measure of local self-government was given to Municipalities, resulting in the withdrawal of the official element in many

The Hon'ble Mr. *Quinton*—continued.

places, did credit suffer in any way?—No, I think our credit in Bombay has rather advanced by leaps and bounds. We now deal in crores when fourteen or fifteen years ago, we were officially reported to be on the verge of bankruptcy.

Mr. *Crosthwaite*

3914. Your credit has not improved within the last five or six years?—I think it has, but of course money is not so cheap now.

Sir *Charles Turner*.

3915. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the higher Covenanted offices without requiring them to pass through the lower grades?—No provision need be made, that I can see, for promoting Uncovenanted Servants to the higher Covenanted offices without requiring them to pass through the lower grades. Nor need special provision be made for the promotion of European members of the Uncovenanted to the Covenanted Service The same remark applies to Eurasians in the Uncovenanted Service.

3916. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—The principle is clear, that the Uncovenanted Service equally with the Covenanted Service should be open to all natural-born subjects of Her Majesty who possess the required qualifications.

3917. If the Uncovenanted Service is closed to any natural-born subject of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of the 1st November 1858, is this to be justified?—The Uncovenanted Service is closed, as matters are at present, against European subjects of Her Majesty, because all the higher services being practically closed against Natives of India, it is necessary to secure them from undue competition in Uncovenanted posts That is the only justification that can be adduced, and it may be accepted as sufficient under existing circumstances.

3918. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—This question is not more easy to answer than is another question—which is often asked—whether the existing system of education in English public schools and colleges is well adapted to secure the success of the pupils in the business of daily life? The schools and colleges of this country are the saplings and offshoots of those of England. What can be said with truth of both is, that they are the best that past history and present circumstances have combined to produce

3919. In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal, and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—It is open to some doubt whether the ideal of Lord Macaulay's Commission has even yet been quite realised in England where the matter in hand is the selection of men to fill the Civil Service If England be content with something short of perfection in such matters, India must consent to be the same.

Sir *Charles Turner*—continued.

3920. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—I frankly say that I do not think they do. But they develop intelligence and an independence of mind, which form a good basis for force of character when circumstances arise to call it forth. This is what English schools do, and are expected to do. It is only in a figure of speech that Waterloo was won in the Eton cricket ground. The qualities which made Wellington's heroes famous in history were developed after they had left school soundly flogged, and sick at heart of Latin verse.

3921 How far would any system of appointment which involves a journey to, and residence in, England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—The Native community is now accustomed to regard with unconcern a voyage to England made on any reasonable excuse Offenders are readmitted to caste on payment of a small fine.

3922 Does a voyage to, or residence in, England involve the loss of social position or other unfavorable consequences in the case of any section of the Native community?—I have never heard that a residence in England has entailed loss of social position in India; on the contrary, the man who has travelled far is considered to be rather a superior and distinguished person, who knows more than his fellows.

3923. Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—In this Presidency, so far as I have seen, a voyage to Europe or Zanzibar does not in any way put a man out of touch and sympathy with his countrymen.

3924 Would the requirement of a temporary residence in England as a condition precedent to, or following on appointment to, the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—It would not, I am certain, have the effect of excluding any considerable or important section of the Native community

3925 If the Statutory system is discontinued should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to, and residence in England: or for the appointment to Covenanted posts of capable members of the professional classes, of candidates of high family or of persons who have proved their merit and ability in Government service, without preliminary examination or competition?—There is no obligation to provide Covenanted posts for Natives who are unable or unwilling from religious motives to go to England, nor is it necessary to make any special provision to give Covenanted posts to capable members of the professional classes, who are, if they be capable, otherwise provided for. Neither does it seem advisable to reserve many such posts for members of high families, for there will not be many such aspirants. One or two such appointments would be sufficient for the five years of any one Viceroyalty. It does not seem necessary either to reserve Covenanted posts for good service in

Sir *Charles Turner*—continued.

other departments without preliminary examination or competition.

3926. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would you require proficiency in the English language to be tested by periodical examinations *after* selection, but during a probationary period?—There would not be any harm in allowing an Uncovenanted officer who deserved promotion into the Covenanted Service to pass his examination in English proficiency during a period of probation.

3927 Should provision be made for the occasional appointment, in very special and exceptional cases, to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—The power to appoint to the Covenanted Service persons of local influence and known ability who have never held office or possessed any professional qualification is one that would be very liable to abuse.

3928 Would it be desirable to rule that the proportion of persons being Hindus and Mahomedans respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any Province, should bear a certain relation to the number of the two classes composing the population of the Province concerned?—It does not seem to me a matter of concern to Natives whether the officials in a particular Province bear a certain relation to the number of two classes, such as Hindus and Mahomedans It is of comparative indifference to them, who represents the Sirkar, provided he be not personally obnoxious to them The Indian is accustomed to see ruler and ruled adoring different Deities, and guided by different rituals, and he has acquired a habit of tolerance for which he does not get sufficient credit from Europeans

3929 How far should appointments in each Province to Covenanted posts be restricted to Natives of the Province concerned?—The same principle applies to the suggested restriction of the Covenanted post to Natives of the Province concerned. It is a matter about which a Native does not trouble himself much, because he is accustomed to see officials from distant parts come and go

3930 How would the following scheme be regarded by the Native community —

(1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only.

(2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible.

How would you regard such a scheme?—The suggestion to reduce the Covenanted Civil Service to a fixed number of Europeans admitted by competition in England, some appointments taken from that service being filled by Natives of India only, seems to be a proposal involving a departure from every sound principle of administration. Nothing could result from it but a settled rancour between the two

Sir *Charles Turner*—continued.

severed parts of the service. The Natives would see very clearly, and feel very keenly that they were excluded from one-half of the Civil Service, and they would not be in the least mollified by the monopoly of the other.

3931, How would the Native community regard the following?—

(1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England, to which Natives and Europeans alike would be admitted

(2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible

How would you regard such a scheme?—I am asked how the Native community would regard a proposal (1) that the Covenanted Service be reduced to a fixed number of appointments to be filled by competition in England to which Natives and Europeans would alike be admitted; and (2), the appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible. The Native community would see at once in such a proposal the probability that (1) the competition in England would let pass very few Natives and a good many Englishmen; and that (2), the appointments in India would pass over the eligible Natives and find the eligible Europeans.

3932. If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Civil Service so as to form an enlarged Civil Service to be recruited in India?—As I have intimated with regard to the two proposals just suggested, that neither of those schemes is likely to commend itself to Native opinion in India, it seems scarcely necessary that I should go at any length into the questions which follow with regard to the proposals for combining the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Service, so as to form an enlarged Civil Service to be recruited in India. Natives would see in it simply a contrivance for continuing their exclusion from the true ark of the Civil Service, while their grip on the Uncovenanted Service might possibly be loosened.

2933 How would the Native community regard the following scheme?—

A certain number of appointments in the Covenanted Civil Service to be reserved for Natives

A certain proportion of that number to be filled by competition or by some other system in India.

The remainder to be filled by competition in England.

How would you regard such a scheme?—I affirm that they will see in it mainly this, that the competition in England will give to the English competitors all the prizes, and that the half-competition, half-appointment system in India will not give them what they desire principally to have, namely, an equality of status in the service, with the Europeans, but they do not hope to obtain anything approaching an equality in the number of posts reserved for the Covenanted Service.

Sir *Charles Turner*—continued.

3934. Supposing the maximum age is raised to twenty-three, would that remove in the main the disadvantages under which Natives at present he?—I think it would.

3935. Do you think the public would be satisfied if the age were raised to twenty-three, the number of appointments reserved for the Covenanted Service substantially reduced, and open competition for the higher places in the Uncovenanted Service instituted in India?—I think that would be a concession they would regard as very complete.

3936. I see you insist very much on Natives having an equal status with Europeans as regards admission to the public service. Are you in favor of abolishing all race restrictions and making the qualification simply one of fitness?—Quite so.

3937. Race may be an element of fitness, may it not?—Yes

3938. But as a rule you would have no Statutory bar to the employment of Natives in any post?—No.

3939. If a Native was competent he should receive promotion to any post?—Quite so.

3940. If he had entered the service by the channel of competition where competition was necessary?—Yes.

3941. On what principle do you think pay ought to be regulated in this country? Ought we to consider race or the market price of the article?—No doubt the market price; but then you cannot possibly get a European at the same price as you can get a very good Native. I think, however, that the pay of the Native ought not to be inadequate, but should be sufficient to maintain him in the same grade of society as the European enjoying the higher salary.

Sir *Charles Turner*—continued.

3942. You consider that the pay of the Native should be sufficient to enable him to support the dignity of his office and associate freely with his European fellow-employes?—Quite so, and sufficient to raise him above the temptations to which an insufficient salary might subject him.

3943. Has the expense of living in the case of educated Natives increased considerably above what it was in their father's and forefather's day?—The cost of living for well-to-do Natives is not so great as for Europeans, but it has largely increased within my own observation. Their style of living, houses and clothes are all different from what they were even a very few years ago.

Mr. *Stewart.*

3944. Does that come from emulating European habits and customs?—Of course there is something in that.

Sir *Charles Turner.*

3945. You mean that as men become more educated and civilized, larger expenses are necessarily entailed by their changed habits?—Yes.

WITNESS LVII.—26th January 1887.

Examination of GANGARAM BHAU MASKE, Esq, Pleader, Puna.

Mr. *Nulkar*.

3946. You are a pleader in the Puna District?—Yes.

3947. Is the present system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The present system under which appointments are made of Natives as Statutory Civilians to posts in the Covenanted Civil Service, is regarded by the educated classes throughout this Presidency with deep dissatisfaction This feeling is to a very great extent also shared by those outside the educated classes, I mean those who do not know English but who are able to give a fairly intelligent opinion

3948. What are the grounds of disapprobation?—The grounds upon which this disapprobation is based, so far as I am able to gather, are the following:—

The principles upon which the nominations are at present made do not secure the best available talent.

The principles upon which the nominations are made are decidedly opposed to the principles laid down in the Statute, *viz.*, "proved merit and ability"

Almost exclusive weight is given to family and similar considerations, and to these, capacity and fitness for work are subordinated when not altogether ignored.

That these nominees are not looked upon as members of the Civil Service, as they do not possess the necessary qualifications to be regarded as the equals of the members of the Covenanted Service.

Men of "proved merit and ability" in the Uncovenanted Service or those in the practice of a profession, for whose benefit the Statute was originally intended, have been altogether disregarded.

The failures of these nominated young men are pointed to by Anglo-Indians as so many instances of the incompetency of Natives to be members of the Civil Service, but for this no one but the Government is to blame.

3949. Are the defects of the existing system susceptible of remedy (*a*) by an amendment of the Rules; (*b*) by an amendment of the Statutory provisions in that behalf, or should those provisions be repealed? If the provisions of the Statute 33 Vic., sec. 6, are not repealed, nor substantially amended so as to take away the power conferred on the local administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—In my humble opinion it is not possible to amend the defects mentioned in my answer to the former question either by amendment of the Rules, or of the Statutory provisions in this respect; but I believe that these defects can only to a certain extent be remedied by the introduction of a system of competitive examinations instead of nominations, and by the promotion of men of proved "merit and ability" from members of the Uncovenanted Service, or the professions. Even with these safeguards, the men, who will get into the ranks of the Civil Service will be looked upon by the general public as members of a subordinate and not of the Civil Service, and it will not therefore satisfy the legitimate aspirations of the Natives who, be it said to their credit, are anxious to secure entrance into that service on a footing of equality with their British fellow-citizens; and so long as their natural aspiration does not find free scope to enter the Civil Service through the same channel as Her Majesty's British subjects do, they will have just and reasonable grounds to believe that they are looked upon as members of an inferior race, and their loyalty to the Crown suspected, and they will also naturally feel that their exclusion from this service is the result of foreign rule

Mr. *Nulkar*—continued.

This general feeling can only be removed by giving full effect to the solemn assurances and declarations of both Parliament and Her Majesty the Queen-Empress of India given and made in the Statutes of 1833 and 1853, and the Proclamation of 1858, and in this view alone the total repeal of the special provisions would be accepted as satisfactory by a majority of those who represent Native public opinion on this subject.

I would, however, maintain the Statute solely with the object of promoting members of the Uncovenanted Service, who have distinguished themselves by "proved merit and ability" in the faithful discharge of the duties of their offices; and for the nomination of distinguished members of professions, and for no other purpose, and I would enlarge the definition of "Native of India" so as to include in it the subjects of Native States

3950. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—If the Statutory Service be retained, and its provisions be strictly carried out, I would not require the members admitted into this service from the Uncovenanted Service to go to England, as these men will have sufficient training and experience before they are transferred to it, nor would I require the men selected from professions to go to England, as these will not be nominated before they have had a long and distinguished practice. But I would encourage such of the members, as are willing to go to England, to do so by granting them long furlough with liberal furlough allowances.

3950(*a*).—Do you know any Statutory Civilians?—I happen to know one.

3951. Would he have accepted an appointment in the Uncovenanted Service had there been no Statutory Service?—No, I hardly think he was efficient enough for that.

3952. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Great dissatisfaction exists amongst the educated classes regarding the system which at present obtains as to recruitment for the Civil Service, and with the spread of education this feeling is rapidly growing in intensity.

Natives at present labor under a great many disadvantages, as the examinations are held in England, the age is so reduced as practically

Vol IV. Sec II. Bombay.

Mr. *Nulkar*—continued.

to shut out Indian candidates from all reasonable chances of success, and the higher marks given to European classics over Asiatic classical languages. These drawbacks deter many a parent, apart from religious objections, from venturing to send young lads to a distant country, attended with many risks, and considerable expense on the mere chance of passing The result of these disadvantages is that very few Indian candidates appear at these examinations.

3953 Do Natives of India labor under any, and, if any, what disadvantages in competing for employment in this branch of the service? By what changes may those disadvantages be minimised or removed, *eg*: (*a*) by the establishment of scholarships and allowance of passage money to Native candidates, (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects; (*d*) by holding, simultaneously, examinations in England and in India?—Intelligent Native opinion unanimously requires and will not be satisfied without the following changes in the regulations governing admission to the Covenanted Civil Service:—

That the examinations be held simultaneously in England and India This step was advocated by responsible members of Parliament as early as 1853, and subsequently unanimously recommended by a Committee of the Indian Council in 1860

That these examinations at both places be open alike to Europeans and Natives.

That the age be raised from nineteen to twenty-three years, in the interests alike of Europeans and Natives, and of the efficiency of the service

That the marks at present assigned to the Asiatic classical languages be raised to those assigned to Latin and Greek.

That the chief Vernacular languages of India be placed on the same footing as regards marks as the Continental languages.

3954 If an examination is held in India (1) should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several Administrations, respectively, or between the members of the principal religious sects?—With the changes indicated in my last answer I would respectfully suggest that (1) the examinations should be identical both in England and in India; (2) the examinations in India should be held if possible in all the Presidency towns; (3) the candidates in England and India should compete with each other, and the names of successful candidates should appear in one general list in order of merit, irrespective of the place where they have been examined and passed; (4) I would not recommend any apportionment on the ground of territorial or religious considerations

Such a proposal was moved in Parliament so far back as 1853, but was rejected, and it is not likely that it would be entertained now, when the country has settled down, and I would not advocate any apportionment, the same being inconsistent with the principles of competitive examinations.

3955 If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—I would make it obligatory upon the passed candidates in India to go to England, remain there for the period of probation, and pass their final examination in England, as I think their residence in England would secure to them, to a very great extent, an equality with their European compeers, which they would not otherwise enjoy.

3956. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—The young Natives who pass the competitive examination in England under the present system are no doubt the best men available as to character and capacity Their journey to England, their residence in that country for a considerable time, and their ultimate success at the competitive examinations, while labouring under serious disadvantages, prove in my opinion, beyond doubt, their intellectual fitness and material competence. They are men of equally as a good social status as those recruited in England itself.

If the above suggestions are adopted, the range of competition will, I think, be considerably enlarged, when it is hoped a still larger number of Natives will be enabled to compete successfully.

3957. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap 3, section 6, or from all natural-born subjects of Her Majesty?—Under the present orders all appointments in the Uncovenanted Service carrying Rs 200 and upwards per month, are not to be given to any other than a Native of India without the express sanction of the Secretary of State for India. I recognise this principle as sound, and I am humbly of opinion that the Uncovenanted Service should strictly be confined to "Statutory Natives" of India. I would justify the exclusion of other natural-born subjects of Her Majesty from this service principally on three grounds (1) because Natives of the country have a preferential claim to service in their own country; (2) because men of the requisite ability and integrity are available in the country itself; (3) because foreign agency is indisputably costly

3958. Should the recruitment be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—If the efficiency of the service is alone to be considered, as I think it should be, it is my humble opinion that the Uncovenanted Service should be recruited by competition as in fact it practically now is, though not theoretically.

3959 Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such administrations respectively, or with a preference for such residents?—Under this system the recruitment should be made by the various Administrations from within

Mr. *Nulkar*—continued.

their respective areas, including, of course, the subjects of Native States, associated with the respective Administrations. But I would reserve to the local Administration the power of appointing a "Statutory Native" of India from outside its local limits in special cases and with the previous sanction of the Government of India.

3960. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I do not quite understand the drift of this question, but if I rightly understand the question to mean whether the maximum proportion of admissions under the Statute as laid down in the rules of 1879 (*i e*, ⅛th of the total appointments for each year) should be given to the members of the Uncovenanted Service, I would answer the question in the negative, because the recruiting ground for the higher appointments in the Uncovenanted Service would be extremely limited and found inconvenient. If, however, the question means that any particular class of offices was originally set apart for the "Statutory Service," I am not aware what those offices are, and I am therefore unable to answer the question either way.

3961. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated?—The present high salaries of the Covenanted Civilians were perhaps justified at the time they were originally fixed, but since then a great change has taken place in almost every direction, such as the shortening the period which a voyage to India and back necessarily occupied in those days, and the actual experience that the climate of India is after all not so very unfavorable to English constitutions, as it was at one time supposed to be. This change requires to be recognised, and I am of opinion that there is ample room for economy of this character I would accordingly recommend a general revision of the salaries now paid to Covenanted Civilians. Salaries so revised should be paid to those who occupy the said posts, whether they be Natives or Europeans, with this difference that when any of these posts is filled by an English Covenanted Civil servant, he should be paid an extra sum in the shape of a staff allowance

3962 Should any distinction be made in the Furlough Rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other, and what ground?—I would make no distinction in the furlough rules of the character mentioned in this question.

3963 Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory Rules?—I have not given any consideration to this subject, and I would not therefore venture to hazard an opinion on it.

3964. You are aware that at present one out of six of the Covenanted appointments is allotted

Mr. *Nulkar*—continued.

to the Statutory Service. In case the Statutory Service is abolished, would you re-absorb these appointments in the Covenanted Service?—No, they should be retained to be competed for by members of the Uncovenanted Service.

3965. What is the object of the Deccani Association?—The promotion of higher education amongst the Marathas I belong to that class myself; it is a backward class as regards education.

I wish to remark that, in giving the foregoing replies to the issues framed by the Commission, I have paid exclusive attention to the subject from the point of view of the efficiency of the service, which I think ought to be the guiding point in settling this intricate question I am, however, by no means unmindful of the fact that, when the scheme briefly sketched out in my replies is given effect to, the backward classes, such as Mahomedans and Marathas, &c, will for some time to come be excluded from their due share in the administration.

Belonging as I do to the Maratha community which at one time in the history of India played a very important part, and which is yet represented by such princely houses as Kolhapur, Baroda, Gwalior, Indore, &c, but which unfortunately has remained backward, owing to its not having been able to take advantage of the means, which in common with others were placed at their disposal, I yield to none in regretting this state of things, but I am at the same time firmly of opinion that such a state of things will not be remedied by advocating any scheme based upon favoritism on behalf of such classes I strongly hold that any such scheme in addition to sacrificing the efficiency of the services will demoralise these very classes and teach them to rely not upon their own self-exertions, but upon favoritism

And here I cannot forget that even if it were in the interests of these backward classes (which I deny it to be) to be thus especially favored, the Civil Service of India was constituted on principles, which left no room for favoritism, and the admission to which must be by "merit and merit alone."

Holding these views as I do, and holding further that the regeneration of these classes would be distinctly beneficial to the interests of the country, and also anxious as I am that the community which I represent should, in common with others similarly circumstanced, be enabled to occupy their due position in the administration of the country, I am of opinion that such an object would be better secured by the Government pushing forward their education by special measures.

My actual experience in connection with a movement set on foot only four years since to help deserving students of the Maratha community by means of scholarships, and to enable them to complete as far as possible their course of study, leads me to conclude that there is now an increased awakening in the community to the full advantage of the educational system provided by Government, but that many a deserving student of this class is prevented from attempting all that he is capable of achieving, owing chiefly to his straitened circumstances.

The Deccani Association for promoting higher education amongst Maratha Kunbis, which commenced actual work only eighteen months ago, has

Mr. *Nulkar*—continued.

awarded forty-eight scholarships held by Maratha students in our colleges and secondary schools; and although the object of this Association is not as yet widely known, still it has on its hands a large number of applications from deserving students, who stand in great need of such external help

Under these circumstances I strongly hold that, if Government, instead of spending a large amount of money in giving relief of a doubtful character—a relief which I believe to be looked upon by a large majority as a curse (I allude here to the Deccan Agriculturists' Relief Act) and which is producing a very demoralising influence —spent, say, a fourth of that amount annually in promoting education amongst this class of people, a great change would result at no very distant date.

The Marathas, as I have already said above, played a very important part in Indian history, immediately before the introduction of the British rule in this part of the country I am humbly of opinion that Government is bound to adopt some special measure of the character suggested above, so that this class may be enabled to occupy, as a matter of right and not as a favor, an important position in the administration of the country.

I may be permitted here to mention that in the north of India, where the Mahomedans occupied pretty nearly the same position that the Marathas did here, Government have, I understand, recently established several scholarships for the exclusive benefit of Mahomedans, and I beg to suggest that the Marathas on this side would duly appreciate a similar concession in their favor.

Mr. *Nulkar*—continued.

In short I may be permitted to express a hope that the Commission will recommend some such measure for adoption by Government on behalf of the Maratha community.

3966. Has Government given you any scholarships yet?—No.

3967. How many men are enabled to study by the scholarships given by your Association?—Forty-eight scholarships have been given away and several others have been established

3968. Among the members of the Committee of your Association are there men of fairly high caste?—Yes; up till now we have derived very little assistance from the class whose condition it is our aim to improve.

3969 Are there very many high Maratha families in a state of decay who are too proud to beg and are precluded by their family traditions from accepting private service?—Yes.

3970. Would it be desirable to help such families by the gift of Government scholarships?—Government has recognised their needs, but more remains to be done.

3971. Do you think Government might fittingly grant direct commissions in the army to members of those families?—If it could be done it would be desirable.

3972. It would be more to their taste than giving them appointments in Civil employ?—Certainly. Their antecedents and traditions would fit them better for the army, but at the same time I should wish to see a leaven of them in the other service, and, if opportunities are given them, I have not the slightest doubt they will prove a credit to the service.

WITNESS LVIII.—26th January 1887.

Examination of the Revd. D. MACKICHAN, M A., D D, Principal, Free General Assembly's Institution, Bombay.

The *President.*

3973 You are Principal of the Free General Assembly's Institution and Fellow of the University here ?—Yes.

3974. How many students are there in your Institution ?—About 160.

3975. Up to what standard do you teach ?—The M A.

3976. Have many men from your Institution taken degrees ?—A fair proportion.

3977. Do you wish to give your evidence on the whole scope of our enquiry or only on a particular point ?—I wish to make a few remarks on the Statutory Service first of all.

It seems scarcely necessary to add anything to the weight of condemnation that has already fallen upon the existing Statutory system. I would only add my testimony to the feeling of dissatisfaction which prevails regarding it amongst the educated classes in this Presidency. This arises from the inability to appreciate the reasons which have influenced the choice of the individuals selected and the not unnatural suspicion of favoritism. For every family gratified by these selections hundreds have been made discontented There can be no doubt that as a means of satisfying the legitimate aspirations of India the Statutory system has completely failed, and as this was the purpose for which it is supposed to have been introduced, it is not surprising that it has resulted in this general dissatisfaction.

The position of the Statutory Civilian is regarded as inferior to that of the other Civilians, more on account of the manner of the appointment than by reason of the difference in the emoluments of the two classes. This feeling is inevitable in any progressive community in regard to any service in which success due to personal merit comes to be contrasted with the results of patronage. The consciousness of this contrast cannot be without its influence on the members of such a service, and this also should be reckoned amongst the evils of the system.

The proposal to retain this system in the interests of backward classes of the community, those which have fallen behind the others in the march of education, is not expedient, as it would introduce that recognition of race distinction which should be avoided in any scheme of national importance The backward communities will be best helped forward by the stimulus of open competition, while the members of the higher families will be induced to seek after education as a means to participation in the public service. It is most desirable that the Mahomedan community should be duly represented in the services, as it will supply, as it has already done, some of our best Government servants. No doubt for a time it will not secure this due representation; but from what I know of Mahomedan students, I feel certain that they will speedily assert themselves, and that a competitive system will enable Government ultimately to recruit from their ranks a large number of men with the highest qualifications, whereas a system of nomination would probably light upon a different class.

The *President*—continued.

I see no reason, therefore, to retain the Statutory Service in any form.

3978. You would have no Parliamentary provision for the appointment of men by any system to the Statutory Service ?—I would have one system for all

3979 Do you know any of the men who have been appointed to the Statutory Service ?—I have met them, but have scarcely any acquaintance with them

3980 Are they men, do you think, who would have refused to enter the Uncovenanted Service if there had been no Statutory Service ?—I have met one casually, and from what I know of him I suppose he would have been glad to rank with any of our graduates in an ordinary position.

3981 If the Statutory Service is abolished would you reserve any power to Government to appoint to high office men of exceptional merit and ability in exceptional cases ?—I have some suggestions to make with reference to the relations of the two services which would probably meet that point.

3982. Supposing the Statutory Service retained, would it be desirable to supplement the education of the young men by sending them to England ?—Subject to this condition that their residence there should be long enough to admit of their undergoing a thorough training

3983 Will you kindly give us your scheme ? The relations of the Covenanted and Uncovenanted Services to each other seem to require review and revision. The distinction between the two branches of the service is productive of injustice as much as the distinction of race, and the feeling between the two services is sometimes as keen and injurious as any race feeling I should like to see the Uncovenanted Service, so called, both enlarged and dignified, and in this improved form thrown open to all subjects of the Empire It is admitted by all that the European element must be retained in the administration. Native opinion holds this necessity and strongly asserts it. But in view of the acknowledged fitness of the educated Native of the country and of members of the Uncovenanted Service for many of the positions reserved for Covenanted Civilians, it seems most desirable to curtail this higher service in favor of the expansion of the other Nor is it right that only the posts thus available should be left to the Uncovenanted branches of a lower service. It should be possible to rise from the lower to the higher, and, where this is not possible, the lower service is deprived of that stimulus which is such an important factor in the production of high efficiency, and the higher is left to suffer the evils of undue protection. It is a sufficient reward of eminence in a public competition that selected candidates are enabled to start at a point so much higher than others and enjoy special furlough and pension privileges Everything should not be made to depend on the particular success; and if other qualifications are considered

Vol IV
Sec II.
Bombay.

Revd. *D. Mackichan.*

The *President*—continued.

to be of importance, these should be recognised in the case of those who have entered the service of the State, it may be at a lower point. If this Uncovenanted branch of the service were thus enlarged in extent and modified in character, the proposal that simultaneous examinations for the higher service should be held in India and England would seem to lose much of its importance.

It is in the Uncovenanted Service that the greatest amount of injustice is done to the claims of the Natives of India The system of nomination which obtains in the service in a country which contains so many educated and qualified inhabitants, is a far more serious grievance than the holding of the competitive examinations in England. The patronage which was lost in England has been retained in India, and the Natives of India are thereby excluded from many positions for which they are well qualified and to which they are fairly entitled. I should like to see the competition examination held in England made more open to the Natives of India by the raising of the age limit to twenty-three, and by an increase in the weight attaching to Sanskrit in the examination; but at the best the change will only affect a few favored individuals, whereas the reform of the other service, which will touch a large portion of the educated classes, will be a much larger act of justice I should like to see patronage entirely abolished and a competitive examination open to all classes, Native and European, made the door of entrance to all appointments made in India The service, if elevated in the manner above referred to, must afford a large scope for the ambition of our Indian young men

In both services there should be one rate of pay irrespective of race—in the higher service to compensate the Native competitor for his special expenditure in preparation, and in the other service because it is specially intended for those domiciled in India, and special sources of expense need not come into consideration.

The competition in India for the enlarged service should be limited to the graduates of the Universities with a maximum age of twenty-three. This is the average age at which young men graduate in India. In a recent award of the Government of India scholarship offered to graduates of twenty-one years of age and under, there was practically no competition as no honors man was available

I object to College or University nomination to the competition, because it would involve in another form only the system of patronage which it is desired to get rid of. I emphasise the importance of the degree, because it necessitates a period of college discipline and study, which I consider to be of great value in any competitive system.

The graduates of a University in virtue of the education which they have received and its influence on the formation of character, are, as a class, entitled to a larger amount of public esteem than has sometimes been allotted to them. Their claims have not hitherto received due attention in the higher service of their country. I am acquainted with many men of the class of whom I entertain a very high opinion, and I am convinced that the best way to develop those qualities, the absence of which is so often deplored, would be to treat this class with

The *President*—continued.

greater confidence and to entrust it with greater privileges.

I think that many advantages may be expected to accrue from a system of provincial examinations and provincial appointments. One great advantage which may be expected from the admission of increased numbers of Natives to the public service is that it would bring to the work of administration a more intimate knowledge of the people, their condition and their wants. This advantage would be almost entirely lost, if provincial limits were not observed.

The only remark which I would like to make on the subject of residence in England is that much of the advantage to be derived will depend on the period of residence and the pursuit of some special object. A brief residence with indefinite aims is not of so much advantage to the Native of India, as is often supposed. Unless he has sufficient time to apply himself to some particular course of study and facilities for becoming acquainted with the life of the British home and for enjoying all its higher influences, his residence in England is often a matter of doubtful benefit

I do not see any strong reason for the holding of simultaneous examinations in England and India for the Covenanted Service. This is after all a very limited service and likely to become more limited. What I contend for is the larger admission of the Natives of India to the service of their country, and this will be best attained by paving the way for their larger admission to the larger service, and admission to the higher grades through this service would really throw the whole service open to the Natives of India apart from the examination in England. The English competition would of course secure more direct and more certain admission to the higher ranks, but this is due to those who have shewn the enterprise and courage which belong to such an undertaking, and their fellow-countrymen would not grudge them these special distinctions, provided sufficiently high rewards were available for those who chose to remain at home without incurring these risks.

An inherent disadvantage of any system of simultaneous examinations would seem to be the reservation of particular portions of the same service for particular races. It is the race distinction which it is sought to avoid, and I cannot imagine that any such arrangement that brings the two races into unpleasant rivalry (unpleasant because the limits are arbitrary) will work without producing most unpleasant friction and constant jealousy.

The delay and risk incidental to a system of simultaneous examinations is in my view a very important consideration, and it would be a misfortune for the sake of so small a return, to establish so complicated a machinery as that of simultaneous examinations. I should prefer that with the modifications in favor of the Natives of India which have been specified, the present system of competition should be maintained. These modifications would be in every respect an advantage, and the raising of the age limit would attract men with University culture as well as those prepared by a special process.

This examination being thus open to all, and the examination for the other important service being equally open to all classes in India, invidious race distinctions in awarding appoint-

The *President*—continued.

ments and the delicate question of differing rates of emolument would be avoided.

An important consideration in favor of an extension of the present Uncovenanted Service is that of the saving which would thereby be effected. The salaries of officials in India are out of proportion to the resources of the country. This is inevitable when a body of high class English officials is required for the purposes of Government. To alter the constitution of this service would bring no substantial relief to the people of India, but to curtail salaries to the extent to which curtailment has now become possible, would seriously diminish the burden of taxation and bring relief to classes which have at present very little share in the emoluments of the public service.

3984. Would you have your Indian service sub-divided into an upper service to be competed for from the whole continent, and a lower service to be competed for provincially; or would you have the recruitment altogether provincial?—I have contemplated simply the whole service as divided into provincial sections.

3985. Then you would have one rate of pay for the higher and a different and lower rate for the lower service; but the rate of pay in each service would be equal whether the post was held by a European or a Native?—Yes On the ground that in a local service special considerations of family and climate do not come into account, and I do not think any special encouragement should be given to Englishmen to compete for the local service.

3986. Is the education in Sanskrit which is necessary for a degree here at all equivalent to the education in Latin and Greek given by the colleges at home?—I think it is quite equal. The Sanskrit course in the Bombay University is a very elaborate one, and includes a great deal of Sanskrit literature and requires thorough proficiency.

Mr *Ryland.*

3987. Have you any Eurasians or Europeans in your institution?—Only one Eurasian We have never had one per cent. even of those classes They are admitted.

3988. Is there any reason why they do not enter?—They do not enter into any college The reason why we have had only a few of them is, because all colleges have only had a few. I can give no definite reason, but I think the expenses of education in the case of Eurasians and Europeans are greater As far as I know, the rate of fees in the European schools here is very much higher than in the Native schools, because the education given in them is of a higher standard A European or Eurasian who has studied up to the matriculation examination can more easily find an entrance into service, and more easily begin life in the railway and other departments which are open to him

3989. Are they under any disability by reason of their being unwilling to enter colleges in which Natives are?—I have not heard of any

3990. You cannot say whether they are under any disability or disadvantage as regards entering the Government service by reason of the present conditions?—I am not aware of any.

Mr. *Crosthwaite.*

3991. You say Sanskrit is studied as thoroughly here as Latin and Greek are in England?—Certainly.

3992. Are you acquainted with Sanskrit yourself?—To some extent.

3993 Do you think it is studied as thoroughly as Greek and Latin are for honors at Oxford and Cambridge?—I think so, judging from the books that are read and studied and the knowledge of the grammar that the men have to possess.

3994. For how many years do they read Sanskrit here?—A student begins it as a schoolboy in the fourth standard. He studies it in the class for four years, and three years in the University Course—in all seven years, which would be the regular course, but in the case of Brahman boys many of them have been familiar with it before they entered school

3995. Does any large proportion of students take it up?—In our Institution over 50 per cent. do. They are most of them Hindus, but we have also one or two Marathas taking up Sanskrit. The majority of Sanskrit students are Brahmans. We have a large proportion of the lower castes in the institution and a considerable number of Mahomedans who in many cases take a leading place

3996. But they do not read Sanskrit?—We have had only one Mahomedan studying Sanskrit

The *President.*

3997. What language do they take up as their second language for a degree?—Persian as a rule, very rarely Arabic, in this Presidency at least.

Mr. *Crosthwaite.*

3998 Is Arabic taught here?—Not in our college If it is taught at all in this Presidency, it is only to a very small extent

3999. Who teach Sanskrit?—In some colleges European professors and in others Native professors, but the greater number of Sanskrit professors in this Presidency are Natives. There are only two European professors of Sanskrit in the whole Presidency

4000 Have any of them a European reputation for their Sanskrit attainments?—Yes

Sir *Charles Turner.*

4001. Where did you take your degree?—I am a Glasgow man. I was educated at St. Andrews

4002 Have any of your pupils been successful at the competitive examination for the Civil Service?—Yes

4003. Have you had many pupils in your college whom you think would have succeeded in that examination, if they could have competed?—We have had several and have some now who would stand a good chance of success. I know at least two whom I should have no hesitation in sending to that examination if they were in England.

4004 What is their age?—About twenty They are over nineteen.

4005. If the limit of age was raised to twenty-three, would they be likely, do you think, to succeed as against men from English and Scotch Universities?—I should think they would be very likely to succeed; one of them took the highest place in the recent B.A. examination here.

Vol. IV.
Sc II.
Bombay.

WITNESS LIX.—26th January 1887.

Kavasji Dadabhai Naegamwala, Esq.

Examination of KAVASJI DADABHAI NAEGAMWALA, Esq, M A, F R A S, &c., Lecturer on Experimental Physics, Elphinstone College, Bombay; Fellow of the Bombay University.

The *President.*

4006. You are a Professor in the Elphinstone College?—Yes, I am a Fellow of the Chemical Society in London and of the Institute of Chemistry of Great Britain, a Fellow of the University of Bombay and was for seven years Examiner in the Faculties of Arts, Engineering and Medicine.

4007. What is the prevalent feeling in your Presidency regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—The prevalent feeling regarding the existing Statutory system in this Presidency is one of great and growing dissatisfaction This feeling is almost universally expressed by men qualified to form an opinion, *i e*, by the intelligent and educated portion of the community

4008. What are the grounds upon which any such feeling is based?—The grounds on which this system is condemned are several, the most important of these is, however, that the appointments are made by selection and not by open competition. This, it is generally believed, gives constant occasion to the exercise of unfair patronage and jobbery. In addition to this, it is felt that as the selections are made from a restricted class of persons the best men obtainable, even under a system of selection pure and simple, are not secured for the highest service of the State.

In this Presidency at any rate the appointments already made to the Statutory Civil Service have, with but few exceptions, met with general expressions of disapproval The system of selection has dissatisfied the highly educated classes because they find among the selected candidates men of inferior intellectual calibre and acquirements occupying positions of great responsibility and of large emoluments, which are denied to themselves It has also produced much irritation in the higher grades of Uncovenanted Service, as the members of that service find year after year men of exactly their own position in life but of no high educational status pitch-forked over their heads for the simple reason, as is generally believed, that they are able to command by some mysterious process the favorable ear of the Heads of the Government It is well known, moreover, that the general public do not look upon the Statutory Civil Servants with the same mark of respect and show them the same consideration which they show to the members of the regular service, because they know that the Statutory Civil Servants have been mainly creatures of Government, men of inferior ability and capacity, remunerated on a lower scale of salary. But perhaps the greatest objection that the Native educated and intelligent public has against the Statutory system is, that they apprehend that the failure of the present experiment, which with them is a foregone conclusion, will be brought forward at a future date as evidence of their incapacity to occupy positions of high trust and responsibility under Government. In his despatch of May 2nd, 1878, Lord Lytton states —"We do not look upon this (close Native Service) as a final settlement of the question; but we see in it a most valuable experiment and a long step towards its satisfactory solution . . . . . We are acting up to the fundamental principle of the Duke of Argyll's despatch, that the maintenance and stability of the British rule in India should be the first object of our policy, but we are at the same time preparing for the future development, should the experiment justify it, of a great political and financial measure which consists in substituting, as far as may be compatible with safety, the Native and cheaper agency for the imported and expensive agency in the Civil administration of the country."

The *President*—continued.

And it need hardly be reiterated that the selections made for the Statutory Service have not been such as to test Native capacity and ability.

4009. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic, Chapter 3, section 6), or is it directed against the rules framed thereunder?—The main objection is against the Statute itself. The Statute ought to be totally repealed, and simultaneous competitive examinations for the Covenanted Service should be held in India and England.

4010 Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted Officers? If so, on what grounds?—The Uncovenanted Officers are naturally considered to be of lower status than the Statutory Civil Servants as they draw lower pay and occupy offices of a lower grade in the administration of the country.

4011 Assuming the Statutory system to be retained, what amendments would you suggest in the Rules with a view to remove any reasonable objections which may be felt to them?—I do not approve of the retention of the Statutory Civil Service, yet if it is to be retained, the least objectionable course would be to throw it open to free competition, but I do not think that even such a change will satisfy the public.

Mr. *Stewart.*

4012 If the Statutory Service is retained would you have the selected candidates sent to England for training?—I think so; that is, if men of proved merit and ability are to be selected I would encourage them, but, if the nominations are to be made as now, I would require them to go.

The *President.*

4013 Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—No, the very fact of a Native of India being compelled to present himself in England for the competitive examination creates an insuperable barrier in the way of a numerous class of eligible candidates. One of the greatest administrators that has ever come to India, himself a distinguished educationalist, Lord Ripon, has declared "that to require Natives of India to compete in England is to handicap them heavily in the race." A Hindu is restrained by caste and family conditions from

The *President*—continued.

embarking on such a venture, more particularly as his position, if he fails to secure a place in the open competition, becomes one of peculiar difficulty to him on his return to India. But setting aside these peculiar cases of hardship, which Government perhaps are not bound to take cognisance of, there are several conditions which handicap the youths of India in an open competition held in England. At present it is absolutely necessary for every candidate to proceed to England several years before his examination to prepare himself for the competitive test, as the various educational institutions in India do not at present provide the peculiar course of study required for the Civil Service Examination. The risk of sending young lads to a foreign land in the midst of unknown temptations, released from all parental restraint and control, acts in the case of Natives of India as the greatest deterrent against sending their boys to England. Unfortunately the fears thus entertained have been in several cases already realised, and year after year cases have occurred of young and promising boys "going wrong" in England. This sad experience of too confiding parents has visibly acted as a check, at least on this side of India, against such experiments being made in any large number in the future. When we add to this the pecuniary sacrifices that are required to be made for the purposes of a long sojourn in England on the mere chance, and that also a very slender one, of securing a place in the open competition, I think it will not be difficult to understand and to appreciate the dissatisfaction which is felt with the existing system of recruitment for the Covenanted Civil Service But this is not all. The Indian lad commences his English alphabet at an age when the English boy begins to conjugate his first set of Latin nouns The Indian is thus practically put behind his English competitor by some eight years in the acquisition and use of the most essential weapon of offence and defence at the competition, and at the same time his chances of acquiring a sufficient knowledge of an extra language, *viz*, Latin, by the age of nineteen are greatly reduced. At the competition, therefore, with the maximum age at nineteen, the Native youth is so severely handicapped by the necessary conditions of the examination that it is a marvel if he succeeds. The distinguished President of this Commission has declared that "the reduction of age was not a mere alteration of detail, it was an essential change of principle;" and even Lord Lytton has not hesitated to state that the reduction of the age from twenty-one to nineteen has "practically rendered the competition of Natives educated in their own country a matter of exceptional difficulty" Without entering, therefore, into the question of the effect that the gradual but steady reduction of age to nineteen has produced on the general quality of the personnel of the whole Covenanted Service, I think it will be sufficient for the purpose of the present inquiry to state, that, to put Natives of India initially on a par with Europeans in the competitive examination, it is absolutely necessary to raise the age to its original maximum of twenty-three

An apprehension, however, seems to prevail in the minds of some that the service in general will deteriorate in quality if the limit of age be again raised, and that Englishmen of the same calibre as have joined the service in the last

The *President*—continued.

decade will not be found willing to come out to India in the Covenanted Service. To such I trust it will be a sufficient answer to state that any service in any country in the world might well rest satisfied, if it could draw within itself men like the distinguished senior Civilians who entered the service when the maximum age was either twenty-three or twenty-two.

To make the programme one of equal difficulty both for English and Indian candidates it will be further necessary to raise the total number of marks in Sanskrit and Arabic to that assigned for Latin and Greek In making this recommendation I think it necessary to refer to the objections which have been taken to it as infringing the principle of competition.

It will, I think, be sufficient to state that the opinion expressed by the Earl of Kimberley is against the weight of authority of some of the most learned Oriental *savants* in Europe who hold that the study of Sanskrit and Arabic as instruments of mental training and culture is in no way inferior to that of either Latin or Greek, and this has lately met with a practical recognition from the Universities of Oxford, Cambridge and London. But Lord Kimberley has also remarked —

"For mathematics several of the Native races have great capacity, and if Arabic and Sanskrit have given to them the marks now allotted to Greek and Latin, the examination would be very favorable to Natives of India."

If the noble ex-Secretary of State means by this that some of the races of India have a greater aptitude and capacity for mathematics than the English, and that an equalisation of marks in the Oriental and European classics would put them on a more favorable basis than Englishmen, I for one would most humbly beg leave to express my dissent from such an opinion. However, flattering such a testimony may be to the capacities of the Natives of India, I think it impossible that any Indian race could be superior in the acquirement of mathematics to a nation which has not only produced a Newton, but has for centuries maintained its supremacy in Europe in every department of Science, and which has even in our days produced mathematicians of such high eminence as De Morgan, Roland, Hamilton, Lloyd, Airy, Stokes, Adams, Cayly, Sylvester, and W. Thomson.

4014 What is the average age at which Natives at the Indian Universities pass the examinations for F.A., B.A., and M.A., respectively?—The average age at which Natives at the Bombay University take the degree of B A. is about twenty-one

4015 From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in this Presidency?—Mostly from the literary classes of Hindus and Parsis. But the Sindhis and the agricultural and trading classes of Hindus are more and more coming forward of late. Several Mahomedans have also graduated with high distinction.

4016 Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—The Natives of India have been asking throughout for "fair play and no favor." They demand, that in all the conditions for competition, they may

Vol IV.
Sec II
Bombay.

Kavasji Dadabhai Nasgamwala, Esq.

The *President*—continued.

be placed on an actual footing of equality with Englishmen, such as was promised to them by the Act of Parliament of 1833 and the gracious Proclamation of 1858. They ask that the promises solemnly given may be fulfilled and not "treated as pie-crust merely to be broken." It is on these grounds that they demand a common and simultaneous examination in England and in India. The question has before this been asked. How long would Englishmen have tolerated an examination exclusively held in India for the Covenanted Service? and there seems to be no reason based on grounds of sound policy or of justice and fairness to require Indians to go to England to compete for admission into the service of their own country It is contended, however, in certain quarters that a simultaneous examination held in India practically for the exclusive benefit of Indian candidates would give them an unfair advantage over English youths, that higher education in India is almost eleemosynary, and that with the advantages of a gratuitous training persons of very low social status would overflow into the service. I think that a few figures will prove instructive, and will tend to show that this popular Anglo-Indian idea is fallacious. A three years' graduate course in the Elphinstone College, Bombay, costs in fees Rs. 360, and at the Presidency College, Calcutta, the fees come up to Rs. 600 for a full graduate course of four years, or for a three years' period of study to Rs 450 On the other hand from an examination of the Reports of the Presidents of the Queen's Colleges in Ireland, colleges which have sent out to India by open competition men like Mr. Taylor Allen, Mr. Justice O'Kinealy, Mr. Justice West, Mr. Colman Macaulay, Mr. D Barbour and Mr. J. Monteath, it will be found that a three-years' instruction, as wide as that afforded at the Elphinstone College, could be had for a sum much under £30. Again the full course for graduation in Arts at Edinburgh does not cost over £35 in tuition. The Trinity College, Dublin, which has sent forth 132 men into the Covenanted Service between the years 1856 and 1881, is certainly not a more expensive institution than the teaching University of Edinburgh. Nor are the Indian colleges more lavishly treated in matters of prizes and scholarships than the sister institutions in Great Britain and Ireland Not to mention the enormous and magnificent foundations of the older Universities, it will be sufficient here to remark that even the most poorly endowed Queen's Colleges in Ireland are ahead of the most munificently endowed colleges in this Presidency The three Queen's Colleges each enjoy an annual grant of £1,180 for prizes and scholarships They had in 1885 on the rolls at Belfast 473 students, at Cork 272, and at Galway only 100 against the Elphinstone College with an annual income of Rs. 5,841 with an average of 250 students on its roll.

4017 How would this methed of selection be regarded by the Native community generally?—It would be regarded as the most tangible proof yet given by the English nation of its good faith and of its sincere desire to stand by and act righteously towards the Indians

4018 If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—It should certainly be open to all natural-born subjects of Her Majesty equally both in India and in England.

The *President*—continued.

4019 Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—The educational institutions in this Presidency can teach up to the standard at present required for the competitive examination, but they will not be quite up to the standard if the age is raised to twenty-three. The demand, however, will at once raise the standard of education throughout India, and I believe that at least the five principal Government colleges, *viz*, the Presidency College, Calcutta, the Elphinstone College, Bombay, the Presidency College, Madras, the Muir College, Allahabad, and the Central Arts College at Lahore, and the two Jesuit colleges at Calcutta and Bombay, will be able very soon to meet the demand.

4020. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others? Would it be likely to lead to the undue preponderance of any one class or caste in the public service? Do you think there are any objections on political or administrative grounds to open competition in India?—It must be admitted that for the first few years the most likely candidates will be the literary class of Hindus and Parsis, because they are more forward in education than the other Indian races, but the preponderance of these classes will not long continue. The so-called "backward" races will perforce take to education, and within a decade they are sure to come abreast of their other educated brethren. The intelligence of the Sikhs or of the North-West Mahomedans cannot be questioned, but at present it is mostly latent, all that is wanted in their case is a little sympathetic help from Government in furthering their educational progress. I advocate, therefore, a special system of grants-in-aid for schools and colleges that may exist for the exclusive instruction of these "backward classes," and a system of reserved scholarships and rewards for them in Government institutions. The Mahomedans in particular are already awakening to the importance of higher education,—the magnificent college at Aligbar, the Mahomedan College at Karachi and the Madrasa-Anjuman-i-Islam in Bombay are sufficient instances in point. Any special apportionment, however, of the Covenanted appointments to the "backward" classes would, I respectfully submit, be an act of great political indiscretion. It would set caste against caste, race against race, and if it would not be productive of higher dangers it would at least be looked upon by the recipients of these favors themselves as a premium to indolence and sloth.

4021 Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—No But these cadets will have few chances of success unless they seriously take to intellectual improvement.

4022 Would a system of provincial examina-

The *President*—continued

tions be preferable to one examination for the whole of India?—No

4023. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—If the examinations are to be one and the same, and if the selected Indian candidates pass their period of probation in England, no such distinction will be observed.

4024 Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, the Statutory system being abolished, how would such a system be viewed?—It will not be looked upon with any satisfaction by the Natives of India. It will be naturally considered as one more attempt made at withholding from them their just rights and privileges The successful Indian condidates will moreover be regarded by the people at large as men of inferior capacity and belonging to an inferior service, and a distinction, somewhat of the character of that which formerly existed between the "Sepoy Officer" and the "King's Officer" in the Indian Army, will be observed within the service itself.

4025. If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates?—The same qualifications ought to be exacted from the Native candidates that are demanded from candidates in England. No laxity whatever should be permitted.

4026. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c, should not also be different?—If the competitive examination is to be held in England only, no difference of pay whatever should exist. An equal scale of pay will not be more than a fair recompense for the enormous pecuniary and other risks which the Native candidate will have to run in going to England for the examination But if similar and simultaneous examinations are to be held in India and in England then *bonâ fide* English candidates may, if it is deemed necessary, be remunerated on a scale, say, 25 per cent. higher than the successful Indian candidates, whether European, Eurasian or Native. It must be noted that a Covenanted Native servant will have to maintain the dignity of his office and live up to a standard commensurate with his position, which he will not be able to do on a salary much lower than what is now drawn by English Covenanted Officers. In view of a simultaneous examination, therefore, I personally think it will be fair to reduce the present salaries of Covenanted appointments by 25 per cent on salaries which are over Rs 750 a month, and in case of *bonâ fide* English candidates, to make up their salaries to the present scale under some such "neutral denomination" as a personal allowance, on the grounds mentioned in paragraph 17 of Lord Cranbrook's despatch of November 7th, 1878. But I must admit that a large majority of educated Natives are opposed to

The *President*—continued

any such arrangement. They contend that difference in nationality should not make any difference in pay, and that as the highest services of the State will, for a long time to come, be practically filled by Englishmen, the English Civilian will always be practically better off than his Native colleague It is also to a very great extent true that lower pay will carry with it a stamp of lower capacity or position I think no difference, however, should be made in respect of leave and pension, as it will be highly advisable to encourage Native Civilians to visit Europe, as often as possible, to keep themselves well in touch with European modes of life and thought, while as regards pension there seems to be no reason why an Englishman should be rewarded on leaving service on a higher scale than his Indian colleague for having done the same kind of work in the service of the State.

4027 Should successful candidates go through a period of special study in India like the English candidates who spend two years in special preparation?—The Indian selected candidates must be made to go through a further period of study in England extending over two or even three years The advantages of such a course will be manifold. With this view they must be sent to either of the two great ancient Universities of Oxford or of Cambridge, on the present allowance of £300, to spend their time of probation under such regulations as to conduct, study, &c, as the Government may consider necessary.

Mr *Crosthwaite.*

4028. I suppose you admit the necessity of having a British administration out here?—Certainly.

4029 And that to that end a certain number of Englishmen are necessary?—Absolutely necessary for the present.

4030 And that the remainder should be Natives, of the country educated up to a high English standard?—Yes.

4031. Then admitting these conditions, what are the just claims of the Natives of India?—There are men who have been educated up to the English University standard who cannot for all that find employment.

4032. Therefore when you speak of the just claims of Natives you mean the just claims of Natives, who possess these qualifications, to have an equal chance?—Yes

4033 You admit that your system would probably, at any rate for some time to come, result in excluding Mahomedans, Sikhs and other large sections of Indians, just in the same way as you say the more advanced communities are practically excluded now?—Not for the same cause. In their case it is because they are unable to pass the tests, the cause of our exclusion is that artificial tests are placed in our way.

4034. I understand you to ask that the marks may be raised in certain of the subjects of examination?—Only to bring them up to the standard which is maintained for the European candidates.

4035. If, in the opinion of those who are able to judge, such a course would alter the character of the education which the candidates would acquire, would you still advocate it?—

Kavasji Dadabhai Naegamwala, Esq.

Mr *Crosthwaite*—continued.

Certainly not. If capable judges declare that the study of Sanskrit and Arabic does not give the same mental training I would not advocate it.

4036 Do you think the practical exclusion of Mahomedans and other classes is just to them?—They have themselves to thank for it However, from what I have seen in the case of the North-West Mahomedans, they are quite alive to the advantages of education. I think I saw more North-West students in London, Oxford and Cambridge than Bengalis, and I found them a very intelligent set of men.

4037 You say the majority of Natives will not be contented if the pay they receive is less than that enjoyed by the English members of the service?—That is to say the majority of the people, with whom I have conversed on the subject, say we must claim the same pay.

4038 So that probably it would be no advantage, from an economical point of view, to the country at large to have a Native Covenanted Service?—I do not take up that position I merely give expression to it. I do not defend it.

The *President*

4039. You say "there seems to be no reason based on grounds of sound policy or of justice and fairness to require Indians to go to England to compete for admission into the service of their own country." Do you mean by that that Indians cannot get admission into the service of their own country without going to England?—I was speaking of the higher service.

4040 You say it is unfair to require them to go to England to compete, is it equally unfair to require them to go to England to qualify?—It is unfair to ask them to go to qualify themselves on the mere chance of succeeding in a competition, but, once members of the service, it is only fair that they should accept all its chances and conditions

Mr *Stewart*

4041 Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—I know three of them, and of every one I could say that there were at least half a dozen men of his year who were certainly superior to him, and who would have succeeded had they been able to go to England to compete, which on the ground of expense they were unable to do

4042 What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service?—Sections 3 and 4 of 24, 25 Victoria, Chapter 75, fully provide for the promotion of deserving members of the Uncovenanted Service to posts in the Covenanted Service. What is required is that the Act should not be treated as a dead letter but that it should be sympathetically, though not lavishly, employed for the promotion of worthy servants of Government. Such Uncovenanted Officers should be given the higher Covenanted offices without requiring them to pass through the lower grades.

4043 Should special provision be made for the promotion to Covenanted posts of European or Eurasian members of the Uncovenanted Service?—There is no reason why European or Eurasian members of the Uncovenanted Civil Service should be treated differently from the Native members of the same service

Mr. *Stewart*—continued.

4044. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be, from time to time, prescribed? If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of the 1st November 1858, is this to be justified?—The Uncovenanted Service in every Province should be recruited by open competition between the Natives of that Province and such other natural-born subjects of Her Majesty as may not be "Natives" of the other Provinces of India. The terms of the Acts of Parliament and of Her Majesty's Proclamation of the 1st November 1858 will be then fully adhered to But if the appointments are to be made as heretofore by nomination, then none but the Natives of India as described in Statute 33 Victoria, Chapter 3, Section 6, should be eligible for these offices. The justification for such a procedure is to be found in the manner in which Uncovenanted appointments other than in the Subordinate Judicial and Revenue Departments are disposed of under the patronage of Government. The circular instructions of the Government of India sanctioned by Lord Cranbrook in 1879 and extended to the other Presidencies of India besides Bengal, do not exclude Natives of India from having their fair share of appointments in the so-called reserved departments of the Uncovenanted Service It only provides for the present non-exclusion of Englishmen from the Opium, Salt and Custom, the Survey, the Mint, the Public Works and the Police Department (besides the Financial, Forest and Educational Departments) These instructions, however, have been practically distorted into an order for the general exclusion of Natives from these Departments. There is no reason why capable Natives of India should not be employed, for instance, in the Forest, the Survey or the Mint Department. As taken from the Bombay Civil List of October 1886, the appointments over Rs. 200 per mensem in some of these "reserved" Departments are approximately held as follows —

Departments.	Europeans.		
	Number of appointments.	Aggregate yearly salary.	Average yearly salary per head.
		Rs	Rs
Opium	1	3 600	3 6.0
Stamp and Stationery	1	7 200	7,200
Mint* (Bombay)	12	66 504	5 543
Forest†	29	2,06,400	7 117.½
Customs	5	37 440	7 488
Salt	13	98,796	7 599.5
Revenue Survey	45	3 76,344	8 363¼
Police	49	3,61,8 0	7,379¼

Departments	Natives.		
	Number of appointments.	Aggregate yearly salary	Average yearly salary per head
		Rs	Rs.
Opium	...	...	...
Stamp and Stationery	3	9 300	3,100
Mint* (Bombay)	6	24,600	4,100
Forest†	1	5 400	5 400
Customs	2	9,000	4 500
Salt	2‡	10,840	7 920
Revenue Survey	21	52,900	2,514¾
Police			

* These are non gazetted appointments, not including the Assay Department They are not to be found in the Civil List.
† Some of these are Home appointments but not all.
‡ Both are Portuguese.

Mr. *Stewart*—continued.

This will at once indicate the unfair preponderance of the European element in the highly paid branches of the Uncovenanted Service, and if this unfortunate and indefensible distinction is to be maintained, it is but fair that at least the Sub-Judicial and Revenue Departments should be reserved for the exclusive employment of the Natives of the country It may be, however, mentioned in passing that bearing in mind the rules of admission in force for these two Departments the exclusion of Englishmen from them is only a theoretical one. For the Subordinate Judicial Service no Englishman with the required qualifications could at present be obtained, at least in this Presidency; while for the Revenue Department, I think, it will be hard to find an European graduate, or, for the matter of that any decent Englishman willing to begin service on Rs. 12 per month.

4045 How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—The mode of recruitment for the Subordinate Judicial and Revenue Services is not looked upon with much satisfaction by the Natives of this Province

In the Subordinate Judicial Service appointments are made from Bachelors of Law and from those who have qualified themselves for the duties of Subordinate Judges according to the tests provided by the rules framed by the High Court for that purpose. At present the applicants have to wait for about four years before they obtain an opportunity of getting an acting appointment on Rs. 130 per mensem, and from 1890, according to Government rules now promulgated, candidates will have to undergo a preliminary apprenticeship for three years before they qualify themselves for these offices Among these qualifications one is that the candidate must "be in full and continous practice" of his profession as a pleader "for three years in a Civil Court." The result already achieved by the present block in promotion and by the low scale of salary offered at the commencement is that the department loses the services of a large number of the more capable Pleaders and Bachelors of Law, as in the long time that elapses between the application and the offer of an acting appointment from the Government, the more intelligent and capable candidates already find themselves in fair practice as Pleaders of the Civil or Criminal Courts in the Presidency town or in the Mufasal, and instances are known of appointments being refused by persons who three or four years previously would have been willing to accept the identical appointments. To secure to Government some portion at any rate of the superior talent of the legal profession it is necessary, therefore, to raise the salaries of the Subordinate Judges to Rs 250 per mensem. The examinations that the candidates have to pass to qualify themselves for the Subordinate Judicial Service are a sufficient guarantee of their intellectual fitness.

In the Revenue Service, however, a system of competitive examination for admission is now a crying necessity. The present mode of recruitment has produced widespread dissatisfaction In the year 1878 Sir Richard Temple's Government gave a preferential claim to graduates to certain appointments in the Revenue Department, of which the salaries were Rs. 30 or upwards,

Mr. *Stewart*—continued.

and they were permitted to qualify themselves for holding Mamlats carrying at the commencement a salary of Rs. 150 after a minimum period of probation of one year. The rights of persons already in the service were guarded against by allowing all persons who had entered the Department prior to 1st January 1879 to qualify themselves for Mamlats by December 31, 1880. But numerous changes in the Rules of 1878 have been made by Resolution after Resolution, depriving the graduates of the privileges that were secured to them by the rules of 1878 and giving indulgences to officers already in the Department. The sum total of all these changes has been that graduates have now left to them a preferential claim over offices of Rs 30 and under—the claim for a minimum salary of Rs 30 to begin with being reduced to one practically for Rs 12—and the qualifying list has been so flooded with men in the Department that a graduate now entering the service will have in all probability to wait for some twenty years before he gets a Mamlat For instance in the Central Division of the Presidency there were on the 1st of October 1885 thirty-five Mamlatdars of the age of forty and upwards, and some eighteen Deputy Collectors, so the largest number of vacancies that may be expected to occur during the next fifteen years is fifty-three The number of persons who are, however, already qualified for holding these Mamlats is fifty-five. It seems therefore that twenty persons at least out of the qualified persons already in service in the Central Division of this Presidency will have to wait for more than fifteen years before they begin to earn a salary of Rs 150 per mensem. With such a dead-lock in the service it is no wonder that the existing mode of recruitment is considered most iniquitous by all concerned The only panacea for the evil seems to be to divide the Uncovenanted Revenue Service into two grades, one including all appointments of Mamlatdars and Deputy Collectors and the other composed of the subordinate *kaikuns*, with competitive examinations for each based on the plan adopted by the Civil Service Commissioners in England for the various Departments of State.

Mr *Ryland.*

4046 You say it will be hard to find a European graduate, or for the matter of that any decent Englishman willing to begin service on Rs. 12 a month Do you mean to say that to begin on Rs. 12 is a condition of the service?—I am told, and I believe, that several instances have occurred in which the Collectors have interpreted the rules to mean that graduates have to begin on Rs 12 a month.

Mr. *Stewart.*

4047. Has any graduate ever accepted an appointment on Rs. 12?—They would not take it. I know of cases in which they were offered it. The rule is open to such an interpretation, and such an interpretation has been put on it.

Mr *Crosthwaite*

4048. Do you know the number of Civilians in the Covenanted Service of India?—There are about 800.

4049. And how many annual vacancies?—About 40.

4050. Do you think if an examination were

Kavasji Dadabhai Nasgamwala, Esq.

Mr *Crosthwaite*—continued.

held in India and the age limit extended to twenty-three, there would be a large number of candidates ?—I think so.

4051 Do you think the holding of an examination in India would stimulate education here ?—Very greatly

4052 Is there a sufficiency of employment at present for educated men ?—Not of decent remuneration and with reasonable prospects.

4053. Even in the professions ?—No

4054. And if you stimulate education to a still greater extent, by offering what is after all a very few appointments amongst so many, will you not do mischief rather than good ?—Education will never do mischief.

4055. But will not all these men, up to their twenty-third year, be withdrawn from other pursuits ?—

Mr. *Crosthwaite*—continued.

They will be better men for all that. Employments will become more varied.

Mr. *Stewart.*

4056. Will not such men also be sought after by Native States ?—They will.

Mr. *Ryland.*

4057. Does not excessive education render men more dissatisfied with their lot and with salaries which contented their fathers ?—My only answer is that they will be much better men and better citizens.

The *President*

4058. Is there any other point on which you wish to give evidence ?—No.

WITNESS LX.—26th January 1887.

Examination of Munshi NUR MAHOMED KHAN, Secretary, *Anjaman-i-Takwiyat-ul-Islam*, Puna.

Mr. *Stewart.*

4059. Is the present system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Service approved?—Yes, it is approved of by a very great portion of the Native population; it is approved of by the classes for whom the system was established; it is approved of by the Mahomedan community of this Presidency at least, because Mahomedans do not blame the Government for nominating only one Mahomedan out of a population of four millions, or for appointing two Parsis out of 85,000, or for appointing no Dhed, or Mang or Chamar out of so many lakhs of them in this Province; but there is a small minority in the educated classes, who themselves form a great minority of the population, that seem to dislike this system; but it is worth noting that some of the principal leaders of Native thought in this Presidency have strongly advocated the retention of this system before the Commission.

4060. If it is not approved, what are the grounds of disapprobation?—The real grounds of disapprobation are that the graduates of the middle and lower classes are shut out from the service, and the sweeping charge that is publicly made against this service, that incompetent persons are nominated to it, has no foundation because this sweeping charge evidently means that all the Governors, Lieutenant-Governors, and the Commissioners of the Province invariably disobey the orders of Her Majesty the Queen-Empress in this respect and nominate persons who do not fulfil the conditions of their appointment. But such an occurrence is an impossibility in my eyes, because these high and responsible officers who are all gentlemen, and some of them noblemen too, must of necessity be above such unbecoming actions, and I am quite sure that they would be the last persons in the world to allow their personal feelings to overrule the provisions of the Statutes of Parliament The dissatisfaction of the Eurasian community with this service is equally groundless, because, as far as I can see, it was never intended for them. I am aware of no defect in the existing system I would leave it intact.

4061. Do you advocate any change in the Statute or the rules?—No.

4062. Would you send the selected Statutory Civilians to England for training?—They should be encouraged to go

4063 How?—By increasing their chances of promotion.

The *President*

4064. Are the present Statutory Civilians a better class of men than are to be found in the Uncovenanted Service?—Yes.

Mr. *Stewart.*

4065. Do you know any of them?—I have seen them.

4066 Do you know to what families they belong?—Yes.

4067. In what respect are they better men?—I mean they are better than the men in the lower grades of the Uncovenanted Service and as good as those in the higher grades.

4068. Is any dissatisfaction felt with the present system of recruitment for the Covenanted Service?—Yes.

4068 (*a*). Do Natives of India labour under any disadvantages in the English competition? If so, what are the disadvantages, and how may they be minimised or removed?—The present disadvantages are the limit of age, the separation from families, and expenses of going to, living in, and returning from, England

The disadvantages will be minimised.—

(*a*) by the establishment of scholarships and awarding of passage money to such Native candidates as may be in need of them;

(*b*) by altering the limit of age,

(*c*) as regards the subjects of examination I am sorry I cannot say anything, because I have not seen them Had it not been for my sickness I would have acquainted myself with them.

I am against the holding of examinations in India for recruiting Covenanted Servants, because I think this system will give but one advantage to students, while it will entail on the successful candidates some disadvantages which would be avoided under the system of one examination held only in England.

It is admitted, and I should say rightly admitted on all sides, that a residence of two or three years in England is essentially necessary for Native Covenanted Servants If this is made law, the candidates who may pass in India will be required to spend two or three years in England in training, which could be easily saved if there were only one examination And it is certainly bad policy to sacrifice age to money

The second disadvantage under which the successful candidates of India will undoubtedly labour on account of simultaneous examinations is this, that they will be exposed to great danger of spoiling their characters in England

To explain this I would state that a student who goes to England to study there under the system of one examination only, will have hard subjects to study, and he will not have plenty of time to spare He will have great anxieties as to the result of his examination upon which his future prospects must depend. All these combined must serve as natural checks to keep him out of evil associations, and make him very careful of his conduct and character.

Let us now compare the case of this student with that of the successful candidate who will go to England to get moral training only.

He having passed his examination in India will not have much to study in England, and so he will have a great deal of time to spare He will have no anxieties as to the result of the examination nor his future prospects. These circumstances will certainly expose him to great danger of spoiling his character and thus ruining his prospects.

The third disadvantage of the simultaneous examination will be this, that the country will be unnecessarily saddled with the pay and allowances of these successful candidates, while they

Mr. *Stewart*—continued.

will be getting moral or immoral training in England for their own good or evil.

The fourth disadvantage is this, that this system might make the employment of Natives in the Covenanted Service more expensive than that of Englishmen. Under these circumstances I would strongly urge, and that more in the interests of the educated classes than of the Mahomedans, that there should be held only one examination for the recruitment of the Covenanted Service and that in England.

4068 (*b*) If an examination is held in India should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—Yes.

4069. Are the young Natives obtained under the existing system the best as regards character and capacity who could be obtained under any system?—No; the extension in the limit of age will give still better men

4070. Would you recruit the Uncovenanted Service from all classes of Her Majesty's subjects or only from Natives of India as described in the Statute?—From Natives of India only.

4071. How would you recruit for this service?—By competition and nomination combined

4072. Do you approve of the present system of recruitment for Mamlatdars?—Yes

4073. And for Subordinate Judges?—Yes.

4074. Would you have your recruitment Provincial?—Yes.

Mr. *Ryland.*

4075. Why would you exclude others than Natives of India?—On political grounds.

Mr *Stewart.*

4076. Have you formed any opinion as regards the pay and furlough rules? Would you give the same pay to Statutory as to Covenanted Civilians?—No, it should be one-fifth less. Natives should get less pay than Europeans in all cases and, as regards furlough, Europeans should get six weeks more than others to allow of their going and coming.

4077. Why?—Because Europeans are serving in a foreign country.

The *President.*

4078 Is there any other point on which you wish to say anything?—Yes, I would exclude Eurasians from the definition of Natives of India

4079. Why?—Because they mix socially with Europeans.

Mr. *Stewart.*

4080. What country should be considered their native country?—India.

The *President.*

4081. Then in recruiting your Uncovenanted Service from Natives of India why exclude Eurasians?—For the purposes of definition.

WITNESS LXI.—26th January 1887.

Examination of Rao Báhádur RAGHUNATH SHIVRAM TIPNIS, B A., LL.B, Acting Subordinate Judge, Puna.

Mr. *Stewart*

4082. Kindly state your position.—I am Acting First Class Subordinate Judge of Puna. I am a *Khaist Purbhu* by caste.

4083. Is your caste one from which Government servants are usually taken?—Yes

4084. Were your father and any of your relatives in Government service before you? I belong to a family which has always served the Government.

4085 Is the present system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Service approved?—No

4085 (*a*). What are the grounds of disapprobation?—The grounds of disapprobation are —

(*a*) the mode of nomination hitherto followed does not secure the best talent of the country,

(*b*) the Statute was primarily intended to promote Uncovenanted officers of proved merit and ability. But instead of making selections from this branch of the service, attention appears to have been unduly paid to family considerations,

(*c*) the men selected are looked upon as belonging to an inferior service with less pay and privileges than their brethren in the Covenanted Civil Service, and thus the reasonable aspirations of the Natives have not been satisfied.

The defects of the existing system are susceptible of partial remedy only by an amendment of the Rules I am not in favor of the total repeal of the Statutory provisions But no method of nomination under the Statute would satisfy the legitimate aspirations of the Natives for an equal share in the higher administration of the Empire with their English brethren, consistently with the reservation of a few high administrative posts to Europeans to keep up and direct the English mode of government. But even this reservation which keeps up the unpleasant recollection of foreign Government, will have, in times to come, to be removed, as the minds of Native administrators will in course of time, by training, be sufficiently saturated with English ideas and English methods of administration.

4086. What alterations would you make in the Statute?—The Statute should be so far amended as to include the Natives residing in the dominions of Native princes in alliance with the Empress. It should further be retained as a supplement to the open competitive system in India as well as in England, which I advocate further on, or to the competitive Civil Service Examination in England. The rules, however, need substantial amendment.

If the scheme of holding simultaneous competitive examinations both in India and England for the recruitment of the Civil Service be adopted, then there is no necessity whatsoever for recruiting the Statutory Civil Service by nominations from the raw youths of Indian aristocracy or by limited competition amongst the nominees of Government and the Universities; because all educated young men who want to enter the service can do so by the competitive door. But

Mr *Stewart*—continued.

it is desirable on political and other grounds that power should be reserved to Local Governments and Administrations of appointing any exceptionally good Uncovenanted servant of proved merit and ability to a post ordinarily reserved for Covenanted Civil Servants. As an enabling provision for the exercise of this power, and also to hold out this prize to the best and most experienced servants of the Uncovenanted branch, I would advocate the retention of the Statutory Service

In view of the concession of the open competition in India, I think that it would not be necessary to reserve any proportion of appointments to the Statutory Civil Service every year But by an administrative arrangement in each Presidency, the Local Government, with the previous sanction of the Supreme Government, might promote an Uncovenanted officer of proved merit and ability into the ranks of the Civil Service at any fitting opportunity As this power will be rarely exercised, there is no fear of the deterioration of the service or much disappointment to the Covenanted Civil Servants.

I may here state that the pay of such a Statutory Civilian should not be reduced to any extent whatsoever when holding an appointment, the salary of which does not exceed Rs 800.

No Uncovenanted officer of any ability and experience in the higher grades of his service would think it worth his while to enter the Statutory Service and accept two-thirds of the salary of the post in the Covenanted ranks and begin at the bottom of the list or at a post the ordinary salary of which is less than Rs 1,500 I would therefore propose that no difference should be made in salaries up to Rs 800, and that above that sum he should get Rs 800 *plus* $\frac{2}{3}$ of the difference between Rs. 800 and the salary of the post to which he may be promoted.

If the proposal of simultaneous examinations in England and India be not adopted, then in spite of certain concessions in the matter of examinations in England, the Statutory Service ought to be retained as a sort of complement to the Civil Service

My scheme in this event is this. One-fourth of the total appointments in the Civil Service of any year should be reserved for the Statutory Service. I am desirous of raising the present proportion of $\frac{1}{8}$ to $\frac{1}{4}$ on the ground that, if the principle of limited competition is introduced, as I wish it should be, there should be a larger recruiting ground to attract a larger number of the best educated youths, the present proportion being too small for that purpose or for the trouble and expense of an open competitive examination. Each Administration should, with the assistance of the University or local College authorities, nominate certain graduates as candidates. No concession should be made simply and solely in favor of the scions of the aristocracy of the country or any particular community. Every system not based upon an intellectual test must fail in the long run. The candidates so nominated by the different administrations should compete amongst themselves, and the

Mr. *Stewart*—continued.

requisite number should be taken in the order of merit The subjects should be as nearly as possible the same as in the Civil Service Examination. The allotments to the different Presidencies should be regulated by the choice of the selected men in the same manner as is allowed in the Civil Service Examination. This system may bring men of other Presidencies to this Presidency and *vice versâ*, but this ought not to be prevented. Every thing will go right when men of the best calibre are secured.

Having regard to economy I think it advisable to retain the present restriction in limiting the amount of pay to be allowed to the new nominees to two-thirds of what is allowed to Covenanted Civil Servants

Along with this limited competition I would reserve, as I have already advocated, the power to Government to raise an Uncovenanted officer of proved merit and ability to the rank of a Statutory Civilian for the reasons already mentioned.

4087 If the system is retained would you require the selected candidates to proceed to England for training?—If the Statutory Service is retained the selected candidates should be encouraged to go to England for a certain period for a further training I do not favor the proposal of a compulsory voyage to, and residence in, England in the case of Statutory Civilians The badge of inferiority can never be dissociated from their position, and though I am strongly of opinion that every youth, who can afford to go, ought to go to England to give the last finishing touch as it were to his education and derive the various benefits which must result from contact with the best English society, yet I cannot divest myself of the idea that a Statutory Civilian would not be accepted into the ranks of Covenanted Civil Servants on terms of equality, though he may qualify himself by a training in England. Then, again, it must be borne in mind that the competitive test would have the tendency of enlisting the youths of the middle class who ordinarily cannot afford to spend money on the trip to England. This fact must also be weighed with another equally important fact. The pay of the Statutory Civilian is only $\frac{2}{3}$ of the salary of the Covenanted Civilian The prospective benefits therefore are so few and limited that it would be improper to compel these young men to go to England as a necessary qualification for enlistment into the service But encouragement to go and reside in England ought, in the interests of effective service, certainly to be given, and this can be effected by the grant of passage-money and liberal allowances while on probation in England.

Mr. *Nulkar*

4088. Do you know any of the present Statutory Civilians?—I knew two of them.

4089 How did they compare with, for instance, the men in the Subordinate Judge's ranks?—Equally well

4090 Were they men who would have refused a Deputy Collectorship or Subordinate Judgeship?—The general opinion of them was that they were inferior in intellectual attainments to Mamlatdars even.

Mr *Nulkar*—continued.

4091. Would you yourself care to enter the Statutory Service at the bottom of the list?—Certainly not.

4092 How long have you been in the service?—Eight years.

Sir *Charles Turner.*

4093 Were you appointed originally to the Judicial Department?—Yes I began my career as a Subordinate Judge. I passed my L.L. B., in 1876.

The *President.*

4094 Do you say that for the present you would retain a small body of English officers for the purposes of direction, and after a short time remove them also?—Yes. When Government is perfectly satisfied that Native administrators are completely saturated with English ideas, I see no reason why even the highest administrative posts should not be made over to them.

4095. Is that time within measurable distance do you think?—I think it is still very far distant.

Mr. *Stewart.*

4096. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Service; and, if so, on what grounds is it felt?—Much dissatisfaction is felt with the existing system of recruitment for the Covenanted Civil Service The grounds are that Natives labour under great disadvantages in competing for the Civil Service. They may be briefly enumerated thus:—

(*a*) The present maximum limit of age, *viz*, nineteen years, is simply prohibitive. It is extremely difficult for a Native youth to compete successfully at that age in a fair number of cases.

(*b*) The candidates have to leave parental control and supervision at too early an age for a prolonged residence in England, at no small expense and risk to their health and morals.

(*c*) The relative advantage given to classical and European languages over Indian classics and vernaculars unduly handicaps the Indian candidate.

The changes by which these disadvantages may be minimised are these:—

(*a*) The maximum limit of age for English and Indian candidates alike should be raised to twenty-three years.

(*b*) There should be simultaneous and identical examination in India and England for Native and European candidates alike. The examination in India should be held at one centre. The papers should be examined in England by the same standard. The *viva voce* examination should be conducted in India by two or more Civil Service Commissioners. The candidates should be selected in order of merit as belonging to the same examination.

(*c*) Persian should be added as a classical language. Asiatic classics should be placed on par with European classics in point of assignment of marks. Indian vernaculars should be added and placed on an equal footing with European Continental languages.

Mr *Stewart*—continued.

(*d*) The selected Native candidates should be required to go to England and spend the term of probation of two years and pass the final examination in England.

If the proposal of an examination in India be not adopted, I would earnestly suggest the adoption of an alternative relief as regards the examination in England, which is briefly this.

(*a*) The limit of age should be raised to twenty-three years.

(*b*) To the subjects the vernacular languages of India and Persian should be added. Sanskrit and Arabic should be placed on par with Latin and Greek

(*c*) Liberal scholarships should be founded and passage-money given to selected scholars to enable them to proceed to England for competition

4097. Are the young men obtained by the existing system the best as regards character and capacity that could be obtained under any system?—The young Natives obtained under the existing system of the open competition in England are as good as can be had under the circumstances

4098. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Cap. 3, Section 6, or from all natural-born subjects of Her Majesty?—I think that the Uncovenanted Service should be recruited only from Natives of India as described in Statute 33 Vic, Cap 3, Sec 6 I exclude non-domiciled Europeans on the ground that this is the only service in which the aspirations of Natives can be satisfied by way of some compensation for the reservation of certain posts to Englishmen exclusively, and because no European of any real ability and worth can be induced to take up this service by beginning at the bottom of the ladder on such salaries as are given to Natives.

4099 Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—Recruitment into this service should be made by competition alone. The test of competition should vary with the class of offices

4100. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The recruitment should be made by the several Administrations from persons resident in the territories under them, or at least with a preference for such residents.

4101 If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—If the existing Statutory Service be abolished, the proportion of offices assigned to that service should be allotted to the Uncovenanted Service.

Mr *Crosthwaite*

4102 What do you mean by the legitimate aspirations of Natives?—Their aspirations to have an equal share with Englishmen in the Public Service, as given and held out to them by the several Charters and Statutes

4103 Whether fit or unfit?—No. Conditional on fitness certainly

4104 Has the Government laid down a certain test of fitness?—Yes.

4105 Is there any order, rule, or law, which debars Natives from entering the service who can pass this test?—No. But equal facilities to compete have not been given to them

4106 In regard to distance are you any more under disadvantage than an Australian is?—Distance is not the only disability Another is, that English is not our native language

4107 Do you think a knowledge of English essentially necessary for the work?—Yes

4108 Then we cannot dispense with it?—No

4109 You allow that we must have a British administration?—Yes

4110. And that those qualifications which are necessary for such administration must be forthcoming?—Yes

4111 Shall we get them if we have an examination in India?—Certainly

4112 If an examination is established in India, will the legitimate aspirations of the Natives be satisfied, that is, shall we have finality or not?—I cannot say, even holding simultaneous examinations may create other aspirations

4113 Supposing an examination is held in India, and no more Indian candidates succeed than do now in England, will your legitimate aspirations have been satisfied?—The Government will have done its duty

4114. Will you be satisfied with knowing that the Government has done its duty?—I shall be satisfied.

Mr. *Nulkar*

4115. Have you met many Deputy Collectors and Mamlatdars in the course of your present employment?—Yes

4116. How do they behave in cases of emergency—fire, famine, cholera, or riot?—A few years ago a circumstance came to my personal notice In 1882 there occurred a very virulent outbreak of cholera in the district where I was Subordinate Judge, and I can say that the local Mamlatdar, Chief Constable and myself did not spare our personal safety in relieving the distress There was one hospital assistant, but the resources at our disposal were very limited. The Mamlatdar was a member of my own caste, the Chief Constable was a Native Christian. We made no distinction of caste or creed in giving our assistance.

The *President*

4117 Is there any other point on which you desire to tender evidence?—No.

WITNESS LXII—27th January 1887.

Revd. *J. Mayr*.

Examination of the Revd. J. MAYR, S J., Rector of St Xavier's College, Bombay; Fellow of the Bombay University.

The *President*.

4118. What are the points on which you desire to be examined?—I have answered some of the questions circulated by the Commission.

4119 Should the special training for the Indian Civil Service be carried out in India or in England? If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—The special training should be carried out as much as possible in England or at least in Europe, as long as European education and civilization maintains its superiority over that of the other parts of the world The expenses must be considered as the comparatively low cost of production of an article which fetches afterwards an exceedingly high price The establishment of an Indian Civil Service College, superior to the colleges existing in this country, would increase the expenses of India without raising at the same rate the standard of education Half a dozen European Professors, seen once a day in the lecture room, cannot have the same effect on the Indian student, which a couple of years spent at one of the European Universities has.

4120 Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—The terms used, namely, "large and important classes," makes the question a somewhat difficult one to answer. But this much may be said, that the number of those, who, during their school years, are destined by their parents to appear at the Civil Service Examination in England, is greater than the number of those who actually go in for the M A. degree at Indian Universities. And this is all we can expect I am quite convinced that many more would go to England, if the Indian Universities were to recognise the time spent in English institutions in case of a failure in the competitive examination in England. As it is now, a candidate, whose marks are exactly the same as those of many a successful candidate in previous years, has to undergo a regular persecution if he wants to appear for the P. E Examination; after having done the work of a B A. he is not recognised as more than a matriculated student. In my opinion it is this risk, the severest punishment which I can imagine for a young man with higher ambitions, more than any other consideration that prevents the wealthier classes from going to England.

4121 Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—The standards for Europeans and Natives should be the same, as the duties and responsibilities in after life will also be the same, and as they are to enjoy perfect equality as far as possible

4122. If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates, and, if so, what should the limits for Native candidates be?—The limits of age should, I think, be the same for Europeans and Natives, the maximum being fixed at about twenty-one years of age. To take it lower makes cramming and mental indigestion, the worst of all evils in education, an absolute necessity for the greater part of the candidates; to raise it makes fair competition impossible, the difference in the age being too great.

The *President*—continued.

4123 In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—I think they do not. I do not feel competent to compare Indian schools with English schools; but comparing Indian schooling with education on the Continent, and taking into consideration that, in the whole of Austria and Germany for instance, a matriculation candidate has to go through an eight or even nine years Latin course, and through a five years' course in Greek, that besides this the instruction in all the branches is given in the Vernacular, which the student has been taught for two, three, even four years, before he entered the Gymnasium, if I further consider that in all the high school examinations in languages as well as in Mathematics and Natural Science the so-called "book-work" is almost unknown, the chief stress being laid on original composition, translation of passages not read before, proofs and deductions not to be found in the text-book, which is usually not even fixed; if I compare all this with our Indian system, then I must say it has a decided tendency to cram into the young mind as many branches as possible in the shortest possible time. The sooner therefore a student escapes from this unhealthy atmosphere, and the sooner he makes English his second mother-tongue, the better it is for his higher studies For if he remains, our University curriculum is very much of the same character as the High School. Fully convinced that the matriculated student is utterly unfit, to take up any particular branch, the University has to apply seven pumps to make a desperate attempt to force some more knowledge into him; and even after this operation has been successfully performed, our Indian B A. is not yet allowed fully to enjoy the satisfaction that he is an Arts Student, Trigonometry and Statics are still waiting for him One may ask whether he has not to study all this also in England when preparing for the Civil Service Entrance Examination? Yes he has; but there he will soon master the language, and has not within three years to prepare for three University Examinations and three Preliminary Examinations, being kept out of breath for a month or so six times within three years.

4124. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—If developing "force of character" means to strengthen it by principles, guiding our conduct even in times of strong temptation and in difficult positions; and if "the other qualities required for English administration" include sense of duty, justice and moral integrity, then I must say

The *President*—continued.

that many of our Indian schools do not develop the force of character and these other qualities required. I have been now for six years admitting students to St. Xavier's High School and College in January and June, and each time I have to refuse a good number of applications, on account of want of accommodation, and when I try to persuade the non-Christian parents to send their boys to another school, the almost invariable answer is: how can I do such a thing, he is my child, and your school is the only one where they teach moral principles From this I cannot avoid concluding that, at least in many schools, this side of education is grossly neglected. Another telling fact is, that I often have to hear from those who leave after having taken their degree that they will always recommend this College, where the non-Christians lose their prejudices without losing their faith, and that in this and that College the students may enjoy many advantages, but they are robbed of their faith without getting anything instead No wonder that even non-Christians are scandalised, if what is constantly said be true, namely, that there are European Professors who cannot read an allusion to, I do not say Christian dogmas, but to tenets of natural religion without sneering at them If the very belief in a future life, a future reward, and a future punishment, is made ridiculous, then penal law, police and the public opinion of those whom we fear are the only safeguard of our moral integrity; and these are very powerless ones, when shrewd cleverness is sure to escape the former, and high rank is above the reach of the latter.

Mr *Nulkar*

4125 What change in the University arrangements would you adopt in order to meet these difficulties?—It seems to me that if the University Course is changed, that of the High School must be changed also. If I compare Indian with Continental Colleges (I do so because I am a foreigner, and have no experience with regard to English Institutions), I can only say that a matriculation student on the Continent, in Germany or Austria, is almost equal to a second class B.A. I have studied carefully the programme of study in at least six or seven high schools in Germany and Austria and in different other countries, and comparing their programmes of study with our curriculum, I feel bound to say that one of our matriculation students is only equivalent to a student in the first class or fifth standard in those countries, and one who has passed the matriculation limit there is equivalent to a B A. here On entrance, if I begin with the vernacular—German in these two countries—a boy as a rule has to study it for three years at least, then he joins the Gymnasium which takes him about nine, sometimes ten years. During the whole time he has to study Latin, so that before he passes the matriculation he has learned more than a B.A. and he is much more master of the language than a B A. is. A matriculated student in those countries must be able to write an essay correctly in Latin some five or six pages in length. Then he must be prepared to render any passage in one of the authors, not in books prescribed, but an author such as Homer, Virgil, Cicero, Tacitus · he must be able to translate any passage orally and in writing If you take Natural Science, the Austrian curriculum divides the High School into two portions During the first three years the students have to go through the whole course of Botany, Mineralogy,

Mr. *Nulkar*—continued

&c, and all such branches which embrace a period of from five to eight years In Natural Science they have to study Geometry, Chemistry, Electricity, Magnetism and all these subjects A B A. student in our University knows something of Heat, nothing of Optics, of Acoustics, Electricity, Magnetism, unless he takes group B of the Science course, he may pass his M.A in another group He has never learnt anything about Electricity or other things, which I consider it is very necessary a man should know something about. It is supposed that the matriculated student can give an account of the whole vernacular literature, that he knows the names of the chief books, and the contents of the whole of the vernacular literature, besides the leading authors in Foreign literature, *viz*, the English, Italian and Austrian literatures. All these things are out of the question, I do not say with only our unmatriculated students, but with B. A 's. A B A. has read his six books in English, but has not read English literature, he has read his books and knows something of the life of the author of the book which he has read It seems to me the chief defect of our system is that students who appear are simply insufficiently prepared. Universities are often blamed for allowing students to take up seven branches in the B A course, but it must be kept in mind that if they did not do that, all B A.'s would be simply ignorant There is another grand difference between the two systems Here the chief stress is always laid on book work, if you take Algebra the thing is to know it all by heart, but as soon as an examiner gives a problem not in the leading text book there is a general outcry The same in the matriculation This year the paper was a very good paper, but there was a general outcry from all schools, because a few of the sums were not in the leading text books; this seems to be a great mistake, because a student should be able to work out problems and to apply his knowledge to new questions - Another great difference is with regard to Geometry and Euclid, there is one text book here, and there is continual clamouring that at least two-thirds of the marks should be given to Euclid, that is, that students should be allowed to prepare two-thirds of the questions by heart There is no such thing on the Continent. In Algebra and Arithmetic, all sorts of questions are given, and the student is expected to be able to find away to their solution. Moreover he should be able to stand the test of a practical oral examination In my own instance, I had to give two methods of proving a proposition put orally. With the material we have here, no doubt it is difficult to say what change the University should make.

4126 Are Arabic and Sanskrit taught in your College?—They are taught, but I am not competent to say anything about them. I do not know anything of Arabic or Sanskrit. Latin we have: it is rather neglected in the University. Our College, on the whole, fares very well in Latin, but even there, there is hardly a second class B A. who is able to write a decent essay in Latin, or, without difficulty, to read passages that he has not read before, and that would be required even in the fifth class on the Continent. What they read also is comparatively very little. Here Latin, and as far as I know also Sanskrit, is more taken as literature and not so much as a language On the Continent the chief thing required is that the

Mr *Nullar*—continued.

student should be able to converse and express himself clearly as well as to read and write in that language, but this is almost entirely neglected out here. Grammar is also neglected; the chief thing in College is to explain historical allusions and that sort of thing. Next to nothing is done in the High Schools and Colleges, in regard to teaching English. All that is required is that the teacher should be able to explain passages and allusions and to say what is meant by this or that. It is only a question of being able to explain allusions, and say what is meant by this or that. But it is not teaching the language, and therefore a second B.A. may get the highest prize without knowing English properly He is not able to speak the language, much less to write a decent essay in it, but he knows all the questions which have been given, and which he is able to get perhaps from other Colleges; and with these he gets his high rank.

4127 You think that if the Universities here were to recognise study in England as preparatory for a degree in the Indian Universities, a great many more Indian lads would be attracted to England?—That is my opinion. What I mean by recognised is, if a student can produce a certificate that he has attended two, or four, or six terms in one of the English Institutions, then he should be recognised, in so far that he would be allowed to appear for an examination.

4128. The University only recognises attendance at an affiliated College?—Yes, and there must be sixty days attendance

4129. No matter how good the lad's education may be?—He is not admissible. He must go to the Syndicate, and that excites public feeling and race feeling as we have seen, last year it gave rise to a scandal.

Mr. *Stewart.*

4130 Have you any arrangement for resident pupils?—No, we have only day schools; there is no accommodation; it is impossible to enlarge the premises.

4131. Are you able to exercise any control over your pupils when they leave the lecture room?—Very little.

4132. Do you think arrangements might be made for residential pupils?—At St. Xavier's College there is no possibility, because the premises are already too narrow for the members. We have now about 1,400 from the preparatory class to the M A. It is quite impossible to give rooms free for this purpose; then for resident students I should say there should be a College outside Bombay.

4133. Suppose a certificate of moral character was required for the Civil Service examination, would you be able to give a certificate?—These certificates are of no value. It is only from the conduct of students in the lecture room that we can conclude anything.

4134. You know nothing of home influence at all?—Nothing We have no influence whatever of that kind; what our students see and hear in College of course will make impressions on them, and you may perceive it in their whole conduct. We perceive it, for instance, at St. Xavier's; there was never at any time any difficulty with regard to race-feeling, and that is because the students see that the staff treat different races without any difference. In this

Mr. *Stewart*—continued.

way there is some influence, but we have not control over them at home.

4135. Have you any low caste boys at your school?—Comparatively very few. We do not exclude them on account of caste, but our fees are rather high—Rs. 3 in the first class, and in the College Rs. 8 a month; there is the natural selection This year for instance I have a Marwari, although he cannot be called of low caste, that is one case St. Xavier's has quite a peculiar position in Bombay The institution is intended for Catholics, but others are also admitted, the consequence is, as fees are rather high, that we on the whole get the better classes. There are now, say, one-fourth Non-Christians and three-fourths Christians on the list.

4136 No instruction is given in Greek in the Colleges?—No.

4137. Can you give us an idea how far Latin is carried?—Latin is also dying out. At St. Xavier's Latin is still taught, in the Elphinstone High School it is studied by one class—the highest class; and from the number of boys from other Colleges who have joined St. Xavier's, we must conclude that it is taught in few other Colleges. Last year in B Class St. Xavier's sent twenty-five, being half the number, fifty, from all Colleges together.

4138. You speak of writing an essay, do you mean on a general subject?—Yes; on a subject of which the student has not previously had notice.

Mr. *Ryland.*

4139 Have you many Europeans and Eurasians in your institution?—Eurasians are comparatively very few, because we have on the whole only 3 or 4 Protestants; the others are all Catholics. There are not so many Catholic Europeans in Bombay Their number is quite insignificant I do not think we have more than 20 Eurasians and Europeans, but it is difficult to say since they do not tell you exactly, every one wants to be considered a European.

4140 Do they enter under Christian names?—Yes, the Christians are as a rule Portuguese.

4141 You have no Europeans born in the country?—We have, but comparatively very few, if you compare them with our number, 1,400.

4142. Are this class placed under any disabilities by Government by the rules now in force?—I cannot say, on the contrary, just of late, I find that some of them have been taken on where I hardly expected it. For instance many join the Telegraph Department, there we get a good number in, that is by competitive examination. As for other Government service, I am not in a position to give exact statistics just now.

4143. Were they formerly excluded? Have they only recently been admitted to these competitive examinations?—It would not be fair to say they were formerly excluded. St. Xavier's exists as a separate community; we live as a community, and have very little connexion with outside people; there is very little social intercourse between Government officers and our Fathers, and the consequence is that, when the question is one of employment our pupils are at a disadvantage. The Professors of the Elphinstone College are intimately acquainted with so many influential men who have to make the different appointments, and in this way they have an advantage, but

Mr. *Ryland*—continued.

there is no complaint, that there is a principle or a tendency to exclude pupils from St. Xavier's. That cannot be said.

Mr. *Nulkar.*

4144 You are aware I suppose that very few Anglo-Indians and Eurasians appear at the University examinations?—Yes.

4145. Do you know the cause?—It is considered too expensive by the friends of the students to send them up for high examinations.

4146 You mean higher education is expensive?—It is not that The living of a European student is more expensive than the living of a Native student whose father gets the same salary, and therefore you will always find that the Non-Christians are the more ready to pay the small fees demanded than Christians* Their expenses at home are higher, and therefore no sooner is the boy able to get employment on, say, Rs 20, than he has to go in for it. Secondly, Europeans have as a rule to shift about very much in the country, they go from place to place; if the parents are not in a position to send their children for the whole high school curriculum to a boarding establishment, they have to change schools continually, and that is a great drawback. You will find them in three schools in one year, which means simply the loss of a whole year If you compare the physical constitution of the Europeans and Eurasians, you will find Europeans are backward compared to the others; they look more unhealthy; are not so strong as a rule, there is something in the physical constitution of those born in the country. I have found that always; for instance, in the classes you find it very difficult for them to get prizes, there are some exceptions of course, but as a rule there is some difference

4147 As regards the quality of education given in the High Schools, what remedy would you have Government apply to remove the defects and to improve the quality of the preliminary education given in those institutions?—It seems to me that the only thing is to raise the matriculation standard; and then High Schools, in order to keep up their good name and renown, will be forced also to raise their standards. The matriculation standard must be raised; not only more must be demanded, but more difficult things must be demanded; and secondly they must be allowed more time One of the greatest evils is this,—every boy here wants to pass the matriculation as soon as possible.

4148. At what age is it possible to pass the matriculation?—There is no limit; there was a limit, but that was removed, and I think that was a mistake. They all try to pass as soon as possible, sometimes with a view to go to Europe. If you want to raise the standard, as was done at St. Xavier's the best students go over to other High Schools because they are sure to be put in higher classes. If a boy is in the 5th class, and he has to repeat the course in the 5th, he is invariably put in the 6th in any other High School.

4149. Why are boys in such a hurry to finish their earlier education and go to England? Is there any cause? Has the Civil Service anything to do with that anxiety to send boys early?—There is no doubt they try to go there as young as possible, because they can then appear at the examination more than once.

Mr. *Nulkar*—continued.

4150. You are of opinion that, on the production of a certificate of attendance at some institution in England, boys should be allowed to appear for the University examination?—I desire only that where a boy has been to England and has been so unfortunate as to fail there; his study there should then be recognised in some way, not that he should get a degree on that account, but that he should be allowed to appear here at the examination without keeping terms

4151. Do you refer to some recent case?—Yes.

The Hon'ble Mr *Quinton.*

4152 Has any man who went up for the Covenanted examination been educated in your College?—There has been one During the last six years I do not know of any case. There was one who went up but failed In the lower school in the third standard there are already many Hindus and Parsis, parents present their boys and tell me I should take special care as they intend sending them to England. Afterwards they disappear entirely. One reason may be that they are disappointed with regard to the talents of their children That is very often the case They have a very high opinion of their boys, who often cannot pass the matriculation, but I think a great reason why Natives do not send their sons to England for the Civil Service examination is that there is a certain amount of imprudence in sending a boy at great risk who three years afterwards returns found worth nothing and to be laughed at by every one here.

4153 Do a large proportion of your boys in College learn Sanskrit?—The number of Sanskrit students is decreasing As it is now there are for eight Sanskrit students thirty Latin and Persian students, almost four times as many.

4154. You do not know Sanskrit, but are you aware of the mode of teaching Sanskrit? Is it taught with any thing like the thoroughness Latin is taught in European schools?—I do not believe it is, although I have no personal experience. I have spoken with others who know Sanskrit—Europeans in the college, all say the standard is rather low. Of course there is the same facility to learn reading and writing which you will find in European schools with Sanskrit classes; but as to giving a real scientific explanation of a grammatical question I do not think this will be found in Indian schools.

4155 You told us just now there was a great outcry caused when examiners for University degrees submitted original tests or departed from the problems set down in the text books?—Yes.

4156 Has that had any effect in influencing the University course or mode of examining?—That is difficult to say, there are complaints, and as the complaints come every year, I should say the University has not been influenced.

4157 Does the mode of examination tend that way?—No they neglect it rather.

Mr. *Crosthwaite.*

4158. Do you know the standard of education required for the competitive examination in England?—No I have no exact idea as I never had any practical experience in preparing students. I find that on the whole those who return are pretty well up in the subjects of the B A. examination.

Mr. *Crosthwaite*—continued.

4159. Do you mean those who return successful or unsuccessful?—Unsuccessful. I think they are more equal in respect of the classical languages, besides they have acquired modern languages.

4159(*a*). How is it with Natural Science and Mathematics?—I cannot give you any information as I have not studied the programme

4160. Could you say of your own pupils—such and such a pupil is likely to succeed at the competitive examination? Do you know enough of the competitive examination to say whether they would be likely to succeed or not?—That is rather difficult, because so very much depends in these competitive examinations in the selection by a man of his subjects There is no subject obligatory, he may take six and get a good number of marks, if only he has studied them before; but it is left entirely to each individual, and that is a great advantage because he can carefully study one branch thoroughly, and he will be more fit for higher study afterwards, if he takes this course, than a man who takes as many subjects as possible so as to get as many marks as possible

4161 Have you associated very much with any of the English Civil Service?—I have had no opportunity

4162 If there was a competitive examination in India for the Civil Service have you any idea of the number of candidates that would go in and of what class?—The number of candidates would of course increase immensely. The class of candidates we should get we can easily see, if we take the statistics of our college students. There are several of the Hindu classes and of the Parsis who go in for higher education. The Parsis are at the head, if you take the number of Her Majesty's subjects of this Presidency; Mahomedans are very few If the examination were held in India there would, of course, be an increase of Native candidates, but what strikes me is, that you do not find in the parents any antipathy to sending their sons to England; their difficulty is always the money question and the risk, otherwise they are perfectly willing. When boys are still young, they all hope one day to go there, or a good number of them do.

4163 As we want men more or less Anglicised, would you advise a competitive examination here or in London?—I think the old system is better; make them go to England, because Indian education here will never be equivalent to a number of years in England If it were only to get them away for a couple of years from their former surroundings; that seems to be one condition required in order to change a man's mind entirely.

Sir *Charles Turner.*

4164. To enlarge his mind?—Yes To train his ideas on European ground, and I believe that would improve his mind.

Mr *Crosthwaite.*

4165 Would not the same object be attained by sending him to England after he had passed?—Something may be said in favor of this, because on the whole it is more advisable to send youths there when they have reached a certain age To send an Indian boy of fifteen or sixteen is rather early I think. There would be some advantage in sending them afterwards, but my opinion is that they cannot be sufficiently prepared in this country.

Mr. *Crosthwaite*—continued.

4166 If you look merely to the efficiency of the service what would you advise?—To send them to Europe.

4167. Before they passed?—Yes.

4168. You would advise that the examination should be held in Europe only?—In Europe only.

Sir *Charles Turner.*

4169. You said you considered the Eurasians showed little capacity for instruction?—I have found on the whole they are not the first boys in the class.

4170 Is not that due rather to a want of energy than to a want of talent?—There is no doubt there is a want of energy: that is my impression; the fault is very much with the parents. It seems to me they consider themselves as living here only in exile, and they are too indulgent to their children. They cannot bear to see their child crying, and it is this which results in their transferring him from school to school They change his school at once, and then he has to change his standard. He may be quite unfit for the higher standard.

4171. Parents are frequently too indulgent and remove the child from school on the mere complaint of the child?—Yes.

4172. Do Europeans also show less attention to their studies than Native boys by reason of their greater enjoyment of physical games?—I would not say that; I think, on the contrary, that is the only thing that helps them to settle down.

4173. Do you consider that is the only thing that helps them to settle down to their studies?—Yes, but I should say that in this country it is out of the question to play the whole day They have their cricket in the evening and from the climate that can only last for one hour or an hour and a half; there is no harm in that; I would encourage it.

4174. Does not their fondness for outdoor games induce in the boys sometimes an inattention to study?—Of course I must say it might if extravagant. I was never struck by that.

The *President.*

4175. There is not the same temptation to outdoor sports here as in Europe?—No.

4176. Nor is there likely to be?—No. I think on the whole they should be encouraged as much as possible in this line.

Sir *Charles Turner.*

4177. Is that likely to result in a want of success in the classes?—I do not think so.

Mr. *Ryland.*

4178. They take more naturally to outdoor games than to studies?—Yes, I think that is simply owing to the educational system. I find a great difference between Indian boys and European boys in reading. You find comparatively few here who take to reading, whereas with European boys in Europe it is simply a passion

Mr. *Ryland*—continued.

You have to do everything you can to take them away from reading there, but here they take up a book and throw it aside: If the book has pictures it is all right, but you hardly find a boy who takes to reading! The reason is, that they are not sufficiently developed in mind. In the second class there are boys not able to say one sentence correctly in English, they are not able to express themselves; they must already study Geography and, what is more, in English, if it were in the vernacular I would not mind, but in a language foreign to the boy it seems to me it is too early to teach it. They should rather spend their time in the lower classes on English only.

Mr. *Ryland*—continued.

4179. Is there any other point in which you would like to offer any remarks?—No.

WITNESS LXIII—27th January 1887.

Examination of SHANKAR PANDURANG PANDIT, Esq, M.A., Oriental Translator to Government, Bombay.

Mr. *Stewart.*

4180. You are Oriental Translator to Government?—Yes.

4181. What were you before that?—I was Deputy Collector and Magistrate. Before that I was in the Educational Department as Lecturer in Latin and Professor of Oriental Languages in the Deccan College.

4182. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—The existing Statutory system of appointing Natives to the Civil Service is not approved. The feeling in regard to that system is one of dissatisfaction. The dissatisfaction is general, excepting perhaps among certain families and certain classes, who neglect to educate their sons and who yet hope one day or other that their own sons or those of their relations will profit by the system. But even among these classes there is considerable dissatisfaction felt with the actual working of the system.

4183. What are the grounds upon which any such feeling is based?—The grounds upon which the dissatisfaction is based are—

(1) that it degenerates into patronage, favoritism, and, with the best intentions, results in the choice of inferior men;
(2) it retards the progress of education among those classes who are already backward in education;
(3) it casts a slur upon those who are properly educated;
(4) it is most demoralising;
(5) taking even those classes most in favor just now—the aristocracy (whatever there is of it) and the Mahomedans—for one man that it patronises it creates discontent in many scores of others who have as good a title, and even better, to the favor;
(6) it seeks to enlist in a service of actual workers and administrators, members of families or communities who have hitherto neither under Native nor certainly under British Administration shown any administrative, executive, or judicial capacity;
(7) it creates discontent among a large class of educated men who think themselves able to win entrance into the service if a fair field were allowed them, but who find themselves practically excluded from the service.

It also encourages the very undesirable and unjust notion that it has been brought into existence in order that Natives may not claim what they are in justice entitled to, *viz*, to enter the service through the channel of competition and be put upon the same footing with European members of the service.

4184. Is the feeling of dissatisfaction directed against the Statute itself (33 Vic, Chapter 3, Section 6), or is it directed against the rules framed thereunder?—The feeling of dissatisfaction which exists is directed against the rules framed under the Statute

Mr *Stewart*—continued.

(33 Victoria, Chapter 3, Section 6) and against the actual working of those rules. The Statute is so broad that it might have been the basis of other rules more in accordance with the popular sentiment on the subject of facilitating the admission of Natives into the Civil Service It is not, therefore, the Statute that is objected to, except in so far as it seeks to admit Natives by a door other than that which alone they deem fair and honorable. The Statute is also objected to, because its provisions admit persons to specific appointments only and not to membership in the Civil Service proper. Further, the rules are objected to on the following ground. The Statute itself was the result of a claim which the Natives put forward and agitated for free and honorable admission to the Civil Service, but a result which, instead of granting what was prayed for, seemed to grant very much more, but in reality granted very much less than what was claimed, and thereby diverted public attention and sympathy in England from the claims of Natives. The rules in their turn took a further turn, and instead of providing facilities for the promotion of men of proved merit and ability, they provided for the enlistment of men who had chiefly no other qualification than that of belonging to certain families, many of which were doubtfully considered as aristocratic. The rules are accordingly believed to be illegal, or at all events not based on the spirit of the Statute.

4185. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—I would throw half the Statutory appointments to be made every year open to a general competition for the whole country and fill the other half by promoting Uncovenanted officers of proved merit and ability.

4186. Would you not alter the Statute in any way?—No.

4187. Would you extend the definition of the term "Natives of India" so as to include subjects of Native States in allegiance to the British Crown?—Yes.

4188. If the Statutory Service is retained, should selected candidates be compelled to go to England?—I do not consider, that after selection and before entering on probation or on duty the person selected should be subjected to further training than the two departmental examinations he has to pass, before he is confirmed and finally admitted as a Statutory Civilian. If the selection be confined to highly educated young men, they will have already received sufficient intellectual and moral training, and it is not practicable to devise a better method of imparting intellectual and moral education than that which is followed by the Indian Colleges and Universities. I do not believe it will be possible or desirable to have an Indian Civil Service College on the basis of the old Haileybury College That college was established for the purpose of training English youths for service in India, because anything they had known since their birth was so different in every way from everything with which they would have to deal in India. In

Mr. *Stewart*—continued.

India such a college might be thought of, if we had to train picked Native youths for service in a foreign country. I do not consider special training in England essential, or at all events do not think it fair to expect that candidates admitted to the Statutory Service in India would submit themselves to it, when one of the conditions of admission is that they consent to less pay, limited promotion and limited privileges. Such candidates might be encouraged to go to England if they chose.

Mr. *Nulkar*.

4189. Do you know some of the Statutory Civilians who have been appointed?—Yes, except two, I know all of them.

4190. You have stated here that they are such as have no claim, that is, that they do not belong to a community which has hitherto served under a Native Government or this Government. One of the questions before us is whether the Statutory Service has succeeded in obtaining men who efficiently served former Governments, but who have kept aloof from the present Government. Has the Statutory Service induced such men to enter the public service?—So far it has not succeeded, and I do not believe that it ever will succeed in achieving this.

4191. Are there any families who have ever served previous Governments who have kept aloof from serving the present Government?—I believe that in this Presidency there are no such high families who have qualified their sons for the public service. There are only two classes who have not entered the public service—Mahomedans and high aristocratic families. As to the Mahomedans in this part of the country we have not the sort of men for whom Government need specially care The Mahomedans of this country correspond exactly to the Native converts or Native Christians of the British Districts. In all cases of high offices being held by Mahomedans, my impression is that the actual work is not done by the holders of the office, but by some naibs or assistants or gentlemen belonging to the classes who actually work under the Government.

4192. My question has reference to the class who actually took part in former administrations. Are there any such classes who are now absent from the present administration—I mean actual workers?—I do not think they are absent. I think they take the same interest in the present Government as in former administrations

4193. Are there any among them who, but for the Statutory Service, would not have entered the Government service as Deputy Collectors, Sub-Judges, &c.?—I think there were two who would not have taken office anywhere, who were appointed to the Statutory Service, but who did not take up their appointments. In both cases they threw them up because they did not care for the Statutory Service or for any service. In one case there might have been something more—a want of confidence on the part of the gentleman appointed in his own ability; in the other, the candidate did not actually care for the appointment.

4194 Do you mean to say these appointments were actually thrust on them?—In one case the gentleman appointed did protest; he said he

Mr. *Nulkar*—continued.

was not sufficiently advanced for the post; in the other, the appointment was conferred during the absence of the gentleman in Europe.

The *President*.

4195. When you said the classes who served under Native rule took service now under the British Government, you referred to the Civil Administration?—Yes.

4196. But there were under all Native Governments large departments, especially the Army, which were open?—Yes

4197. Do persons who take service under Native States readily accept civil employ?—No.

4198. Practically then the military classes have most cause to complain?—Yes. In this Presidency the military classes had members in the Civil Administration. The Maratha Brahmans, for instance, did not disdain to serve in the Civil Departments also.

4199. Still there are classes who under Native rule found service in the Military Department, who do not find service under the British?—That is so; the high classes, the Marathas, for instance, may be in point.

4200. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—My replies should be read in the light of my chief proposal, that the present Statutory system being a mistake, what is wanted and what would be both desirable and fair is to concede to the Natives of this country the holding of open competitive examinations simultaneously in England and India. I do not think there will be any difficulty in having simultaneous examinations in England and India. The Native public do not desire that the examinations in India should be different from those held in England, but identical in every respect, the same papers being set in both countries. The only difficulty is a very important political consideration. Having once opened the door for all who are fit to enter, where will you stop? With all her sincere desire to associate largely Natives of the country with her own sons in the government of the country, England might fear that a larger number of Natives might enter the service through the competitive channel than she thinks it expedient should be allowed to enter it; in other words, Natives might predominate in the service. I think such a contingency is remote, very remote. But it might be urged that as a contingency it requires to be provided against, and when you have once opened the door in India, India is a large country and is making rapid progress in education and enlightenment, and if increasingly large numbers continue to enter, it might be very impolitic and unwise afterwards to check the entrance of more than a certain number of Natives, because that would amount to revoking concessions already made and create discontent. Rather than do this, it would be better if the Government said at once they would not open the door so wide as to hold simultaneous examinations in England and in India But when the Natives of this country ask for fair play and nothing else, and regard it not honorable to enter by another door than that of open competition, held in such a manner as not to handicap them, the British Government, which has always ruled the Empire with a fair and

The *President*—continued.

just policy, cannot long refuse to grant the prayer of the Natives. It would be fair and just to grant this concession free from restriction or limit, as it is calculated to secure for the service of the State the fittest among Her Majesty's English and Indian subjects who might desire to enter that service. But considering existing facts, and expediency, and also the natural desire of England that Englishmen should predominate in the Indian Civil Service, the Government might make up its mind, considering all things, as to what proportion of the posts in its Civil Service shall be assigned to Natives of India, and hold simultaneous examinations in the two countries to obtain candidates to fill up the apportioned posts.

The present or rather a modified form of the present system of appointing Statutory Civilians might be utilised as a subsidiary system, to be used only when there is need to do so. If the number of Natives who enter through competition is equal to the appointments apportioned to Natives of India, there is nothing more to do but to admit them along with their successful English fellow-competitors. If a smaller number of Natives pass, then you might use the Statutory Service rules for the purpose of making up the difference between the number of appointments apportioned to Natives and the number of successful candidates. If a larger number of Natives pass, then the difference between the number apportioned and the number passed should be rejected. There will be no injustice involved in this to the Native community, because in years in which a smaller number of Natives passed than the number of apportioned appointments, the difference would be made up by the appointment of Statutory Civilians In a similar manner the appointment of Statutory Civilians to make up the Native portion in years when a smaller number of Natives passed, would be no injustice to English candidates, because in years when Natives passed in larger numbers than the Native portion, the difference would be forfeited by the Natives in favor of English candidates. Nor would this system of mutual losses made up by mutual compensation involve any injustice to individual English or Native candidates, as the whole competition would be held subject to the apportionment of the appointments between the two communities.

Nor would this system be liable to the objection that it admits English candidates who have proved themselves inferior to certain Native candidates, who are refused simply because they are Natives, and that the feeling of the Native community with regard to those English candidates thus admitted by throwing out certain Natives who were proved to be their superiors, would be undesirable and impolitic. For even now it is not every English member of the Civil Service that holds office because he is superior to every Native to be found in the country. The Natives know well that there are men among them who are much superior in training, abilities and worth to some of the competitive Civilians whom they see in office around them.

The principle of apportionment is one which has already been admitted and acted upon by the British Government. The Statutory Civil Service is based upon this principle, and the Native community is not likely to object to it even when applied to selection by open competition at simultaneous examinations, in view of the concession which they will have obtained of being allowed to compete in their own country.

The *President*—continued.

Under the system I advocate the Natives who enter through competition should have pay, allowances, &c., exactly like their English competition brethren. Those who are appointed by the Statutory rules should have the reduced allowances fixed for the Statutory Civil Service. Those who enter through competition would proceed to England to be trained with the English candidates and examined from time to time along with them Those appointed as Statutory Civilians should not be required to go to England, but should have the option of doing so if they like.

The system I advocate would easily provide for the appointment of men who are not able to enter through competition, and yet whom the Government wish, for political and other reasons, to enlist in the Civil Service.

It is highly probable that for some years the Statutory system would have to be kept in operation, because for some years Natives are not likely to pass in large numbers the very high test of the open competition, and I do not believe the Government intends to give Statutory appointments to the classes just referred to for all time to come, but only until they are able to compete successfully with the more advanced classes Till that time the high probability that Natives will pass the competition in smaller number than the number of appointments apportioned to Natives will enable Government to take young men from the classes referred to or from the Uncovenanted Service, through the Statutory door

4201. Have you anything to say with regard to the marks for subjects?—Sanskrit and Arabic should be put on the same footing as Latin and Greek, and Persian should be classed with the modern languages of Europe. These are the only changes I would advocate with regard to subjects.

4202. With regard to the limit of age?—I have said that the limit of age ought to be changed from nineteen to twenty-three.

Mr *Nulkar*.

4203 Sanskrit as well as Latin is taken up for your different University examinations?—Yes.

4204. I believe you have been translating and editing ancient Sanskrit works?—Yes, for the Educational Department of the Government of Bombay

4205. Are you translating any works for publication in England?—No.

4206 What is your opinion of the comparative educational value of Latin and Sanskrit?—I think the educational value of the Sanskrit language is much superior to the educational value of Latin as a language, but that Latin literature is superior to a considerable portion of Sanskrit literature as an educating agency Sanskrit is specially attractive to the Natives of India, even those educated to Western modes of thought, it is the origin of all Aryan modern vernaculars of India, and the language in which is stored the most ancient Aryan thoughts not only of Hindus, but of Europe also.

4207 In claiming a similar number of marks for Arabic as are given to Latin and Greek, do you

Mr. *Nulkar*—continued.

take into consideration the high test that is expected in the University Examinations of India, or the test applied to candidates in England? Do you know if there is any difference between the degree of proficiency in Sanskrit expected at the University examinations and at the competitive examination in England?—Yes, I have occasionally to go through all the competition examination papers. The English examination papers include Sanskrit, Latin, French and German.

4208. I believe the test of proficiency in Sanskrit at the Civil Service examination is considerably lower than the standard of proficiency which is expected of candidates going up for the University examinations here. How does the comparative proficiency in Sanskrit and Latin compare? Is the proficiency in Latin higher than that in Sanskrit at the examination in London?—The standard in Latin is much higher.

4209. How do you justify the proposal to allot the same number of marks for proficiency in Sanskrit which you say is not so great?—It might be greater certainly. I would raise the proficiency to an equal degree in both the languages, and in view of this possibility I claim the same number of marks

4210. We have been told the degree of proficiency expected in Sanskrit is comparatively very low?—Yes, it is.

Mr *Stewart*

4211. In what year were you in England?—In 1874.

Mr. *Nulkar*.

4212. You attended the Oriental Congress as delegate from Bombay?—Yes.

The *President*.

4213. Is it not the desire on the part of some classes in India that Englishmen should predominate in the administration?—If the desire is entertained it is by England, and it is in the interests of that country.

4214. Are there within your knowledge any classes that would see with regret the English less predominant in the Indian Administration?—I think the time has not arrived for forming an opinion on the subject.

4215. You have said that the Statutory Service is not an honorable door to enter by?—It is not.

4216. Would you desire the Government of India should provide a door which is not dishonorable?—If the Government desires to do so; but I wish to open the competitive examination without limit or restriction; then the Statutory Service would not be required. If the Government of India desire to appoint any person to the Statutory Service, it should do so as a subsidiary system.

4217. Do you approve of the principle of apportionment?—Yes.

4218. Does not the principle of apportionment involve a violation of the Statute of 1833?—In letter it may; in spirit it does not.

4219 Is it not a violation of the spirit of the Act of 1833 to say that if a number of qualified Natives exist, a certain proportion should be rejected because they are Natives?—The principle

The *President*—continued.

in practice has been violated ever since the Act was passed.

4220 Would not that be a violation both of the spirit and the letter of the Act?—It would be a violation of the spirit of the Act.

Mr. *Stewart*.

4221 You refer to an apportionment; what proportionate number of appointments do you think should be assigned to Natives?— The maximum should be one-third.

4222. Would you assign that number from the judicial appointments?—I would not restrict their promotion to any particular department

4223 As to the Uncovenanted Service, in which we include Mamlatdars, Deputy Collectors, &c. Would you recruit those officers from Natives of India as defined in the Statute or from all natural-born subjects of Her Majesty?—I would throw it open to all Her Majesty's natural-born subjects.

4224. What system of recruitment would you recommend for Mamlatdarships?—I approve of the present system

4225. And for Deputy Collectors?—The existing system, provided it is carried out in the same spirit, and that the rules are not violated from time to time as they are now.

4226. Promotion from Mamlatdars?—I refer to that.

4227 Have you anything to recommend in regard to the recruitment of Subordinate Judges?—I think the present system a good one, except that every year the number of men who pass the prescribed tests is increasing, and after a few years, by reason of the delay in obtaining employment, it is not likely we shall get the best men to take up Subordinate Judgeships. If first and second class Graduates of Law are offered Acting Subordinate Judgeships, four or five years after they pass, it is not likely they would accept the offer. Some such men would then have made a good beginning at the Bar and we should not be likely to get them

4228 Have you any other course to recommend except the present course?—No.

4229 Would you recruit for the Uncovenanted Service provincially?—Yes.

Mr *Nulkar*

4230. You were a Deputy Collector for ten years?—Yes.

4231. You had Mamlatdars serving under you?—Yes.

4232 Before Mamlatdars were recruited from B. A's?—I had a B A. Mamlatdar when the system was to appoint Mamlatdars direct; I had more than one.

4233. How did they perform their executive and magisterial work as compared with other Mamlatdars?—So far as I remember I had only two, I can hardly answer the question without being personal I think they did very well; in one case especially the success was marked as compared with non-B A. Mamlatdars

4234 Under subsequent rules there has been a large number of B A.'s appointed as Mamlatdars?—Yes.

Mr. *Nulkar*—continued.

4235. Have you watched their work and formed any opinion upon it generally as compared with non-B A. Mamlatdars, and as regards their integrity, honesty and efficiency?—I have had no occasion to test their work except as an Examiner, in my experience of the last six years, except in one or two instances. Mamlatdars, who took service as second Karkuns, were not equal to second B.A.'s On the whole, however, they passed very well, and in a much more severe examination than young Civilians pass. They have even now to pass a special standard with extra subjects added to the curriculum and a high percentage of marks is exacted. I only know of one instance in which a graduate was turned out because he did not pass this examination.

4236. The present rules which require a man to enter the service as Karkun have not yet succeeded in attracting the best B. A.'s?—If the rules had been worked in the way Sir Richard Temple intended, I think you would have got better candidates to enter the service, but they have since been changed in a way unfavorable to the interests of candidates.

4237 Will you tell us as briefly as you can any unfavorable changes that have taken place since Sir Richard Temple laid down those rules?—In the first place there was a certain period laid down within which those who were not graduates should qualify themselves in order that they might get the appointments of Mamlatdars along with graduates, and that period was considerably prolonged beyond the period originally fixed It has been prolonged to about four years after the period in which non-graduates should have qualified themselves. Besides this the period of probation has been very much lengthened

4238 The graduates are made to work in a much more subordinate capacity than they had to work under the rules of Sir Richard Temple. Does that keep aloof the abler men such as the B.A 's you could then get?—Yes. Another defect of the rules is that the graduates do not feel sure that others will not be put over their heads after they have qualified themselves, and served the necessary period of probation.

4239. Did Sir Richard Temple's rules contemplate that ultimately none but graduates should get these Mamlatdarships?—Distinctly

4240. That after a certain period only those were to be appointed Mamlatdars who had passed the B.A. and a certain probation: that condition has been altered?—Yes, very much.

4241. And that is the reason you cannot get the first class B.A 's?—Yes

4242. Coming to the Native Magistracy you have had experience of the work of Native Subordinate Magistrates and of Subordinate Judges; how do those two branches of the Judicial department, the Native Magistracy and the Subordinate Judges, compare in their work as regards efficiency, integrity, &c.?—In cases where the occupants of the post are properly qualified they do their work very well, quite as well as Subordinate Judges in their respective spheres Subordinate Judges have a better name than Subordinate Magistrates Subordinate Magistrates are mostly men who did not enter under the rules of Sir Richard Temple. The appointment of Subordinate Judges is now regulated by law, and it is not possible to break the law so that we get better Subordinate Judges than Mamlatdars; the appointment of Mamlatdars being regulated by executive rules which are constantly changed from year to year and month to month.

Mr. *Nulkar*—continued.

4243 What would you do to raise the work of the Native Magistracy to the same high level as that of the upper Subordinate Judiciary?—We ought to do something of the same kind as was done in the case of Subordinate Judges. Insist on good preliminary qualifications and probation, and we should also insist on the possession of a University degree.

Sir *Charles Turner.*

4244. With regard to these B.A. Mamlatdars we have heard it said that they are wanting in experience. Have you had any acquaintance with their work?—Yes.

4245. In what capacity?—I have had B.A. Mamlatdars under me in the mufasal.

4246. What office were you then holding?—Deputy Collector.

4247. What did you find with regard to their knowledge of their duties?—As regards the knowledge of their duties I think there is no complaint, and as regards their actual work in one case the Mamlatdar was a great success. I could not say exactly the same of the other. I had only two under me. The system to which you refer was brought into existence since 1879, and my experience refers to a previous period. Mamlatdars appointed since that time have hardly had sufficient trial, but so far as they have gone they have done well. There is one gentleman I can refer to, a B.A. Mamlatdar, who did very well as a Magistrate in a certain case last year up-country in a dispute between Hindus and Mahomedans.

4248 Do they know their Revenue work?—Oh yes! They are subjected to a very strict set of examinations which are more difficult than those young Civilians have to pass. It is the same examination, but special subjects are added and a higher percentage of marks is exacted in order that their knowledge may be more accurate than that of Junior Civilians.

4249. Do Ministerial officers work well with these graduate Mamlatdars?—There is a great deal of jealousy naturally enough, and that is not the least disadvantage under which these graduate Mamlatdars have to work and qualify for promotion, but there is no objection on the ground that they are graduates The objection is on the ground that they are intended to supersede the older classes; there is no other objection taken by Ministerial officers.

Mr. *Stewart.*

4250. What has been the reason for a change in the rules since Sir Richard Temple first promulgated them?—I suppose the reason is the B.A. graduates are considered as so many interlopers naturally enough by subordinates of District Officers, and District Officers as a rule are not favorable to the rules in general.

4251. You are giving your opinion now about graduate and non-graduate Mamlatdars. In case of famine, riot, or when we have to collect material for Government for transport, would you prefer to have a Mamlatdar who had a thorough acquaintance with the people of the district or

Mr. *Stewart*—continued.

a graduate with six-monthly periods of training in the lower offices?—No, at present a graduate takes about four years to obtain a Mamlat.

4252. What is the minimum?—I have found out that by actual calculation.

4253. What is the minimum according to the present rules?—Two years at least.

Sir *Charles Turner.*

4254. But in practice what is the period before a man gets his Mamlatdarship?—Three or four years There are some men who have passed five years and have not yet got their Mamlatdarships.

Mr. *Stewart.*

4255. Have you anything to say with regard to the pay and furlough rules?—I think the present rules are very liberal in the case of Statutory Civilians appointed in the way they are If they are to be appointed in the way in which they are now appointed, or even in case of Uncovenanted officers promoted for merit and ability, I think the present rules are liberal enough.

4256. Do you consider the pay with which a Statutory Civilian commences, R200 a month, is sufficient?—In the case of candidates who are likely to be similarly appointed, having regard to their education, I think the pay is very good, for the sort of candidates you have got and the sort of candidates you are likely to get if you continue the same system, the pay I consider is very good.

4257 Then with regard to furlough, should any difference be made?—No, I think the present rules are very liberal, that is to say, assuming that the Statutory Civil Service is to be recruited in the same way that it is now.

4258. Have you anything else you would like to refer to?—I have one or two suggestions to make as regards development of character.

I know nothing by experience of the public schools in England. But I can say this without hesitation that our schools and colleges are well known for producing men who are remarkably different in character and sentiment from those classes from which they draw their pupils. The change they produce in the character of their pupils for the better is well known. It has been admitted generally that the public servants of these times are in point of integrity and other qualities that go to make good public servants far superior to their predecessors who served the State before the present system of University education came into full working operation. It is notorious that the present Subordinate Judges all over India are not only as good, indeed better, Judges than Civilian Judges, but far better in integrity and sentiment than their Native predecessors. What is this the result of, if not of the force of character developed in them by the institutions in which they are educated? It is admitted that there is a great difference of character between the subordinate and the higher branches of the Native public service, and that the latter are quite as honest and trustworthy as those who were educated in the public schools in England. It is, however, quite true that our schools and colleges do not give the English force of character to our youths, *i.e.*, they do not make Englishmen of them. Nor would it be desirable

Mr. *Stewart*—continued.

if they did that. If they attempted to do so, they would probably only end in making very indifferent copies of Englishmen in whom all the good qualities of the Native character would be destroyed The attempt would only be justified if you had to train men for service in a country entirely or mainly inhabited by Englishmen. The necessary result of such an attempt would be to unfit the men for service in this country As it is, the result of the force of character actually developed by our schools and colleges is happy and such as is highly desirable As much of the English force of character as is good for Natives is imparted without destroying any of the good qualities that belong to the Native character. The people with whom public servants have to deal are Natives and not Englishmen, and Natives too in whom the English force of character has not been, and is never likely to be, developed Native public servants, therefore, in whom such force of character is developed, as is developed by our present schools and colleges, are better suited for public service in India than they would become by being brought up in institutions which develop the English force of character like English public schools and colleges. I should take the liberty of saying that it is questionable policy to try to get Native Civil Servants who are in force of character exactly like Englishmen. All that is desirable is to secure the best Native talent, refined and humanised by the study of the best and noblest English literature and by contact with superior Englishmen, the best specimens of English gentlemen whom England can spare to teach India youths in India The force of character developed in Indian youths under such a system is the best fitted to make, under English direction, as good Native Civilians as it is good for India to have.

Sir *Charles Turner.*

4259. Do you include the lower grades of the Judicial Service in the term Subordinate Judge?—I include Subordinate Judges of this Presidency only. We have no Munsifs here.

4260. Do you include in the term Subordinate Judges, in the answer you have just read, the lowest grades of the Judicial Service in this Presidency?—Yes.

4261. And throughout India?—No.

4262. You say Subordinate Judges all over India. Do you mean to refer only to the higher subordinate judiciary or to all the subordinate judiciary when you speak of all over India?—The qualified Subordinate Judges and the upper grades outside Bombay.

4263. I want to understand what you mean when you say "It is notorious that the present Subordinate Judges all over India are not only as good, indeed better Judges than Civilian Judges, but far better in integrity and sentiment than their Native predecessors?" You refer there only to the upper grades of Native Judges?—Yes. But in the Bombay Presidency to all the Subordinate Judges.

4264. You consider that the lowest grades of Native Judges in the Bombay Presidency are equal to the best grades of European Judges?—No, I do not consider that; as a service it is not inferior. It is better so far as the ability of the Judges is concerned.

Sir *Charles Turner*—continued.

4265. You say so far as their ability is concerned; do you mean general ability or technical knowledge?—Their ability as Judges whatever it means.

4266. What do you say as to their character and morality as Judges?—It is certainly very high and unexceptionable. I am not comparing them with English Judges. So far as morality is concerned, the one class is quite as good as the other.

4267 Have you ever known a case occur during the last twenty years in this Presidency in which an English Judge has been accused of corruption?—I have not. I cannot say I have heard anything which I have believed.

4268 Have you known of any instance in which a Native Judge has been dismissed for corruption within the last twenty years?—Not of the new class. I confine myself entirely to the new class of Judges

4269. Do you know anything about the Judicial Service in the North-West Provinces?—I do not know much.

4270. How is it you say all over India?—I have travelled mostly all over India, and what I have stated is the opinion of people I have talked with

4271. Do you know any thing about the Judicial Service in Madras?—The Subordinate Judges there are very well spoken of. I know nothing of them myself.

4272. Do you know anything about Bengal?—I have not known any of the Judges.

4273. Then we may take it that so far as you have heard you believe the Native Judges outside Bombay are as good or better than European Judges?—Yes.

4274 From whom have you received this information relative to Subordinate Judges outside Bombay?—From various people I have met in Madras, the North-West Provinces, the Punjab, &c.

4275. Do you remember anybody with whom you had a conversation either in the North-Western Provinces, the Punjab, or Madras, on the subject?—Yes, I met several at Agra I met the Small Cause Court Judge at Agra, and I met Mr. Bajnath, he is now in the service of Indore.

4276 He is not a Subordinate Judge, is he?—No. I also met many Vakils.

The *President.*

4277. Do you think conversations with a few people is a ground to justify such sweeping assertions as you have made in a public paper here?—Sir James Stephen made statements like that which he published in 1880-81.

4278. Have you had any practical experience of the work of the Judges outside Bombay?—No, I only know from what I have read or heard. I have had no experience.

Mr. *Crosthwaite.*

4279. When did you get the information on which you based this opinion about notoriety?—I do not know that I can name any particular day.

4280. Have you read Mr. Justice Straight's evidence?—No.

4281. Have you read Sir Charles Sargeant's?—Yes, after my replies were written, about the beginning of this month.

4282. Can you tell me what percentage of appeals from District Judges have been reversed by the High Court?—I have not seen the returns.

4283. Do you know what is the percentage of judgments of European Judges reversed by the Bombay High Court?—No, I have no statement.

4284. You have not gone into the matter carefully?—My view is only a general one.

Mr. *Nulkar.*

4285. Can you tell us how the first appointments to Subordinate Judgeships are made?—When a man wants an appointment he has to apply to the Private Secretary.

4286. What are the qualifications?—They are required to be law graduates or to have passed the High Court Pleadership examination. The appointments are given according to the date of application and not of passing the examination.

The *President.*

4287. Do you desire to offer evidence on any other question?—There is one question that refers to the exclusion of particular classes from the Uncovenantad Service. No classes of persons are excluded from the Subordinate Judgeships and the Mamlats except those that will not qualify themselves for those appointments. If Mahomedans, Eurasians or Europeans, or the non-literary classes of Hindus are not much represented in those services, and if the literary Hindu castes predominate in them, it is no fault of the latter, nor the result of favour shown to them. The rules require that admission to Mamlats shall be restricted to well-qualified persons who begin on very low salaries and serve a period of probation for years besides passing two examinations. Candidates for Subordinate Judgeships are required to be very highly-trained lawyers. The literary Hindus alone have the industry, patience and the intelligence necessary to secure the certificates or degrees exacted from candidates for those offices. Nobody is excluded On the contrary, I believe members of backward classes, which is only another expression for idle men, are sometimes promoted to Mamlats by a point being stretched in their favour, even when that causes injury to better qualified men. This is not done as regards Subordinate Judgeships, because these appointments are regulated by law and not by merely executive rules.

WITNESS LXIV.—27th January 1887.

Examination of SORABJI SHAPURJI BENGALI, Esq, C I E., Merchant; J. P.; Fellow of the Bombay University. *Sorabji Shápurji Bengali, Esq*

Mr. *Stewart.*

4288. You are a merchant of Bombay and a Fellow of the University?—Yes.

The *President.*

4289. Is the Statutory Service under the present system approved; if not, what changes would you advocate?—My opinion is, that it is undesirable in the interests of the country to maintain the Statutory Civil Service, because whatever system of nomination may be adopted, it can only bring into the body of the Indian Civil Service men inferior in knowledge and abilities to those appointed by the present system of public competition in England.

4290. Is the present system of appointment to the Civil Service by competitive examination in England regarded as satisfactory, if not, what alterations would you suggest?—On that point I think that the existing mode of selecting members of the Civil Service by examination and competition in England should be kept up, with modification as to age in cases where the competitors are purely Natives of India. It cannot be denied that these men have to learn nearly every subject of their examination through the medium of a language which is not their mother-tongue—a fact which places them at a disadvantage as to the time required for their studies in comparison with English youths. It would therefore be a just concession to the Native candidates for the Indian Civil Service, and a matter of fairness to the people of India, that the maximum age of Native candidates for examination should be somewhat higher than that of their English brethren. If it be considered proper for the good of the service that the age of English candidates should not be over nineteen years, then in order not to place the Native candidates at a disadvantage in the examination, the age of the latter for the same purpose should be fixed at twenty-one years, and if the age of the former be fixed at twenty years, then the latter should be permitted to attend the examination up to the age of twenty-two years, and so on.

4291. Are those the only amendments you advocate?—I advocate no other under the present system.

Mr. *Nulkar.*

4292. You say that you would raise the age by one year in favour of the Natives?—Yes; I say two years.

4293. Would not the European candidates complain if that advantage were given to Natives of India?—I do not see why they should

4294. Just as Natives complain of the examination in England, would not they complain if this advantage of two years' extra study was given to Natives?—I have stated that there is very good reason for it.

4295. You know that many Native youths whose parents do not object to send them to England for education go at a very early age?—Not many, very few; some are sent.

4296 And they go up for the competitive examination?—Yes.

Mr. *Nulkar*—continued.

4297. Would you apply this rule to them, would not they claim the benefit of the advantage?—Certainly.

4298 Would not that circumstance form a subject of just complaint on the part of English candidates?—I do not think so, because only a few go from here. If the maximum age was extended, more would go; now the young men who go are very few and exceptionally clever boys.

4299. And under your system I suppose you expect that larger numbers would go to England to be educated and to qualify there?—Under my system it would be fairer to youths of average ability of this country.

4300. There is already an inclination among certain classes of Hindus, people of the North-West, Bengal, &c., to send their children at an early age to England to be educated, the reason for that being that higher education is given to them there. No matter whether the number is now large or small, under your system that number is likely to increase however slowly?—Yes.

4301 And as the number goes on increasing there would be greater cause for English candidates to complain?—They will be wrong if they complain. English is their mother-tongue, they commence it at a much earlier period of their life than our Native youths, they have also the advantage of their English home life, which the Natives of this country have not, and to allow Natives two additional years for study is very fair, and it would be only fair to give it them. If the others complain, their complaint would not be well grounded.

The *President.*

4302. Several Native gentlemen who have appeared before us have claimed what they call "a fair field and no favour" They would object to any terms more favourable being given to Natives than to English candidates, they think they can hold their own; and, if the terms were made more favourable for Natives, they think the men selected would not be regarded as on an equality with English candidates hereafter, that they would be looked down upon Do you propose to give that class the two years more?—I do not think they want favour. I say put them on the same basis.

Sir *Charles Turner.*

4303. Would you then raise the age of both classes?—No I did not say of both classes. I would raise the age of Native candidates of this country and make it two years more than the English candidates.

4304. That would not be giving them any favour?—No.

Mr. *Crosthwaite.*

4305. It implies backwardness of some kind on the part of the Natives if you say a Native of twenty-one shall compete with a European at nineteen?—No. If you bring an Englishman to any part of Asia and ask him to learn the Asiatic language, you will always see that he is under a disadvantage as compared with a Native; and a little more time should be given to him to study here than to a Native.

The *President.*

4306. You would give it to adjust any existing inequality?—Yes.

Sir *Charles Turner.*

4307. Would not the disadvantage be minimised by raising the age to twenty-three for both European and Native candidates?—No. I have thought of it. I have seen a great deal of the discussion that took place in England as to what the age of civil servants should be. There of course they looked chiefly to one standpoint, having the Civil Service of India filled by and recruited from English lads After a great deal of discussion the age was fixed at nineteen years. I believe the present Prime Minister had something to do with that. He may have had very good reasons for fixing the age of English lads at nineteen, but he has lost sight of the fact that nineteen would be an unfair age for Natives of this country to compete in England.

4308 The question I put was whether, by increasing the age to twenty-three, Europeans and Natives would not be brought more together in the examination?—To some extent they would be, but a Native lad would be still two years backward.

4309. You attach great importance to the examination being held in England?—I prefer it to any examination held in India.

4310. You think it desirable that Native gentlemen who desire the higher posts in the administration of this country should be able to associate freely with Europeans who obtain similar posts?—Yes.

4311. And the reason you desire the examination should be held in England, is that Native gentlemen would thereby secure familiarity with English habits and modes of thought so as to enable them to mix freely with their future confreres in the service?—Yes. I have often thought that the Native school, boy is very different from the boy in England; and to remedy that defect I would send him to England for his examination. It would be better for the Native candidates and the prospects of other Native candidates in future

4312 Do you not think that it would be sufficient if a candidate went to England after his appointment to the service? Some gentlemen have proposed that the examination should be held in India, after which the candidates should be sent home?—No; I disagree with them quite.

4313. Why?—Because of the difference in the school-life of a boy in England and in India.

4314. You think if they succeeded in passing an examination here, and then went to England, the result might be, that a boy might

Sir *Charles Turner*—continued.

confine himself to the society of other Native students who might also be in England and that he would not acquire English habits?—He might make himself acquainted with English habits afterwards if he went after examination in India, and to a great extent perhaps; but a boy who has to compete with English civilians should know as much as possible of English life and ways.

The Hon'ble Mr. *Quinton.*

4315. Have you branches of your business in any part of the country?—No, I am not a merchant. I am a mercantile agent.

4316. Do you think that an examination in India and in England would be disapproved of as likely to secure less efficient public servants?—Yes.

4317. Why, if the examination was identical?—You know the English boys have this advantage, they acquire in their schools a regard for truth and moral courage to a greater degree than we can obtain it in Indian schools.

4318. If you had an examination in India, and identically the same examination in England, the same papers attested by the examiners, do you think more Natives of India would get in than at present?—No, less Natives would get into the service if the examination was held only in England If an examination was held here and in England, then more Natives would get in.

4319. Do you think it would be an advantage that more Natives should get in?—No; I do not say it is an advantage; my rule is to have the best men among Natives, Europeans, or anybody else, men without prejudices and of good character.

4320. Do you think the best men will be secured by holding the examination in England or in India?—Certainly in England we should secure better men.

Mr. *Stewart.*

4321. I believe Parsis have no objection to a journey to England?—No.

4322. They have been accustomed to travel abroad for some time?—Yes.

4323. They travel a great deal between India and Hong-Kong?—Yes. That has been going on for one hundred years or more.

4324. How many Parsis are in Hong-Kong now?—About 200 I should think.

The *President.*

4325. Have you any other suggestion to offer?—No.

WITNESS LXV.—27th January 1887.

Examination of A. T SHUTTLEWORTH, Esq, Conservator of Forests, N C, Bombay.

Sir *Charles Turner.*

4326. You are Conservator of Forests, Northern Circle?—Yes.

4327. Will you favor the Commission with your views on such points as you have considered?—I am of opinion that the principle that India should be governed by Englishmen should be adhered to as far as possible. The higher appointments in the administration should be filled by Englishmen, for I do not think that in the present day it would be politic, or in any way in keeping with the fitness of things, to advance a Native to the position of a Collector of a district, or of a Commissioner of a division And, further, I do not think that the time will come for such a hazardous experiment to be attempted with any prospect of satisfaction, either to the rulers or to the governed, within the next fifty years. And, therefore, I would urge that greater facilities than now offer should not be given for the entry of Natives into the Covenanted Civil Service

Under such arrangements as now obtain Natives can compete at the entrance examination in England, and consequently the door is open to them as well as to Englishmen for entering the Covenanted Civil Service if they will only take proper advantage of the road leading into it Europeans residing in this country send their sons to England at a tender age to be educated, for the reason that they consider—and it is a point beyond discussion—that a better education, not only intellectually but in other respects also, is to be had in England than can be obtained out here; and the sons of Indian officers and other residents in this country are to be found in considerable number in the ranks of the Covenanted Civil Service There is nothing to prevent Natives from following the same plan. If the prize is worth winning, it is worth striving for, and there is no doubt that a continued residence in England in the association of English boys, especially in a public school, would do more to fit the Indian youth for a successful career in public life in India than any training that could be given to him in this country at a local Haileybury or other educational institution

The cost, and the want of means, are brought forward as reasons for not sending the Indian youth to England to run the race for the Covenanted Civil Service, and it may very reasonably be replied that poor parents have no right to entertain such lofty aspirations for their sons, and they should be contented with the sphere of life to which they have been called.

I am of opinion that the Statutory Civil Service should be abolished, for it is in violation of the principle that India should be ruled by Englishmen, and further, the service has not found favor among Natives themselves, mainly, I understand, for the reason that appointments to it are regulated more by favor than by the competency of the nominee Nominations are given rather to the sons of gentlemen of the Native community who have found favor in the eyes of Government by their works, or who occupy an influential position in their own social circle, than to young men who have brought themselves into prominent notice by their intellectual capacity, or by a special fitness for high position in the public service. It may be safely assumed that such

Sir *Charles Turner*—continued.

exalted appointments with such very great responsibilities attaching to them, as those of Collector of a district or Commissioner of a division, would not, as a rule, be given to any member of the Statutory Service While at the same time every individual member of the Civil Service has the right of regarding such offices as being within the possibility of attainment, the exclusion of the Native or Statutory Civil servant from these appointments would create further dissatisfaction, and this is of itself an argument for the abolition of the service. It would be considered to be a mockery to permit the entry of Natives into the Covenanted Civil Service and then to keep the higher prizes of that service out of their reach.

If, however, it should be decided that appointments to the Covenanted Civil Service must be made in India from the Indian public, then a system of selection and nomination subject to a competitive examination must be followed, for it is obvious to those who have served for any length of time among the people of this country that a system of open competition could not be tolerated. I am confident that no plan of open competition could stand the touchstone of experience, despite all the care and attention the Professors of the local Haileybury or other educational institutions might devote to mould the characters of their pupils up to the English standard; and if the Covenanted Civil Service is to be recruited in this country, then I would urge that officers in the Uncovenanted Service who have displayed fitting qualities for higher public life, should receive the preference over untried candidates, and that patronage should be distributed as evenly as possible among the different castes and races in the Uncovenanted Civil Service, provided that sufficient numbers of capable men are forthcoming to fill vacancies There are Europeans and Eurasians in the Uncovenanted Services who have shown as high qualities, as any Native has, for advancement to the higher grades of public life than their present sphere of promotion admits; and the claims of such men should be considered on an equal footing with the claims of pure Natives equally capable, and should not be shelved upon sentimental grounds, for example, that "they are not the sons of the soil": for if this distinction is looked into closely, it may be found that the Eurasian has just as much right to call himself a son of the soil as the Bràhman, the Mussalmán, or the Pársi, and that all these races must yield place to the Warli, the Khatkari, the Bhil, the Koli and other aboriginal tribes of Western India. I am strongly of opinion, however, that appointments to the Covenanted Civil Service should not be made in this country, that the service should be recruited in England, and should be confined entirely to Englishmen.

It is urged against the Covenanted Civil Service that it is very expensive; but this defect, if it exists, may possibly be remedied without any depreciation in the quality of the service. The salaries of the higher grades of the Covenanted Civil Service might well be reduced 15 to 25 per cent., and it would seem that such reduction would cause no deterioration in the quality of its recruits; for there is the fact that the Military Service in India, the pay and prospects of which

Sir *Charles Turner*—continued.

are nothing like so good as of the Covenanted Civil Service, or what they would be upon a reduced rate of salaries, is recruited from the same classes as supply the ranks of the Civil Service. Look for example at the Royal Engineers, who are said to be as a body the best result of English training. In many cases while one brother of a family is to be found in the Covenanted Civil Service, another is to be seen in the Staff Corps, and several of the young men who have joined the Civil Service in Bombay within late years, are sons of gentlemen and officers serving or known on this side and in other parts of India. The position held and the influence and power exercised by the Covenanted Civil Service would always be attractive to parents in India when selecting a profession for their sons.

With a Covenanted Civil Service composed of Englishmen entirely, the appointments to be occupied by its members should be clearly defined and strictly limited, and they should not be allowed to claim all the prizes of the public services, for the expensive education they may have undergone does not necessarily fit them to discharge, with greater benefit to the public interests, the duties of any office, no matter what may be the character of its duties. There are posts in the administration which Natives and others unconnected with the Covenanted Civil Service can hold with just as much credit, and the duties of which they can discharge with just as much efficiency. It is a waste of power to allow the Covenanted Civil Service to occupy such positions Then again there are appointments in respect of which the education of a Covenanted Civil Servant does not provide him with the requisite professional knowledge.

I am further of opinion that there should be a Junior Civil Service to be recruited in India by competition following nomination. It should be open to all British subjects in India without distinction as to color, race, nationality or creed, and it should include all appointments above a certain minimum rate of pay, which are not allotted to the Covenanted Civil Service (which should then be termed "*the Senior Civil Service*"), and do not belong to scientific or technical departments for which distinct professional training is required and separate gates of entry have been provided

Europeans are required to give a backbone to the service, and it would, I venture to think, be very disastrous to British rule in India and at the same time very unfortunate for the people, were direct touch to be severed between the rural population and their English governors. The lower classes have, I may venture to say, far greater confidence in the European officer than in their own countrymen. Upon this point I have had experience. Subordinates of the Forest Department charged with offences have not unfrequently urged that their cases should be enquired into by an European officer and not by a Native.

Up to a certain maximum limit I would give the Native the same rate of salary as to the European, and above that limit I would advocate a graduated scale of reduction increasing as the rate of pay goes up.

But it will take some years before the fruit of such recommendations as the Commission may make, and as may be eventually adopted, are enjoyed, and very few, if any, of those at present in the Uncovenanted Services may benefit by such changes. Therefore I would urge that in the meanwhile the Uncovenanted Civil Service, which contains a very large number of Europeans,

Sir *Charles Turner*—continued.

Eurasians and Natives, and with which Native interests are connected far and wide, should receive sympathetic consideration in the matter of those questions upon which the welfare of its members, and of the vast crowds dependent upon them, is to a very appreciable extent affected. These questions have been brought forward from time to time, and possibly no more fitting opportunity than the present has occurred for their consideration. Satisfaction and contentment will undoubtedly displace the feeling of rigorous treatment which at present pervades, I may say, a very great portion if not the whole of that Service, if a few concessions in the leave and pension rules were to be made, which a generous impulse in the sense of fair play would, I respectfully submit, naturally suggest.

Sickness comes as soon upon the Native as the European and as unexpectedly, and it afflicts the Uncovenanted as readily as the Covenanted; and therefore when an officer has been declared by competent medical authority to be incapacitated from further service, and he is ordered to be invalided, be he a Native or an European, his claims for a pension or gratuity, as the case may be, and his qualifying service, should be regulated by the same rules as control, or obtain in, the Covenanted Civil Service. The Uncovenanted Service feels very deeply the inconsistency of the principle which gives to one service and denies to another, to reckon as counting towards qualifying service the absence from duty which sickness, probably contracted in the performance of duty, necessitates, or a relaxation of the constant strain of duty demands.

Natives are always at or near home, and, therefore, they do not require to have furlough at such frequent intervals or to such extent as Europeans do. But the Uncovenanted European in this respect is circumstanced exactly as is his Covenanted *confrère*, the same desire to revisit his native land, his home, to look after the welfare of his children, to direct their education, affects him, and in common justice the same advantages should be extended to him. Furlough should be granted at as frequent intervals, and it should count to the same extent as qualifying service for a retiring pension.

And finally as to the pension itself: the circumscribing conditions which limit the proportion earned, be it one-third or one-half, &c., to a certain sum might be relaxed; and while the pension is paid in rupees in India to Natives as well as to Europeans who having retired may reside in this country, the payment made in England might be in sterling at the rate of two shillings to the rupee.

I very respectfully submit that the concession of the privileges which I have ventured to urge would not cost the Government of the country very much, but the good that would result to the services and to the people would be great.

Mr. *Ramaswami Mudaliyar*

4328. Native gentlemen have before this Commission complained that Natives are not admitted into your department. Is this the case? If so, are there any reasons for preferring Europeans in such appointments?—There are Natives in the superior ranks of the Forest Service, but they have been to England and qualified in the same way as Englishmen

4329. They are allowed to enter?—There is a Parsi in the Forest Department in Sind now, Mr.

Mr. *Ramaswami Mudaliyar*—continued.

Desai, he is a Deputy Conservator of the second grade. He went home, passed his competitive examination, went to France, and there passed through the usual course

4330 Do Europeans exhibit certain qualifications which specially fit them for the work of your department and which are not usually found in the Natives of this country?—Very much so, as far as the Forest department is concerned. The work in the Forest Department is extremely hard. I do not think the ordinary Native has the strength or the constitution to encounter the work. I may say that during the past week I do not think I have been in bed once until after 12 o'clock. I have been in the sun from six in the morning till after midday, riding long distances, and climbing up hills; I do not think the ordinary Native could do that.

4331 These are physical qualities?—Yes.

4332. Are there any others?—There are also, I think, some moral qualities.

4333 You have alluded in your answer to one?—I have.

4334 Will you kindly give me a little more specific information on that point?—I do not think they are as honest as the European is.

4335. You say Natives would prefer to have their cases enquired into by European officers?—I have had petitions made to me to that effect

4336. Why?—Because they consider they get fairer play from the European officers

Mr. *Nulkar*.

4337 With regard to the Civil Service examination, do you think the age limit as at present is detrimental to it, or can you say anything upon this point?—I would maintain the present age because practically it closes the door against Natives; I do not think Natives ought to have the right of entry into the Civil Service

4338. You would maintain the present age on the ground that it has practically the effect of shutting the service against Natives?—Yes.

4339 For that reason alone you would keep the present age?—Yes

Sir *Charles Turner*

4340. You say you consider the ordinary Native could not perform the duties which you have undergone as an officer of the Forest Department; but are there not many Natives who could go through an enormous amount of hard work out-of-doors?—I do not think the higher order of Native can enter the department, all are rangers or subordinates.

4341. Have you among your subordinate now men of good education?—Of fair education.

4342 These have to labour under the disadvantages and difficulties you have mentioned?—The majority of them are in the office establishments.

4343. Some I presume also do outdoor work?—You do not get the same kind of work out of them that you do out of Europeans.

4344. With regard to honesty, the highly-educated Natives are not wanting in honesty, are they?—I think they are

4345 Have you had instances?—Oh yes I do not think they have the same high moral tone as Englishmen.

4346. Have you found men who have taken degrees at the University wanting in honesty?—I have heard of cases but not in my own department

The *President*

4347. I suppose you know that your scheme of excluding Natives from the Public Service could not be carried out without repealing the Act of 1853?—I am aware of that.

4348. Do you think any Government of the present day would propose to repeal that Act? Would Parliament agree?—No, that is why I say the existing arrangements should continue That arrangement satisfies the provisions of the law.

Sir *Charles Turner*.

4349. There is nothing in the rules of your Department that debars the appointment of a Native to any post?—Oh no

4350. Is there any other point you wish to refer to?—I have nothing further to say.

WITNESS LXVI.—27th January 1887.

Examination of JHAVERILAL UMIASHANKAR YAJNIK, Esq., Agent to His Highness the Rao of Kutch; Fellow of the Bombay University and Member of the Municipal Corporation, Bombay.

Mr. *Stewart.*

4351. You are agent in Bombay to H. H. the Rao of Kutch?—Yes.

4352. And a member of the Municipal Corporation and Town Council?—Yes

4353. And a Fellow of the University?—Yes.

4354. What do the Natives think of the Statutory Service?—They are not satisfied with it.

4355. What are the grounds of their disapprobation?—The grounds are these:—The Statute of 1870 was the first practical step designed to fulfil, in a measure, the pledges of previous legislation and to remedy the injustice felt by Natives of India in respect of their exclusion from posts reserved for the Covenanted Service. The provisions of the Statute were all along understood to confer on Natives appointed thereunder all the privileges of pay and promotion enjoyable by the ordinary members of the service. But in the application of the Statute its scope was limited to the power of admitting Natives to specific appointments only and not to membership in an organised service. A Covenanted Civilian, after his arrival in India, rises to the regular grades of the service as a matter of course A Statutory Civilian, on the other hand, is not so situated. Being nominated to a special appointment, he is ordinarily precluded from the enjoyment of similar privileges in the ordinary course of this service The Statute thus creates two different classes in one and the same service, one of which enjoys privileges denied to the other.

The second ground is that the particular mode of selection actually adopted under Rule II. was a departure from the principle laid down in the preamble of section 6 of the Statute. This preamble contemplated the giving of additional facilities for the admission of Natives of India of proved merit and ability to the Civil Service. In conformity with this preamble, the Government of India decided in 1878 that it was desirable to recruit the new service from specially selected officers holding appointments in the Uncovenanted Service; so that along with new probationers who would be admitted under Rule I, and who would commence their service from below, the specially selected men of proved qualifications would give shape and substance to it at its very commencement. If this decision had been carried out and the admissions to the Statutory Service had been made of specially qualified men as contemplated, the service would not have become unpopular, while it would have met the just claims of Uncovenanted officers But from its inception, the first admissions to it were made of untried men without any guarantee or educational test as to their fitness.

Thirdly, the new service, it was argued, would be attractive to Natives of India, since it was assumed that it would place the selected candidates 'on a footing of social equality with the Covenanted Civilian.' But the experience of the last few years has shown that there could be no social equality between members of a service who had entered it by the door of merit tested in open competition, and Statutory Civilians who had got admission to it by the backstairs of recommendation and patronage. These defects, both in the Statute itself and in the rules framed under it, can only be remedied by a repeal of the provisions, and the framing of a fresh Statute giving better facilities for the admission of Natives to the Civil Service.

Mr. *Stewart*—continued.

4356. In what way do you suggest amendments?—I do not advocate any amendments in section 6 of the Statute. All I desire is that "Natives of India" as defined in that section should be treated as Natives for all purposes. It would not do to treat them as Natives for one purpose and Europeans for another.

4357. Have you any amendments to recommend in the rules or in the Statute?—The rules framed under the Statute are objected to, both on account of the mode of selection of candidates for the Statutory Service, as well as for the line of exclusion from certain higher appointments which they draw.

4358. Would you extend the definition of the term Native of India so as to include the subjects of Native States in subordinate alliance?—No, I would not extend the application of the section to subjects of Native States. I consider that section 6 does apply such a definition of the words "Natives of India" as will include the various classes of persons for whom it is desirable to provide for posts in the Covenanted Service. I would not extend the application of the section to subjects of Native States so long as they are not subjects of the British Government for all purposes. In civil suits and other matters subjects of Native States are treated as subjects of a foreign territory.

4359. If the Statutory Service is retained, should encouragement be given to selected candidates to proceed to England?—Every encouragement should be given.

The Hon'ble Mr. *Quinton.*

4360. You have told us that the feeling of dissatisfaction extends to all classes, official as well as non-official, who have been brought in contact with Statutory Civilians?—Yes

4361. Has your avocation ever brought you into contact with Statutory Civilians?—Yes. I am a Native of Bombay, and while resident there, have seen the whole of the Statutory Civilians.

4362. How many Statutory Civilians are there in Bombay?—I cannot tell the exact number.

4363. Are they numerous?—Not very numerous.

4364. How many are there in the Bombay Presidency altogether?—About six or seven.

4365. How many of them have you come in contact with?—I have come in contact with three or four.

4366. In what way, socially or on business?—I have seen them only socially.

4367. And you think the results are so unsatisfactory as you tell us they are?—Yes.

4368. Then in your answer to the same question you say—"But the experience of the last few years has shown that there could be no social equality between members of a service who had

The Hon'ble Mr. *Quinton*—continued.

not entered it by the door of merit tested in open competition, and Statutory Civilians who had got admission to it by the backstairs of recomendation and patronage." I want to know if you think the mode of entering the service has anything to do with the social equality of the members of the service among themselves?—Yes.

4369. You think it has?—Yes.

4370. And that people will be admitted to social intimacy and acquaintance according to the way in which they enter the service?—Yes.

4371. Do you know anything about the terms on which Englishmen associate with each other?—Yes.

4372. Do you think there is any inequality in the way in which the Civil Service associate with the Statutory Service?—Yes, when they come into contact with each other, you then see the superiority of Natives in certain respects.

4373. Take Europeans among themselves; is the social equality among them in any way regulated by the way in which they got into the service?—Yes.

4374. Is there any social inequality between European members of the Civil Service and of the Uncovenanted Service?—Yes. It is more with regard to the efficiency of the service.

4375. I am not talking of the efficiency of the service at all, I am talking of social equality. How do you think social equality is brought about?—By social equality I understand you to mean they associate on terms of intimacy with each other as you associate with your friends in India.

4376. Do you think Europeans choose their friends because they have entered the service in a certain way; do they choose their associates on that ground?—Not generally.

4377. Then what is the meaning of your answer?—They are looked down upon because of the way in which they got into the service.

4378 Therefore people do not associate with them?—No.

4379. Do you think Europeans look down upon them because they got into the service in a certain way?—Yes, I think so.

4380. Do Europeans associate with any Native gentlemen on terms of equality so far as you know?—Yes.

4381. Do you think if one of those Native gentlemen with whom Europeans associate on terms of equality had been admitted into the Statutory Service, the Europeans would cease to associate with him on terms of equality merely for that reason?—Because he has got in by a recommendation, therefore he would be looked down upon.

4382. You think he would, although they had associated with him on terms of equality before that?—Yes.

Mr. *Stewart*.

4383. Is any dissatisfaction felt with the existing system of recruitment for the Civil Service by competition in England?—There are objections entertained to going to England. They may be stated generally to be:—

(*a*)—the distance between England and India and the consequent unwillingness on the part of parents to send their sons out of their care and control to a strange country where they may be exposed to numerous temptations on a chance—and that too a most doubtful chance—of success;

(*b*)—the tender age at which Indian boys must leave their native land to fit themselves for a successful examination in London;

(*c*)—greater chances of failure than of success in a competition with English youths far better equipped for success than themselves through the superior educational appliances of England;

(*d*)—the heavy cost of living in England—a great drawback in the case of the majority of poor Indian students;

(*e*)—the necessity on the part of Indian youths of first mastering their vernacular course at an early age, and then acquiring facility in a foreign tongue like the English, and of carrying on their studies generally through that foreign medium.

Mr. *Stewart*—continued.

As to social and religious objections to going to England and residing there, in the case of high caste Hindus, such as Brahmans, Banias, &c, it cannot be denied that such objections do exist, and will for some years to come hinder from going to England many Brahmans and others, especially from Gujarat, where the caste system is more complex and exercises a stronger sway than in the Deccan, but society in India is in a transition state socially, morally, religiously and politically Caste has not the same hold now that it had ten or fifteen years ago, and objections to going to England are becoming less and less formidable among educated circles every year But Hindu society is subject to the same surrounding influences of thought and the same requirements of modern progress as other classes, and such objections will become weaker and weaker with the progress of education and public opinion.

4384. What changes could you advocate in the existing system?—The disadvantages pointed out under the heads (*a*), (*b*), and (*c*) would be best met by raising the maximum limit of age from nineteen to twenty-three years, and by the holding of simultaneous examinations in England and India; that under (*d*) would be got over by raising the standard of marks in Sanskrit and Arabic; that under (*e*) would be removed by including Persian, Urdu, Marathi, Gujarati, Sindhi, and Kanarese, and Indian History among the subjects of examination. The difficulty under (*f*) must remain insurmountable.

4385. Do you advocate a simultaneous examination in England and India?—I warmly advocate a competitive examination in India for the Civil Service simultaneonsly with the competitive examination in England, the same question papers being set to candidates at both examinations and the results classified in one common list according to merit. It is the only course which will remedy the long standing complaint on the part of the Natives of India regarding the hardship involved in requiring them to undertake a long voyage on the mere chance of a success. The desirability of holding such a simultaneous examination in India was pointed out twenty-two years ago by the India Office Committee in their report. It will go far to fulfil the pledges given by Parliamentary Statutes and the declarations of responsible statesmen in favor of giving a larger share to the Natives

Mr. *Stewart*—continued.

of India in the administration of their country. The course followed in the examinations for Gilchrist scholarships in India may well be held as a precedent for this purpose. The *vivâ voce* examination may be abolished, as it is not always a true test of a person's intellectual qualifications; but if it is thought fit to retain it, the manner of conducting such examination may be delegated to gentlemen in India who are graduates of the Universities of Oxford and Cambridge.

4386. Would you advocate that the examination should be identical with that held in England?—Yes.

4387. Would you hold it at one or more centres?—One; the centre may be changed; one list, competition to be open to both English and Indians alike in both places.

4388. Would you make any apportionment, a certain number to be given to Natives and a certain number to Europeans?—Yes, two-thirds of the available appointments every year to be given to Natives and one-third to Europeans. I am not in favor of retaining the Statute, but if the requisite number is not obtained, I would fill it up by the appointment of men of proved merit and ability from the Uncovenanted Service.

4389. From the Uncovenanted Service only, or would you take men who have distinguished themselves in their profession?—Either in the service or the professions.

4390. If you have a simultaneous examination in India, would you compel candidates to proceed to England to undergo a course of training?—I would leave it optional.

4391. Do you know any of the young candidates who have been obtained under the system of competition?—Yes, I know two, one of them is Mr. Sathyanandan Tagore.

4392. Are they the best that could be obtained under any system?—Yes, I think so.

The Hon'ble Mr. *Quinton*.

4393. In one of your objections to the examination in England you allude to the distance, and to the unwillingness of parents to send their children with the chance of failure; in another answer you tell us Natives go to England every year to qualify themselves for one profession or another requiring special or technical education. Does not the same objection apply to them?—What is their number as compared with the 250 millions of India?—But 250 millions cannot get into the Civil Service, it is utterly impossible they could all get in; I should not think more would get into the Civil Service than would get into a profession, the number of people who do not go to England is very large, it is only a certain number who go; it is increasing every year. A large number go to qualify for professions.

Mr. *Stewart*.

4394. Would you recruit the Uncovenanted Service from Natives of India as defined in the Statute or from all natural-born subjects of Her Majesty?—If the Statutory Service is open to all natural-born subjects of Her Majesty, I would open the Uncovenanted Service to them also. I would still leave it to open competition.

4395. We are dealing here with three classes of officers, Mamlatdars, Deputy Collectors and

Mr. *Stewart*—continued.

Subordinate Judges. Do you advocate competition for Mamlatdars?—Yes.

4396. Then you would change the existing system altogether?—I have already said that experience has actually shown that it has failed to secure well-qualified officers.

4397. With regard to Mamlatdars, do you say you advocate a system of open competition?—Yes.

4398. What qualifying tests would you have?—Tests which would show that they are fit for their duties.

4399. Both departmental and educational tests?—Yes.

4400. And for recruiting Subordinate Judges what system would you advocate; would you have any change in the present system?—I do not think any change is necessary; I think it a good system.

4401. Would you recruit for these appointments, Mamlatdars, Deputy Collectors and Subordinate Judges, provincially?—Yes.

4402. Have you anything to say with regard to the pay and furlough Rules?—Yes.

4403. Would you make any distinction between the pay that you give a Statutory Civilian and a Covenanted Civilian both holding the same posts?—No, I would treat them on an equal footing.

4404. You do not approve of the present system by which only two-thirds are given?—No.

4405. Would you make any difference in furlough and leave?—Yes, in the case of Statutory Civilians I would not give such long furlough as in the case of Covenanted Civilians. Though I am not in favor of reduction of pay, I would revise the present scale of salaries of all Civil Service appointments. These salaries were fixed a long time back on considerations which were doubtless good at the time, but which cannot be held to have the same force now. Time was when an European member of the Covenanted Service looked upon himself as an exile in a foreign land and an enervating climate. His opportunities of revisiting his native country were few and far between. Things have vastly changed since. At present a Civilian takes three months' furlough, visits his native land, and returns to his duties in India in the course of that period. Natives of India, on the other hand, in the position of Civil Servants, have to incur considerable expense to maintain their position in society and to meet the claims of social and domestic ties. Writing to the Government of India in 1872, the Duke of Argyll remarked: "With reference to the pay and allowances of Native Civil Servants, it would seem that the temptations required to allure Englishmen to accept offices in a distant land and to them distasteful climate cannot be necessary for Natives of India. On the other hand, every Native, who is elevated to high position, has so many claims made upon him, and the ties of kindred are so very generally acknowledged, that high emoluments in high office are almost indispensable. It is obvious, however, that the demands of good government require a continuously increasing class of superior officials, and that the revenues of the State will not be found to increase in the like proportion." While these considerations render high emoluments in the case of Native Civil Servants indispensable, I do not lose sight of the fact that, when the salaries of

Mr. *Stewart*—continued.

the Civil Service appointments were fixed many years ago on the European scale, it was hardly thought that it would be possible for Natives to enter the Covenanted Service in any large number, or that exchange between England and India would so unfavorably affect remittances to England which Civilians in India must make for the maintenance of their families and the education of their children. Bearing these facts in mind, I would recommend a general revision of the salaries of all Civil Service appointments and fix them on the Native scale by a reduction, say, of one-fourth of the present amount. The sums represented by the reduced scale would be the substantive salaries of all posts to which Natives as well as Europeans might be appointed, with this difference that when a European member of the Service holds a post he is to receive not merely the substantive pay of the appointment, but an additional staff allowance. All members of one service should have equal rates of pay, if they are to maintain the prestige of the service, but an additional staff allowance in the case of the European members.

4406. Anything else?—Yes, with reference to the Uncovenanted Service. The Uncovenanted Service should be open, equally with the Covenanted Service, to all natural-born subjects of Her Majesty. The case of the different classes who make up the Unconvenanted Service stands thus. From the Bombay Civil List it would appear that in the Uncovenanted Service Natives of pure descent preponderate only in offices to which eligibility is established by competition as in the Subordinate Judicial and Subordinate Revenue Services, and where the salaries are not tempting. Where there is no competition and appointments are made by recommendation and patronage, Europeans have the largest preponderance, both as regards the number of appointments as well as salaries as compared with those of Natives. A reference to the Civil Service List for 1st July 1886 shows that the total number of gazetted appointments held by Uncovenanted Natives of pure descent in the Bombay Presidency on the 1st July 1886 was 351, whose aggregate salaries amounted to Rs. 1,23,752 a month against 392 appointments held by Europeans and Eurasians of the aggregate value of Rs. 2,87,270 per month.

Mr. *Stewart*—continued.

Thus, while the number of all appointments held by pure Natives in the Uncovenanted Service on the 1st July 1886 was less than the number of appointments held by Europeans and Eurasians by 41, the salary of a Native appointment was, on an average, Rs. 351 as against Rs. 733 held by a European and Eurasian. There is thus a very large class of appointments in the Uncovenanted Service from which Natives of pure descent are shut out but to which they have as good and equitable a claim as any other class. The circular instructions of the Government of India of April 1879, although designed to carry out the general rule that for the future no person other than a Native of India shall be appointed to an office carrying a salary of Rs. 200 a month or upwards, without the previous sanction of the Governor-General in Council in each case, unless the proposed appointment fell under one or other of the nine departments named therein, practically excludes, by making this very exception, deserving Natives of India of pure descent from the bulk of the superior appointments. The result is to admit Europeans and Eurasians without requiring them to pass any tests to posts in the Uncovenanted Service carrying with them very high salaries, through the strong interest of relations and friends in England. The six departments, to which such Europeans and Eurasians are appointed, embrace more than two-thirds of the whole of the unreserved appointments in the Uncovenanted Service. As, however, the departments which have thus been made the strongholds of private patronage, namely,—Opium, Salt, or Customs, Revenue Survey, Mint, Public Works and Police—are beyond the scope of the present inquiry by the Commission, I will say no more than that the whole of the Uncovenanted Service should be thrown open to all natural-born subjects of Her Majesty, provided admission to the Covenanted Service is greatly facilitated.

Sir *Charles Turner*.

4407. How did you compile this statement?—From the Civil List.

4408. Did you compile it yourself?—Yes.

4409. Is there any other point on which you wish to be examined?—No.

WITNESS LXVII.—27th January 1887.

Daji Abaji Khare, Esq.

Examination of DAJI ABAJI KHARE, Esq, B A., LL.B., Vakil, High Court, Bombay; Joint Honorary Secretary, Bombay Branch, East India Association.

Sir *Charles Turner*.

4410. You are, I believe, a Vakil of the High Court?—Yes.

4411. And Joint Honorary Secretary of the Bombay Branch of the East India Association?—Yes.

4412. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—It is viewed with great disapproval by the generality of the intelligent public.

4413. What are the grounds of disapprobation?—The appointments that have hitherto been made have not met with approval on account of most of them being those of gentlemen who are selected, not on account of their fitness for the posts, but on account of the influence which their relatives have with high officers of Government. It is considered a sort of back-door service by all persons of independence and self-respect The grounds of disapproval may be summarised thus:—First, because it is a service of favor and affords no fair field. Secondly, because there is no guarantee that the selected persons are men of education or of moral fibre. Thirdly, because it fails to secure the services of the best men available. Fourthly, because the selected persons stand, and are considered by the public to be on a footing lower than that of the Civilians selected by competition. Fifthly, because some of the selected persons have not acquitted themselves properly during their probation, and have thus lowered the whole service in the eyes of the public. Sixthly, because the institution of the Statutory Service being admittedly an experiment, it is feared that it may result in bringing discredit on the whole Indian community. Seventhly, because this service appears, in the eyes of the Natives, to be a make-shift for the fulfilment of the promises held forth to them by the Statute of 1833 and by Her Majesty's Proclamation of 1858.

4414. Are the defects of the existing system susceptible of remedy—(*a*) by an amendment of the rules: (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—I think the Statute should be repealed, as the defects of the system cannot be wholly removed by any amendment of the rules or of the Statutory provisions, unless the amendment amounts to a repeal.

4415. If the provisions of the Statute 33 Vic., Cap. 3, section 6, are not repealed nor substantially amended so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—If the Statute is to be practically retained, I would propose that the rules made under it be amended, so as to make a general competition a necessary condition for selection. I would not confine the selection to any particular description or class of persons in India, but would retain the description given in the Statute. It may be said that the claims of particular races in this country should be respected and the present mode

Sir *Charles Turner*—continued.

of selection preserved for that purpose. But even now the rules made for the appointment of persons to the Statutory Service fail to carry out the intentions of section 6. That section provides for the appointment "of persons of proved merit and ability," and makes no distinction as to persons belonging to any particular class or creed; while the manner in which the appointments are made, seems to take account of these latter considerations more than of the former qualifications. Again, the principle of making selections with a view to satisfying particular classes of persons, apart from considerations as to the efficiency of the service, is mischievous. The idea entertained by some, that this service ought to be almost appropriated to satisfying the aspirations of men of birth, is not quite intelligible; while the opinion held by others, that this service ought to be retained for the benefit of the backward classes, is both impolitic and unjust. I should not be against giving proper encouragement to the backward classes, but that encouragement ought, for their own sake, to be rather one which would enable them in time to come up to the level of the literary classes, than one which would tend to confirm them in this backward position by taking away from them all incentive to self-exertion. The encouragement I would give to the backward classes would be in the shape of facilities for education.

4416 If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—If the Statutory Service is to be retained, the selected candidates should be compelled to proceed to England, that they may receive the same training which the selected candidates in England are required or encouraged to go through.

4417. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Yes, much dissatisfaction is felt with the existing system of recruitment for the Covenanted Civil Service. And the principal cause of dissatisfaction is that the present system practically excludes the Natives of this country from that service.

4418. Should any, and if any what, change be made in that system?—The principal changes that are desired are: (1) holding competitive examination simultaneously in England and in India; (2) raising of the limit of age to twenty-three; and (3) placing Sanskrit and Arabic on the same footing as Latin and Greek with respect to their value in marks.

4419. Do Natives of India labour under any, and, if any, what disadvantages in competing for employment in this branch of the service?—The Natives of India do labour under serious disadvantages in competing for employment in this branch of the service. Some of the disadvantages are: (1) boys are required to be sent to England at too early an age, which parents are very unwilling to do, especially as the chances of success are very doubtful, while their exposure to temptations is very strong; (2) very heavy expenditure has to be incurred in sending to England a young man and maintaining him there for at least three years, which circumstance makes it impossible for all who are not very rich, to send

Sir *Charles Turner*—continued.

their sons to compete in England; (3) the examination being conducted in a foreign language, young Natives especially are prevented from competing at it on the same footing as their English compeers; (4) these disadvantages may be minimised by raising the limit of age to twenty-three, by altering the maxima marks in certain subjects as indicated in my former answer under this head, and by holding simultaneous examinations in India and in England. As for the establishment of scholarships and allowance of passage-money, these may be useful as partial minimisers of the disadvantages, and may be resorted to, if unfortunately it is resolved not to hold simultaneous examinations in England and in India, in which case also the recommendation as to the limit of age and as to the marks for particular subjects may be adopted.

4420 If an examination is held in India (1) should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several Administrations, respectively, or between the members of the principal religious sects? —If an examination is held in India (1) it should be identical with that held in England. (2) It may be held at one or more centres in India. The candidates in England and in India should compete with one another, and be selected in order of merit, and there should not be any apportionment of appointments to candidates selected at the different examinations. (4) There should not be an apportionment as between residents in particular Provinces or as between particular religious sects.

4421 If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—If an examination is held in India, the successful candidates should be required to go to England to complete their training with the candidates selected in England, on the same terms, except that the passage to England of the candidates selected in India should be paid by the Government of India. I think this condition is essential to secure a feeling of perfect equality between the English and Indian candidates, and to give to the latter a freedom from local feeling which would afford a sufficient guarantee that the Government can avail themselves of their service in any part of the Indian empire.

4422. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—The instances of young Natives obtained under the existing system of open competition in England are so few that they do not afford sufficient data for any definite conclusion as regards character or capacity. I think that those who are selected at the competition are the best, as regards character, that could be obtained under any system. But I cannot be so sure about the capacity, because I think if the circle of choice be widened, persons of better capacity can be obtained; and, moreover, even as it is, some of the Natives that have entered the Covenanted Service by competition in England were not known to be the most capable of their class while they were studying in India.

Sir *Charles Turner*—continued.

4423. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Cap. 3, section 6, or from all natural-born subjects of Her Majesty?—From Natives of India, as described in Statute 33 Vic., Cap. 3, section 6.

4424 Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—By competition, except in some particular classes of offices, such as the Judicial and the Police offices, where competition and nomination may be combined. In the Uncovenanted Judicial Service the present system may be retained, which practically combines competition with nomination, while the Revenue Uncovenanted Service may be divided into two sections, the Higher and the Lower, for which two separate examinations should be provided

4425. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The recruitment should be made by the several Administrations not only from persons resident in the territories under such Administrations, but with a preference for such residents.

4426. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—Not except in the case of Judicial offices. As I understand the question, it comes to this If appointments that are at present every year made under the Statute to offices reserved for the Covenanted Civil Service cease to be so made, should the same number of appointments to those offices be made from officers in the Uncovenanted Service, and I answer it in the negative, because generally it would again give rise to two methods of filling up the offices reserved for the Covenanted Civil Service, and would perpetuate some of the defects of the Statutory Service

4427. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—A distinction may be made as regards pay attached to posts that are reserved for the Covenanted Service according as they are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches.

4428 If such distinction should be made, on what principle should it be regulated?—There should be no distinction in this matter in the case of those who are selected by open competition either in India or in England; but the members of the Statutory and Uncovenanted branches may be paid a little less than, but not so little as two-thirds of the pay of a Covenanted Civilian holding the same post.

Mr. *Nulkar*.

4429 You are a B.A. and a pleader of the High Court?—Yes.

Mr. *Nulkar*—continued.

4430. Do you practise in the mufasal Courts?—Occasionally I do.

4431 Have you formed any opinion in regard to the Native Magistracy as compared with the Subordinate judiciary?—I have found the Subordinate Judges superior to the Native Magistrates, and the reason is this: the Subordinate Judges, I think, enter the service after receiving a good judicial education; they have to pass a difficult examination in law, while most of the Native Magistrates, as they are to be found at present, do not enter the service after passing any such examination; in fact they have no judicial education whatever Very recently a new class of Native Magistrates has sprung up; I refer to graduates who go into the Revenue Branch. They carry on their Magisterial work with as much efficiency as Subordinate Judges carry on their judicial work.

4432. Does the Mamlatdar service attract the best of your B.A. graduates?—It does not, because in the Revenue service men such as Mamlatdars and other graduates find that they have more disadvantages than graduates in the judicial line are subjected to. Those that enter the judicial line are independent officers; Mamlatdars have not that independence; they have to take orders from the higher officers Graduates up to this time, think that the promotion there is not so rapid as in the Subordinate Judicial line. It has been so as a fact in the Revenue line. Graduates begin at very low pay, they have begun at even below Rs. 30 a month, whereas in the judicial line the lowest pay they begin with is Rs. 150, and in acting appointments they get Rs 130

4433 If your best B A graduates are not attracted to this service, are we to suppose then that the best graduates find that they will be better off in another line of service or a profession than by taking Mamlatdarships? Are they better off?—I do not think that that is the chief motive that deters them from entering the service They wish to enter the judicial line They are attracted by the higher prizes, and therefore they go in for the law examination, keep terms at a Law school here, which they do not like to do after they have passed the B A. examination. If they pass the LL.B. they enter the Subordinate Judicial Service, or obtain some practice at the Bar. Most of them join the Subordinate Judicial line, some enter as pleaders of the High Court, soon after they have obtained their LL.B. They will have hereafter to go into the Mufasal Courts, as the Bar of the High Court is getting crowded, and they will have to go somewhere else When the Bar of the High Court and Subordinate Judiciary are crowded, very few will join the law classes here, and so soon as a man passes the examination for B.A, he will either enter the educational line or the revenue line as the last resort

4434. At present as a matter of fact there is not such a great plethora of meritorious B A.'s as to make us entertain any fear that there will be too much of high education and discontent. The best of them are not attracted to these Mamlatdarships?—We have a plethora of the best educated B.A 's There are no openings for them.

4435 They have been in the habit of getting on better in another line?—Yes, they have been in the habit of getting on better, but their prospects in the Revenue line are limited now. Just after the

Mr. *Nulkar*—continued.

rules were framed by Sir Richard Temple, a good many graduates applied for admission, but now they find they have not that advantage which was promised to them by those rules.

4436. Are there in the Statutory Service any men now who would have refused an appointment in the Uncovenanted Service, if it had been offered to them on the same terms as they get the Statutory appointments, Deputy Collectorships, &c ?—Some of them might not in fact have been found fit to occupy those positions.

4437 Your position is Joint Secretary to the Bombay Association. Have you given any attention to the subject of the education of the backward classes?—No, I am Secretary of the Bombay Branch of the East India Association. I have not very carefully looked into that question.

4438. You know that some Associations have been formed during the last ten or eleven years among members of that class, the Anjuman-i-Islam, Deccan Association, &c., for promoting education among Mahomedans: do you know the general objects of these Associations? —Yes, I do.

4439 I want to know from you, as Secretary of the East India Association, whether these Associations are formed with an object which is antagonistic to the interests of what we consider the educated classes, or whether they are actuated by feelings of emulation?—I should certainly have given them credit for emulation, except from what I find now in some of their communications. I do not know anything personally; my knowledge is gathered from the representations sent to Government.

Sir *Charles Turner*.

4440. Are you a Native of Bombay?—No, I am not. I am a Native of Nassik.

4441. In your part of the country are there any Native families of influence?—I do not quite understand the term "family of influence"

4442. Descendants of former rulers in the country, Saidars?—Yes, I know one.

4443. Are the members of his family now being educated?—He has no son, I think, at present, who can be educated; he is a grown up man He has not received much education

4444. Has he any relations who have received much education?—Not belonging to his family; dependants upon him have received education.

4445. Do you know any other families of distinction in the neighborhood?—One or two.

4446. Do you know if any advance in education is being made by those classes who are called backward classes?—It would be a question of degree only. Almost all classes have taken to English education more or less: there are some classes, such as the agriculturalist classes and the Mahomedans; they are willing now to send their sons to primary schools.

The Mahomedans are advancing gradually; they have taken and are taking advantage of education and in some cases they have gone as high as the other three classes have gone I do not think the agricultural classes in India will ever take to higher education

4447. Have you been in England?—No, I have never been in England.

4448. Have you ever travelled in any foreign countries?—No, not beyond India.

Sir *Charles Turner*—continued.

4449. With regard to Subordinate Judges, does a man get a Subordinate Judgeship here according to seniority in the list of applicants, or is he selected from a list of applicants?—According to seniority, as they pass the examination The last man may apply first, but his name is not put first. The L L B.'s are entered in the order in which they pass. The names of those who pass the Subordinate Judges' examination are added, and so on.

4450. A man is appointed according to his seniority in taking his degree?—By seniority in passing the examination, and according to the number of marks he gets. There are two examinations, the L L B and those who pass in the Subordinate Judicial test; they are put together Those who pass best at each examination are at the head of their respective lists.

4451. A new rule is to come into operation requiring a certain amount of practice at the Bar, either practice or service in a post which secures familiarity with the work of the Courts. Do you think that is necessary?—I do not think that it is necessary.

4452. Do you think it desirable that men should have some experience in the application of law as well as a technical training in it?—Experience would be desirable, but the rule was not necessary because we had good men before. Five years' experience would be more desirable than three, and ten years more than five.

4453. What do you consider a fair average income for a man to make who has been five years at the Bar on the Appellate Side of the High Court, which alone is open to pleaders?—The average will come up, I think, to Rs. 500 or Rs. 600 after five years' practice.

4454. Would it be as much as that?—Yes, I think so.

4455. Do you get quite so good men for Subordinate Judges as the average pleader?—That depends upon one or two considerations Those who stick to the High Court do so generally from a feeling that they would like to rise at the Bar in an independent profession Those who go over to the Subordinate Judges' line, I think, are not inferior to the men waiting here, but simply they cannot afford to wait until they can get a large practice and they prefer the certainty.

Sir *Charles Turner*—continued.

There are exceptions on both sides. I consider the Subordinate Judges quite as good men as the average of men at the Bar at the point when they enter the service.

4456. With regard to the Uncovenanted Service you propose that they should be recruited from the Natives of India, as defined in the Statute 33 Victoria?—Yes.

4457. I understand that the Natives of this country desire the equality of citizens in the Indian Empire, that they wish no distinction which would suggest that they are inferior as a subject race. If you claim the equal privileges of citizens of an empire, do you not think on that principle the recruitment for the Indian service should be made from all classes of Her Majesty's subjects?—I should certainly think that, but there are certain circumstances which prevent me from looking at it in that way: we wish to be on a footing of perfect equality with other classes of Her Majesty's subjects; we are already handicapped by one consideration; we have to study and pass an examination in a language which is foreign to us, while other classes of Her Majesty's subjects study in English which is their mother tongue, and therefore I say that so long as we are required to go up for an examination held in English for the higher posts, so long we shall never be on the footing which we desire to be on.

4458. That is the reason why you think that the theoretical principle should be departed from in the recruitment of the subordinate services?—Yes.

4459. Would it not be better to maintain in the public service the condition of fitness as the principle which should govern all appointments?—I think it should, fitness for the posts and efficiency in the service ought to be cared for.

4460. And do you not think you might secure the best administration by admitting all classes of Her Majesty's subjects to free competition for the subordinate public services of the country?—I do not see how we can secure a better service. I do not say some of the officers are not inferior, but I do not think we shall secure a better service. That course should only be taken, if Natives were not to be had for the posts.

4461. Have you anything further you wish to add?—No.

WITNESS LXVIII—27th January 1887.

Mahadev Ballab Namjoshi, Esq

Examination of MAHADEV BALLAB NAMJOSHI, Esq., Member of the Deccan Education Society, and of the Managing Board of the Fergusson College, &c, Puna.

The *President*.

4462. You are a Member of the Deccan Education Society, Poona, and of the Managing Board which conducts the Society's Fergusson College and New English School at Puna?—Yes.

4463. For what classes are these educational institutions intended?—For all classes, especially for the middle classes.

4464. Not for any particular class of Marathas?—No.

4465. Have you students of all creeds in your schools?—We have.

4466. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The present system is not approved, because—

(*a*). It is a legalised departure from the admittedly sound principle on which the Civil Service ought to be recruited; that principle is "fair play—no favor."

(*b*). Limited prospects, distinction in privileges, inferior pay and the principle of nomination make intelligent people look upon the service with less favor.

(*c*). The members of the service itself disapprove of it because they are not allowed to be members of an organised service.

(*d*). The tendency of the times being towards the creation of an "aristocracy of intelligence," the importance attached to family considerations and to birth appears to be undue.

(*e*). An impression prevails, whether rightly or wrongly, that Statutory provision for putting more Natives into the service was made as a counterpoise to the evils resulting from the departure made in 1861 by breaking the essential principle of Lord Macaulay's Act. The results of that measure have been that the system of patronage has brought an abnormally large number of European gentlemen into the service. In the year 1884 out of the 633 appointments carrying a salary of Rs. 400 no less than 361 appointments were held by European Military and Uncovenanted officers, whereas the number of Natives was only 113. It is therefore essentially important that the powers of nomination, though necessary, should be exercised by Government under restrictions and checks, which will prevent State necessities becoming State patronage.

4467. Would you alter the Statute or would you alter the rules?—The defects or at any rate most of them cannot be remedied by an amendment either of the rules or of the Statutory provisions. However, I do not advocate the repeal of the Statute. I would suggest an amendment of it so as to leave the power in the hands of Government to be exercised whenever necessity arises or the interests of the service require; but never in the interest of any particular class.

Whatever system of recruiting the Civil Service is adopted, it will always be necessary that

The *President*—continued.

Government should possess the power of removing any defects that may be found to exist in the scheme in working it; as also to enable Government to put into the service persons, who, but for the call made upon them in the name of duty, would not care to enter the ranks of Government service. I also think that it should be in the power of Government to give patronage to a few individuals who, for one reason or other, deserve such patronage. It is only by leaving such powers to Government that difficulties in working out a scheme of recruiting the Covenanted Service can be avoided.

4468. If the Statutory Service is retained should the selected candidates be required to proceed to England?—The object of leaving exceptional powers in the hands of Government being that of providing for shortcomings, &c, nomination cannot be the rule and must be the exception; no answer to this question I think is therefore necessary.

4469. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Dissatisfaction is felt with the existing system, because it does not allow Natives to go into the service in substantial numbers; secondly, because the present system does not attract the best available men to the Civil Service. It is to the interests of the State to see that the majority of its servants is made up from that class of its subjects who, by their integrity, zeal and diligence, meet the requirements of the country, and thus reconcile a foreign rule to the Natives of the soil. The question, therefore, is how to put in more Natives and minimise the number of Europeans without prejudicially affecting the policy of the maintenance and stability of British rule However, it may be admitted that for a long time to come a moderately large number of deserving English gentlemen in the Civil Service is a necessity.

The changes that must be made in the system should be thorough, and the new system, so far as practicable, must come as near as possible to the system of 1854 modified to suit the altered circumstances of this country. The scheme is in the spirit of para. 11 of Government of India Despatch No. 51 of 12th September 1854. The Civil Service of the Indian Empire—and by this I mean the Civil Service as opposed to the Military Service—should be one service divided into three branches. The top or the first branch should, I submit, consist of the superior appointments of the present Covenanted Service; the second or the middle branch should comprise the lower appointments of the Covenanted, and the highest appointments of present Uncovenanted Service; the third should include the remainder of the present Uncovenanted Service.

The distinction of pay, furlough and other conditions of service between the Covenanted and Uncovenanted branches cannot be justified on any principle, and is not regulated according to any. In the spirit of the Government of India's Despatch No. 35, dated May 2nd, 1878, I think it necessary to suggest the amalgamation of the two branches, or at least of the top of the

The *President*—continued.

Uncovenanted Civil Service with the bottom of the Covenanted Service. Looking to the departments which fall outside the Covenanted Civil Service, the Civil List shows that Natives have already been introduced into the middle grades of the service, and some, though very few, have come to occupy posts which lie on the same level with the bottom of the present higher service.

The suggested amalgamation therefore involves no sudden change, and is one step higher, which, if taken, would not seriously affect vested rights. In the Revenue Department there are already Native Deputy Collectors ranking with and doing the same duties as Assistant Collectors. There can thus be no reason why the two services in this grade cannot be amalgamated. I would suggest that out of the 68 places of Assistant Collectors, and Junior Civilians about 34 or one-half, may be reserved as a training field for the recruits of the highest service, and the other half amalgamated with the posts of the Deputy Collectors of whom there are 54, and included in the middle branch. The same may be said of the Judicial Department.

Natives have found entrance to the highest grade of the Subordinate Judicial line, and they have creditably discharged their duties. They ought now to be given higher posts, and allowed to become District and Sessions Judges, and about three-fourths of these appointments should be transferred to the middle branch. As an argument against appointing Natives as Sessions Judges it is often urged that they are not fit to occupy these high magisterial posts, and cases of individual magistrates are cited in support of this view. There may be individual magistrates amongst Natives unfit for these responsible duties, just as there may be European magistrates, who often betray ignorance of the criminal law, who transgress their powers, or who show undue indulgence to their fellows in race or religion. But these individual cases can justify no general condemnation of Natives as magistrates. Out of the three Presidency Magistrates, two have been Natives for a considerable number of years. They have done credit to themselves and to the service; so have District Deputy Collectors, and there is, in my opinion, nothing to justify the fear that they would not do equal credit to the service as Sessions Judges.

Subject to the recommendation of leaving to Government the exceptional powers of nomination, the rule for recruiting these branches should be limited competition between persons possessing a common educational minimum and physical fitness, the educational minimum being different for the different branches. The lowest branch should be recruited provincially irrespectively of distinctions of race; the middle from Her Majesty's Indian subjects only. The highest branch should be open to all Her Majesty's subjects in India as well as in England. The centres of examination for the several branches should be the Province, India, and England and India respectively.

Promotions in the same branch should be made according to proved merit and ability, and from one branch to another by competitive examinations. Persons not possessing the educational test but of proved merit and ability in service may be allowed to compete at examinations for the higher branches, provided they are permitted to do so by the local Government.

The *President*—continued.

I would propose a period of probation of two years in the case of fresh men only.

4469 (*a*) Do the Natives of India labor under any, and, if so, what disadvantages in competing for the Civil Service in England?—Natives of India do labor under disadvantages in competing for entrance into the Covenanted Civil Service. These disadvantages are—

(*a*) the foreign language in which the examination is conducted;
(*b*) the reduced maximum of age;
(*c*) the difference in the number of marks assigned to certain languages; and
(*d*) the place of examination.

How may these disadvantages be minimised or removed?—These disadvantages can be removed or minimized by raising the limit of age to twenty-three by adding an Indian language (Hindi) to the subjects, by giving the same number of marks to Sanskrit and Arabic as are allotted to Latin and Greek, and by holding examinations in England and in India simultaneously; the examinations should be identical; the candidates in England and India should compete with one another, and be selected in the order of merit.

None but graduates of a University should be allowed to appear at these examinations in addition to those who produce certificates of moral character and physical fitness. I suggest the possession of a University degree as a necessary condition, because it is found that the gentlemen who have come out to India as Civil Servants since a reduction in the limit of age was made, are not generally University men, while a majority of those who joined the service before the reduction of age was made were University men men who had received the best, the most liberal, and the most finished education that their native country afforded. The bad effects of an inferior class of persons joining the service are seen in the gradual widening gulf between the rulers and the ruled, and the discontent caused by the unsympathetic conduct of the executive. Such a high class training I think to be essential, for, without it, the Native or the European Civilian Collector or Magistrate cannot be expected to successfully withstand the influences of race prejudices and vices. Of the 903 men who joined the Service between 1856 and 1879 no less than 618 were University men, 324 were graduates; the high precentage of thirty-six graduates has fast fallen to seven, and the state of things I allude to above is not, therefore, surprising.

The educational qualification for the examination of recruits for the middle branch should be the same as that for the highest branch.

For the lowest branch the University entrance examination should form the educational test.

I propose a period of probation for the highest branch of the service only, and for this I would not make it a necessary condition that the selected candidate should proceed to England to complete his training. My reasons for not making it a condition are, that I would leave this branch of the service open to University graduates and to persons who have proved merit and ability in the service. In the case of the latter no period of probation is necessary, and I do not believe that a journey to and a residence in England would better qualify them to become more efficient State servants. The standard of University examinations and the quality of education im-

The *President*—continued.

parted in our colleges are, I believe, quite sufficient to produce in the future administrators that largeness of mind, that breadth of view, that character and that capacity which are calculated to make them fit to undertake the responsibilities of State service. The other reason, and perhaps the more important one, is that a journey to and residence in England, if made compulsory, would lose much of its value, because I believe that the attractions and the superior advantages which a residence in England possesses are in themselves so powerful that a Native civilian would like to avail himself of them on his own account. Specific instances can be cited to show that gentlemen have gone to England and America to avail themselves of the higher advantages which a training there in the professions possesses, and there is no reason to suppose that a similar course may not recommend itself to those who would make Government Service their profession. However, if future civilians should have a personal knowledge of civilised countries, I would propose that encouragement may be given to them to proceed to Europe, to America, and other parts of the civilised world, so that they may study the systems of administration and the institutions of civilised countries in the same manner as encouragement is given to European civilians to study Native languages.

If my scheme is adopted the middle branch of the Service would stand on a par with the present Uncovenanted, and, as already suggested, I would recruit this branch from Natives of India only. I would enlarge the scope of the word "Natives" so as to include the subjects of Native States.

The recruitment should be by limited competition as I have already stated. The recruitment should be irrespective of provincial differences.

As to pay, pension, furlough, leave, &c, I need not say anything. I would leave the matter wholly to the discretion of Government, in the first instance, and to the Civil Service itself for future modifications. This question concerns the financial aspect of the Public Service question; and the only thing I have to say is that the time has come when the scale of salaries and allowances, &c, can be revised so as to effect economy by reducing the cost of the service.

Mr. *Ryland.*

4470. If you consider English training and travel to be an advantage, why do you not make it a necessary condition?—We think that a trip to England would be very valuable, but we should not like to make it compulsory. To make it compulsory would imply that persons who wish to be civilians do not appreciate the worth of it, or that it is necessary to compel them to do something that they do not themselves like to do.

4471. Do you think the character of the service would be maintained and preserved without their going to England?—The advantage that a trip to England is likely to have is the constant association with European gentlemen: at present that is available here without going to England, and the education at the colleges is of the kind it ought to be.

Sir *Charles Turner.*

4472. What is your profession?—My profession is that of a school-master.

Mr. *Nulkar.*

4473. You were a journalist for some time, were you not?—Yes; I am connected with the press, and for many years have been doing something for it.

4474. How do you think the Magisterial work of the country is done?—Pretty satisfactorily.

4475. Both by European and Native officers?—Yes; both by European and Native officers.

4476. As a journalist, how are you qualified to judge of this?—As a journalist I have had sufficient material before me to enable me to form a judgment.

4477. Have you lived in Puna?—Yes. I have resided for the most part in the district of Puna. I have European friends and talk with them. The work of Magistrates is fairly done by both Europeans and Natives. I have heard complaints that the administrative criminal work of Natives is not so good as that of Europeans, but that is not the case generally.

4478. Native gentlemen who go to England, and join the Bar on their return, get a lucrative practice do they not—I mean gentlemen of ability?—That depends upon the personal qualifications of the men. Gentlemen of ability do. They come out here and make very large professional incomes; it is not quite impossible to get them to take service. If you did not get them there are others.

4479. Have you not heard that Native gentlemen have already refused Judgeships in India on two-thirds of the salary paid to Covenanted officers, because they were already making more at the Bar?—That may be so with some, but men will be induced to take up service under Government simply because they would look upon it as their duty.

4480 Perhaps that experiment has not yet been tried?—I cannot say.

4481 If you want to obtain the very best Native talent for the service of Government, will it not require to be remunerated almost if not quite as highly as the best English talent?—Yes, the time has come when more gentlemen will be available and the cost itself will be reduced. When salaries were fixed twenty or thirty years ago, the salaries of officers were very small, it was necessary to increase them to induce gentlemen to come to India, but now I believe there is a supply.

4482. Do you find that Native members of Municipalities voluntarily undertake very onerous duties?—The elections prove that. I am a member of a Municipality, and I say members do devote a great deal of their time to public business gratuitously. They may not be numerous, but there is a sufficient number.

4483. Are there any grounds for the allegation that Native gentlemen are not willing to devote their time to the work of a Municipality?—There is some ground, because there are some of that sort.

Sir *Charles Turner.*

4484. Have not your statistical inquiries satisfied you that the present salaries as compared with their purchasing power thirty years ago, are much smaller now than they were then?—That is a fact.

4485. And you think that in every country where there is a superfluity of the best talent

Sir *Charles Turner*—continued.

there probably will be sufficient competition?—Yes, there will be more competition, but any superfluity of the best talent will always be limited.

4486. Trying to form a fair estimate of certain classes of work, do you not think one Englishman can do the work of several Natives? Are there not certain classes of work which one European can do, which would require two or three Natives?—I do not think so.

4487. You do not think there are certain classes of work at which one Englishman would be worth more than several Natives?—I cannot say; so far as my experience goes Natives and Europeans can do an equal amount of work.

4488. Are there not departments of the public service which Natives cannot supervise as efficiently as Englishman?—The same supervision that a European can, do can surely be done by a Native.

4489. Taking the case of the supervision of large establishments, a Printing Press for instance, do you think that a Native Manager would supervise it as well as a European?—I think a Native can.

Mr. *Nulkar*.

4490. As regards your reply that a sense of duty would give us better men at a cheaper rate?—Some of the best men our Universities have produced among our Law Graduates have been practising at the Bar in Bombay, have distinguished themselves there and have got a lucrative practice I am talking of Natives.

4491. From your knowledge do you think a sense of duty would induce them to take appointments as District Judges in the mufasal?—District Judgeships they would not accept, but if they were offered seats on the High Court Bench they might accept them.

4492. Would they be actuated by a sense of duty in the preference for the High Court Judgeships?—A sense of duty coupled with a sense of dignity.

Sir *Charles Turner*.

4493. Do not you think they would consider the higher emoluments?—No. They are getting a large practice, making large sums of money; if they were offered a place of dignity they would take it.

4494. Would they take a District Judgeship?—No, they would not.

4495. Why not?—Because it is not so honorable a post. The dignity is a compensation for the smaller pay.

Sir *Charles Turner*—continued.

4496. A man would be influenced by mixed motives to accept a post which involved a sacrifice of income?—It is the sense of duty that makes him forego it. I say it is honor as well as duty. With some it may be a matter of duty, with another it is a matter of money, with the third it is a matter of power I am looking at the question from different standpoints.

Mr. *Nulkar*.

4497. As regards the power of supervision and organisation; have the educated Natives nothing to learn from some of the best members of the ruling class, that is Europeans, in the matter of energy, force of character, and those high qualities which are necessary in the man to rule a foreign country? Are they quite equal to them?—No, they have something to learn from them.

4498 And I suppose they have often exemplified that fact by preferring to associate themselves with Europeans who have proved their superior powers of organisation, supervision and all that?—Yes, they have. In every institution they require an organisation.

4499. Did not the Native members of the Poona Municipality elect a certain European gentleman in Government service who has shown superior power of organisation and superior force of character?—As you refer to a particular Municipality and a particular gentleman, I may say that was not my motive when I voted for him. I wanted his co-operation and therefore I voted for him.

4500 Has he not always obtained the largest number of votes?—I cannot say always; sometimes.

4501. You say that the selected candidates will always go to England, that they will appreciate the advantages to be derived by a visit to England?—Yes.

4502. If people have no objection to go to England what is your reason for objecting to make it an obligatory condition on those who desire appointment to the Civil Service?—A man would not object to go, but the very existence in the Statute Book of a condition making it obligatory to go would make it lose its worth I do not mean it would be a hardship to make it a condition, I say it would make the visit lose its value in the eyes of those who appreciate it. Immediately it is known that such a condition has been imposed by Statute many men might be dissuaded from entering the Civil Service. I would not like such a condition to be enacted. If they are willing to go the condition is unnecessary.

WITNESS LXIX.—27th January 1887.

Examination of BAL GANGADHAR TILAK, ESQ., B.A., LL.B., Editor of the "*Maratha*," Newspaper, Puna; Professor, Fergusson College, Puna.

Vol. IV. Sec II. Bombay.

Bal Gangadhar Tilak, Esq.

Mr. *Stewart.*

4503. You are Editor of the *Maratha and Kesari*?—Yes.

4504. And also a Professor of the Fergusson College?—Yes.

4505. What degree do you hold?—I am a Graduate in Arts and Laws.

4506. Will you tell us please what is the existing opinion regarding the Statutory Civil Service?—It is entirely disapproved of, as will be all schemes that curtail the rights of service secured to us by Acts of Parliament. I believe that in recruiting the public services of the country provision ought to be made first for Natives of that country and then for foreigners.

4507. In "foreigners" do you include the English?—I do not include them as Natives of the country in the Statutory sense of the word. It is the first duty of Government to provide for the Natives of the country, and whenever foreigners are employed it should always be on sufficient and good grounds. Whenever a foreigner is introduced into the service a case ought to be made out and sufficient reason shown.

4508 A case made out for the employment of every Englishman?—No; a case made out generally for the appointment of a certain class, not Englishmen especially. Such is the principle, I adopt as the basis on which I proceed. I am desirous of making out a case for the admission of Natives Several objections have been urged to the employment of Natives in the Covenanted Civil Service. I have answered them in this way The objections I understand are that it would create class distinctions of an intellectual and restrictive character, that Natives are not capable of performing the duties of Magistrates and Collectors, and, a third objection urged by some is, that their employment would create somewhat of political danger. If these objections are not proved, I think Natives have a claim to be admitted on terms of equality to the Covenanted Civil Service. With reference to the objection about their capacity as Magistrates, what I have to say is, that educated Natives have not yet been sufficiently tried in the discharge of such functions; the only experience they have had is in the Subordinate Judicial Service in which educated Natives are more largely employed, and the admitted efficiency of this branch is mainly due to the educated classes being allowed to enter it freely, and if educated Natives are admitted on the same footing to the Magisterial Service, I think that branch also would improve

4509 What do you mean by the Magisterial Service?—Mámlatdárs and Deputy Collectors. There are, as far as I know, eight or ten educated graduates with the degree of M.A. in the Subordinate Judicial Service; they are the most educated Natives. I have proposed a scheme for the Uncovenanted Service that there should be the same restrictions as there are for the Subordinate Judicial Service. At present admissions

Mr. *Stewart*—continued.

into the Subordinate Judicial Service are made under the Bombay Act. The service is open only to Law Graduates and persons who pass the Subordinate Judge's Examination If similar provisions were made for the executive branch, the qualification of a degree being imposed and an examination held of the same stamp for any Graduate candidates, I think that the tone of the Magisterial Courts would be improved. Had that been done ten years ago there would have been no complaint about Native Magistrates at all. As to administrative capacity, educated Natives have never been placed in posts of similar responsibility to those they hold in Native States. It is to the educated classes to which Government should look to recruit the administrative service, and they are a creation distinctly of the British Government.

4510. Are no other Natives to be placed in positions of trust under the British Government?—I am speaking of two services, the Subordinate Judicial and the Subordinate Executive services. I do not wish that no other Native should be placed in a position of trust. The few who have been placed in such positions, I do not think, as a whole, have proved successful. It may be that the very best men have not been selected.

4511. Do you not consider the post of Special Judge under the Agricultural Reliefs Act a post of trust?—Yes; it is held by a Native only temporarily, and the man who has held the post has done credit to it. I have dealt with the two objections as to the quality of the Magisterial work of Natives and as to their executive capacity. Next as to the Native aristocracy. For some time that class may have to be regarded as a distinct one, but as other classes have recognized the benefits of education and taken advantage of the system of education in the country, so also the aristocracy will in time embrace the opportunity for education, and not form a distinct class. If the British Administration forms a class, it should be formed of men of administrative capacity and intelligence, and should be the ruling and governing class, and it should be recruited from all the old governing classes. The Sardar families, whatever may be their defects, have virtues, but not the qualities required for a governing class now; and a standard of administrative excellence being now insisted on, it is natural the class should decay, and it has been decaying. It is only of late that they have sent their sons to school: I think, that whatever special provision is made for them, it should not be such as to impair the service, or to reduce the present maximum of efficiency I wish to make another remark in connexion with the Native Magistracy, I do not admit that European Magistrates are superior to Native Magistrates on account of their nationality, but on account of their superior education; and if Native Magistrates were carefully selected, they would, I believe, be equal to Europeans, indeed they would be better, I will not say equal,

Mr. *Stewart*—continued.

since they are better acquainted with the social life of the people and the different caste systems, and they can appreciate evidence better. The power to appreciate evidence in Civil or Criminal cases is the same. I do not think any of the objections urged against the admission of Natives have been based on reasonable grounds. I do not say Europeans as a class are not now superior, but if Natives are trained to be Magistrates and Deputy Collectors, it is very likely that, as a class, they may prove not inferior to the European The last objection is that the Civil Service may be swamped with Natives. Supposing the limit of age to be raised, and all other things made equal, a Native will require at least four years to master the foreign language in which he has to pursue his studies; while the competition is open to English candidates it will only be our best men who can succeed. There is no danger of the service being swamped, that is only an imaginary danger of which too much is made. Some of the higher posts, as I quite admit, should be in the hands of Englishmen for some time, if the tone of the administration is to be kept up; but I think Government may well depend more on the superiority of Europeans for that result than upon any Statutory provisions. The result can be pretty certainly secured, if competition is kept open, the same age fixed, and the other conditions made the same. As to the question of the disadvantages experienced by Natives under the existing system of recruiting the Civil Service, as I have already explained, there would be a permanent disadvantage in the language in which the studies are prosecuted. Equality can only be secured if English candidates are required to pass in the Vernacular to prove that they possess as much knowledge of the Vernacular as we do of English; otherwise the age must be raised in the case of Natives alone. That is the way in which equality can be obtained; at present there is no equality. I propose that the Statutory Civil Service should be retained. To hold a competitive examination in India even is not to put Natives on a footing of equality. The Statutory Service should be retained for average educated men. Then with regard to promotion from the Uncovenanted Service, the appointments should be made rather by limited competition than nomination and the backward aristocratic class might be included, when they shew at least a certain minimum of ability. That is as to promotion to the Statutory Service. The Subordinate Executive Service should be placed on the same footing as the Subordinate Judicial Service is in this and other Presidencies As to the moral character and capacity of the men, I think there are public schools and colleges quite sufficient to impart these qualifications to the service. There are of course differences in race, or admitting this we have to consider, whether the inherent qualities of Natives are or are not developed; I think there are natural differences between race and race which cannot be altered in three or four years. The whole Administration requires to be advanced; I am not prepared to say Natives will become equal to Europeans, but the best men might be secured and they would be secured if selected from the colleges.

4512. How are you going to recruit the Uncovenanted Service—Mámlatdárs, Subordinate Judtges and Deputy Collectors. Do you approve of the present system?—The present system in the Judicial line should be followed in the Executive line At present Subordinate Judges are appointed under an Act of the Bombay Legislature. There should be similar legislation in respect to the others. I have a great many friends who are Mámlatdárs and Graduates, I know almost all of them, I should say, in this Presidency, and from my experience they are better than the old class of Mámlatdárs; there may be exceptions, but, as a class, they are superior, and the whole service will in that way improve.

Mr. *Nulkar.*

4513. I did not quite understand you when you said you would like to have a case made out for every European appointment?—What I meant was this: the Natives of a country have claims to the service of that country; and whenever a departure is made from that rule, the burden of proof lies on those who make the departure; and, unless good reasons are shewn for the appointments, as few should be given to foreigners as possible When the Covenanted Service was first introduced Natives had not made much advance in Western culture and education, they have now advanced and their aspirations ought to be gratified.

4514. You said that in a country governed by foreigners every appointment of a foreigner should be justified?—I never meant to say that.

Mr *Stewart*

4515 You said Natives had the first right and that for the appointment of every foreigner a case should be made out—that it should be justified?—I said that a case must be made out for the appointment of any particular class of foreigners.

4516 When this country fell into the hands of the British nation a case was made out Was that not a case?—Yes, that was.

4517. It was made out at once?—Yes

4518. It did not remain to be made out?—No.

4519. Is it not the fact that Natives have to make out a case now that they are equal to Europeans?—That I have tried to shew.

4520. You have to make out a case?—Yes, now it stands upon the Acts. I said at first the Natives had a case to make out, and that now we have to show we are capable, I then answered the objections that were urged against us.

Mr. *Ryland.*

4521. I think you said you would in all cases give the preference to Natives where they were likely to be superior, for instance in posts such as Subordinate Judges and Mámlatdárs As regards the Government, do you regard it as an Indian or a British Government?—It is regarded in the interest of the country as the British Government. I am sorry I have been misunderstood. I would rather place the matter in this light: the Natives of the country aspire to enter the Government service, and I have tried to answer the reasons that were given for excluding them.

Sir *Charles Turner.*

4521*a*. Do you wish to give any opinion as to Pay and Furlough?—I believe that they should be equal for all officers whether Covenanted or otherwise There should be no difference between Europeans and Natives in pay, whether the post be held by a Covenanted, Statutory or Uncovenanted servant.

4522 If the posts are held by persons who obtain them by competition?—Yes.

Vol IV. See II. Bombay.

Bal Gangadhar Tilak, Esq.

Mr. *Crosthwaite.*

4523. What caste are you?—A Brahman.

4524. Where were you born?—In India, in the Ratnagiri District.

4525. Have you taken any degrees?—Yes, I have taken degrees in both Arts and Law.

4526. When did you take them?—In 1876 and in 1879.

4527. How old were you when you took those degrees?—I was twenty-two when I took my degree in Law, and nineteen when I took it in Arts.

4528. Why did you not go in for the Civil Service Competitive Examination?—I had no intention of going in for the competition.

4529. Do you think if you have open competition in India many candidates would go up?—Yes, many candidates would go in, but, as I said, they will not succeed largely.

4530. What class will be most likely to succeed?—Parsis first, and Brahmans next.

4531. Then you contemplate the establishment of an intellectual aristocracy, which will be the governing body?—I do not contemplate that, but it will be one of the necessary consequences of the system.

4532. That the Government will consist of Parsis and Brahmans?—It might for a time, it will not be a governing class on the whole, there will be so very few. I am speaking of the ultimate result, unless the backward classes come forward and take advantage of the situation these persons may preponderate; that is if the others do not come forward and are not properly encouraged.

4533. Do you think when an intellectual aristocracy is created the Government of the country will be entirely in Native hands?—A large majority of the governing body will be Europeans, there is no danger of the service being swamped by Natives in my opinion?

4534. You say the Government ought to provide for the Natives of the country in the service of the country?—I mean provide for them if they are fit

Mr. *Crosthwaite*—continued

4535. As regards yourself, you are a Native of the Konkan in the Bombay Presidency. In what country ought you to be provided for?—I do not wish that any place should be provided for me in the Government service. I contend that all should be provided, as opportunity occurs, with a field for their ambition, and that the Natives have certain claims on the Public Service of this country.

4536. Do you think it extends to countries with which they have no connexion at all? Have you for instance any claim to employment in Malta?—No, I do not consider we have any claim to service in Malta, or in England, or in Australia.

4537. Have you any claim to service in the Punjab?—I should say that India should be considered as one country; we have a claim to service in that country.

4538. Who considers India as one country?—That is the feeling that is growing

4539. What has caused this feeling of union in India?—The first cause is British rule

4540. That is the first cause?—The first cause and the most important cause.

4541. In choosing its instruments for the higher ranks of the service ought not Government first to look at the necessity of maintaining British rule?—Yes, the men must be fit and they should prove their fitness.

4542. Do you not think that the Natives who are put into these higher posts ought to be to a certain extent anglicised and that they ought to have a thorough English education?—Yes, they ought to be anglicised to a certain extent, and that has been done by Western education in our schools and colleges Natives receiving appointments in the highest branch of the service might be sent to England for probation. I think they should, that is my personal opinion, but I see objections on the ground of religion. Government might reserve the power of exempting in special cases, but as a rule it should be made compulsory for them to go to England.

WITNESS LXX—28th January 1887.

Examination of A. T. CRAWFORD, Esq., Commissioner, Central Division, Bombay.

Mr. *Stewart.*

4543. You are Commissioner of the Central Division?—Yes.

4544. What appointments have you previously held?—I have worked up from Assistant Collector. I have been Registrar General of Assurances. I have also been Collector and Special Income Tax Commissioner and Municipal Commissioner for Bombay for six years I was in the Judicial Department two years, have been British Delegate for the Portuguese Treaty and was at Lisbon on special duty in connection with the Treaty. I have been on various other Commissions, and have been Commissioner in two divisions of the Presidency.

4545. What opinions do Natives hold regarding the Statutory system?—In my replies to the questions referred to me as Commissioner I have endeavoured to explain why the Statutory system of nomination is unpopular and why in my opinion it has failed in this Province. I have stated that the popular objection, I think I may also say the official objection, is not so much to the Statute itself or to the Rules as to the mode in which the Rules have been worked. I believe, for instance, that if nominations had been made from the higher ranks of the Uncovenanted Service to suitable positions in the Covenanted Service, we should not have heard so much, or so early a clamor against the Statutory system, and that a very healthy stimulus would have been given to the Uncovenanted Subordinate Executive Service. But in the meantime dissatisfaction with the English competitive system for the Covenanted Service has intensified. The reduction of the age at which candidates can appear for the competitive examination has especially deterred even well-to-do Indians from sending their sons to compete, and the prospect of the Natives obtaining any large share in the administration of the country seems to them more remote than ever. Simultaneously, while the Governement annually needs more and more highly educated officers for the advancing administration of the country, it finds itself pinched to find the funds, and is compelled to consider whether by a much larger employment of educated or otherwise qualified persons from among its Native subjects it cannot maintain progress at the same high speed but at a reduced cost.

In short—

(*a*) The European element in the highest posts is to be maintained and room found below for the training of future heads of the administration.

(*b*) The Native aspiration to take a large part in administration is to be complied with to the fullest extent possible

(*c*) There is not to be too great a preponderance of one class, or race, in the administration of the country generally, or of any Province in particular

(*d*) The aristocracy and landed gentry are to be encouraged to take part in the administration.

(*e*) The backward races and classes are to be encouraged also.

Mr. *Stewart*—continued.

(*f*) Backward districts are not to be forgotten, but fairly represented.

(*g*) At the same time the highest possible standard of administration is to be maintained, and a stream to supply the best material is to be secured, but at the lowest possible cost.

These items make up the difficult problem to be solved. In my humble opinion no solution will be effected by sudden or violent changes, but rather by a scheme which recognizing all these difficulties shall progress gradually to overcome them

I think that a scheme which shall embrace (1) important modifications in the competitive system in England, and (2) important improvements in the working of the Statute—

(*a*) by selection from distinguished members of the Uncovenanted Service;

(*b*) by nomination under certain educational and physical tests from the higher classes,

will suffice—provided always it be recognized as indisputable that—

the administration is to be on the English system;

that the cost of a Statutory Covenanted Civilian should be less than that of his English *confrére*

As to (1) Important modifications in the competitive system in England—I have anxiously tried, but in vain, to convince myself that the wish of a large number of my Native friends, that there should be simultaneous Covenanted Civil Service competitive examinations in England and India, should be complied with. I feel certain that the result would be to lower the standard of the administration and gradually, perhaps rapidly, to divide the Civil Service into two classes, in which the successful competitors in India would occupy the lower position. A youth who has had only two or three years in Europe will never be able to compete in after-life with one who has passed six or seven years there, and he himself will feel this very early in after-life. We want to encourage Native parents to send their children to be thoroughly educated in England, not to be merely finished there. Another result, too probably would be the flooding of the service with too many of one caste or class.

The important modifications should therefore be as to age and as to the value placed at the examination on certain subjects.

As to age, I believe it is to the interest of the administration and to English and Native youths alike that the minimum and maximum ages should be raised to from twenty to twenty-three, so that successful competitors may complete their education at Oxford or Cambridge. I attach the greatest importance to this. No better Government servants could be obtained in any country than those in the first batches of competitors. The Civil Service Examination is so severe that the preparation commonly breaks down even the strong English lads competing at the present reduced age and the reduction for oft stated

Vol IV. Sec II Bombay.

A T. Crawford, Esq

Mr. *Stewart*—continued

reasons is felt as a real grievance by Native parents. I myself have sent three sons to compete and speak with some experience.

As to subjects the Indian classics, Arabic, Persian and Sanskrit, should, I think, as do most Natives, rank as high as Latin and Greek.

As to (2) Improvements in the working of the Statute, I have already stated that the Statute itself does not need alteration, but the Rules do. In the first place I advocate that for the present, until the number of successful Native competitors from England increases, the number of Statutory Civilians should be increased from one-fifth to two-fifths of the total number to be annually appointed to the Covenanted Civil Service of this Province, thus leaving three-fifths for the open competition in England

Proceeding to *(a)*—Of these two-fifths, one-fifth, which in this Province would mean one person, should be nominated by the Provincial Government for Provincial Service from the ranks of the Uncovenanted Service—from those who have already proved their merit and ability—provided that no officer should be so appointed who had not served for at least ten years. I put ten years as the minimum because very few officials in either the Covenanted or Uncovenanted Service can have gained sufficient experience or made their mark or shown their peculiar fitness for any special line, or in other words, can have "proved their merit and ability" before they have served ten years at least in the country,

There are several members of the Uncovenanted Service in this Province who have so proved or are proving their merit and ability; and, apart from the fact that their nomination involves a certain breach of faith to the Covenanted Civilians, I believe that they would be welcomed and honoured in their ranks.

The Uncovenanted Service should remain, as at present, open to all, and the selections for the Covenanted branch should be made irrespectively of race, on the broad ground that Government have the right to select the best, most thoroughly tested and suitable tools it can find for its work.

It is my opinion that Government would always strengthen its administration by judicious nominations of this kind, and that even when the stream of Native Covenanted Civilians flows freely from England, Government should still retain its right thus to select one-fifth from its Uncovenanted Service I can imagine times arising when the power could be very usefully exercised as a wholesome check on the undue preponderance of any one race or class.

I know nothing that would give a more healthy stimulus to the whole Uncovenanted Service from the very bottom to the top. All Uncovenanted officers thus selected should be appointed to suitable posts of certainly not less emoluments than those they already hold. If it be decided that they are only to draw say 70 per cent of the full salary, their nomination from the Uncovenanted to the Statutory Service should be to a post that will give them not less than their former pay. No officers thus selected should be subjected to any further probation They should carry with them their own leave and pension rules.

To proceed to *(b)*—Nomination under certain educational and physical tests from the higher classes or the aristocracy of India as they have been termed in these papers It is distinctly important to our administration, and even to the stability of our rule, that these classes should be induced to take part in the government of the country. Nothing is more desirable, nothing would be more gratifying to all the well disposed classes in India, as it would certainly be gratifying to the English people, than to see young men of the best families repairing in fair numbers to England to return successful competitors at the Civil Service examination, to strengthen our administration by their personal and family influence The difficulty is that, vast as has been the improvement in the last twenty years, and much as has been effected by such institutions as the Rájkumár College of Káthiáwár and the Rájárám College at Kolhápur, the cadets of the aristocracy have not generally reached, or sought to attain, a high standard of education. For the present, then, they must be helped and encouraged. This must be done by a combined system of limited competition, nomination and scholarships. An educational test must of course be prescribed. At first it might be moderate and gradually increased if the experiment succeeded.

Mr *Stewart*—continued.

In this Province, from the cadets attending the two Colleges above named, and from lists easily obtainable through the office of the Agent of Sardárs and the several Political Agencies, a register of the cadets below twenty years of age might easily be made out and Government might every year give one-fifth of the annual number of Civil Service nominations, or, say, one Statutory appointment in this Province, to be competed for by the cadets in that register who choose to present themselves. The standard or test at first might be the Matriculation standard, which is now generally passed by the higher educated youths at seventeen and eighteen years of age. The successful candidate should then become entitled to a scholarship tenable for three years, sufficient to maintain the cadet suitably for the first year at some training school in England and for the last two years at a University. Passage money to and from England should be paid. It should be a *sine quâ non* that these three years of probation be thus passed in England. Details as to the course of study, training and examinations in England up to a moderate standard, can be easily drawn up by experts in these matters. The examination standard in England would of course rise with the test examination in India A successful cadet having thus passed these three years' probation in England, and his physical fitness and good conduct being duly certified, should at once take his place in the junior ranks of the Civil Service in India. The Secretary of State, however, should not be bound to send him as a matter of right to the Province from which he came, though ordinarily there might be no objection, and it might even be desirable that he should go there Arrived in India he should come on to the leave and pension rules of the Uncovenanted Service. The cadet on arrival in India and joining his appointment should certainly pass the same Lower and Higher Standard departmental examinations as are passed by his brother Civilians. These examinations are only difficult to a junior Civilian now because they involve a knowledge of Vernaculars which would come easy to the successful Native cadet. He should draw Rs. 400 on arrival as do his brother Civilians

Mr. *Stewart*—continued.

and only when he has attained the rank of, say, a Second Assistant Collector should he begin to draw 30 per cent. less than the full pay of the appointment

I wish I could see my way to some use of the Statute by which the Mahomedan element could be more largely represented in the higher service. To a certain extent of course Mahomedans will benefit, for some of them will doubtless be occasionally selected from the Uncovenanted Service, and there are cadets of noble Mahomedan families being educated at the Rájkumár and Rájáám Colleges and in private houses who may compete successfully for a Statutory appointment as explained above.

The Maráthas can hardly be included now among the backward classes. If slowly, they are certainly steadily raising themselves, and the example of His Highness the Gáikwár, followed as it is by other Maráthas of rank, is working a great change in their views and aspirations. I believe that a Marátha noble would be successful at one of the first competitive Statutory Examinations held on the lines I have sketched above.

It is of course impossible to predict what effect these prospects may have on the cadets of the aristocracy My own impression is that in several families the chance of providing suitably in an honorable career for their relatives will induce the Chiefs and Saidárs to provide funds freely for their education where they now grudge money, partly because they fear harm may—certainly that no good can—come of having their young relatives well educated merely to hang idle about their homes, likely to become perhaps the more troublesome because of their education. It may take a little time and patience to overcome their prejudices and pride and to conquer their conservatism ; but if the experiment succeeds it will have been worth any trouble and much expense.

Assuming that as time goes on a full stream of successful Native competitors will set in from England, and that among them will then be found the scions of the highest families, it follows that no ground will then exist, or rather that the grounds for making this experimental and exceptional use of the Statute will gradually disappear.

As to backward districts there is no remedy, and it is useless to seek one. Time and development can alone give their inhabitants representation in the administration of the country.

To sum up. Assuming five to be the number of Civilians to be annually nominated to the Covenanted or superior service, I recommend that three appointments be reserved for open competition in England, that one be reserved always for nomination from the Uncovenanted Service of an officer of merit and ability proved by not less than ten years' service, and that for the present, and so long as it may seem necessary, one be reserved to be competed for by cadets of high families under twenty years of age, who shall then proceed with a scholarship to England for three years' training.

The minimum and maximum ages of the open competition in England to be twenty and twenty-three respectively

Persian, Arabic and Sanskrit to rank with Latin and Greek at the open competition in England.

Mr. *Stewart*—continued.

Vol. IV
Sec II
Bombay

A T Crawford, Esq

With these modifications there can be no doubt that one of the three successful candidates to be annually nominated will be a Native The officer nominated under the Statute from the Uncovenanted Service (because of the numerical strength of Natives in that service) will probably be a Native, and the cadet nominated after limited competition among high families must be a Native Thus there will, almost certainly, be three Natives out of five and there may be more

Reduction in the cost of the service will be secured to an extent (which will become visible more and more each year) by observing the principle that Statutory Civilians are not equitably entitled to the same salaries as those who have entered the service by the difficult and expensive path of open competition in England.

I believe that the scheme thus sketched covers all the grounds defined in my items *a*, *b*, *c*, *d*, *e* and *g*, and that it has a fair chance of success.

4546 Would you not extend your selection to distinguished members of professions, the Bar for instance ?—I would not, I think they have already chosen their line in life, and I do not see that they have any claim on Government as a rule There might of course be the exceptional case of a member of the Bar who has distinguished himself very much and done good service to Government under peculiar circumstances, but in such a case the appointment would be made on the broad principle that the Government has a right to select the fittest men for the fittest place

4547. Would not the Statute of 23 and 24 Victoria apply in such cases ?—I think so

4548. Would you extend the definition of Natives of India to the subjects of Feudatory States ?—I was not aware until lately that they were excluded I do not see any objection to their inclusion, but I should certainly object to its being extended to every State with which we have a treaty and should limit it strictly to what are called " protected States "

4549. If the present Statutory system is retained would you send the selected candidates to England for training ?—Unquestionably

Mr *Nulkar*.

4550. Under the present Statutory system has Government succeeded in obtaining the services of scions of high and influential families, who, in the absence of the system, would not have taken service in the Uncovenanted ranks ?—We have not had a single nomination in this Province certainly, of any one who would have been fit for a Deputy Collectorship

4551. Have we men in our Statutory Service of ability equal to the average ability of our Deputy Collectors and Subordinate Judges ?—They are fairly educated, but not I think superior to most of our Deputy Collectors I think they are about the same class.

Mr. *Stewart*

4552 I believe you were a member of the Committee appointed last year at Poona, to consider the question of the admission of Natives to the lower grades of the Public Service ?—I was

4553 And is it not the case that, in forwarding their report, the Committee stated that the present Commission was very soon to assemble, and would take into consideration the question

Mr. *Stewart*—continued.

of giving preference to graduates in appointing to certain grades?—That and all other cognate questions.

4554. How many Statutory Civilians have you known since the system came into operation?—Three or four. I have two serving now in my own division, and I had another serving in my former division

4555. Have you had opportunities of judging the character of their work?—Yes. They mean well, but I should certainly think them inferior to the best Deputy Collectors.

4556. How do they compare generelly with the Native members of the higher Uncovenanted Service?—I will not say that they compare unfavorably, but they certainly are not as good as the best Native Deputy Collectors.

4557 What special defects do you find in their work?—They are wanting in force of character.

4558 And do you think that defect could be removed by a period of training in England?—To some extent certainly.

4559. You would place Arabic and Sanskrit on the same level as Latin and Greek?—What I mean is, that I would raise the marks for Sanskrit and Arabic so as to give the Native candidates a fairer chance.

4560 The object of Government in appointing Statutory Civilians has recently been to provide a career, as far as possible, for the scions of the aristocracy of the country. Has that object been attained in any way?—I am sure it has not.

4561 Has the system been attended with any good results at all in this Province?—No, I think, on the contrary, it has had a particularly bad effect. In my replies to Government I particularly wished to draw attention to this fact; there has been every year a certain number, say, thirty or forty applications to Government, but, of course, only two or three names have been selected; and the residum have formed the nucleus of a sort of private list from which nominations are made, and have been made, direct without any examination, to posts of Deputy Collectors thereby injuring the service and having the most pernicious effect on those graduates and others who were rising steadily from Mámlatdárships and naturally expected to become Deputy Collectors. There have been four or five such appointments, and they have done an infinity of mischief.

4562 Would you as a rule require the Native Covenanted Civilian to serve in any other Province than his own?—No, I would appoint him anywhere.[1]

4563. Would it be wise to appoint a man to his own district?—I would prefer not to see it done, but I would not have any hard-and-fast rule to the contrary.

4564 How would it answer to appoint a Bengali, for instance, a Collector in this Presidency?—I really do not think it would make any difference.

The *President*

4565. At present Covenanted men are allowed to choose their Province are they not?—Yes, according to their rank in passing I would leave it exactly as it is.

Mr *Stewart*.

4566. Do you approve of the present system for recruiting Mámlatdárs?—The rules as at present

Mr. *Stewart*—continued.

developed were originally framed by one of the best practical men we have had here, and they are now beginning to work exceedingly well, and, I believe, with general satisfaction to the Native public. We are getting a very good class of men indeed into the Subordinate Revenue branch, and they are improving every day. I should be disposed to let well alone.

4567. Do you find the present men wanting in administrative experience?—Not since the rule requiring them to work for six months to a year in the Subordinate Revenue posts has begun to take effect.

4568. Is that training sufficient to give them the departmental experience necessary for a Mámlatdár?—I should certainly like to see it much longer.

4569. Do you not think you would get better men for administrative purposes by requiring them to serve in all the subordinate posts of the Kachery before appointing them as Mámlatdárs?—Certainly, if at the same time you got them with a knowledge of English and a higher education, which you could not expect to do

4570. Would you appoint as your *Chitnis* a man who had a liberal education only?—A *Chitnis* is quite an exceptional officer.

4571. If you wanted an especially good Mámlatdár to deal with emergencies such as famine or flood for instance, or to provide military material in time of war, would you prefer a man with practical experience of the ways and customs of the people and a fairly liberal education at the same time, or a University man who has only served for a short period as a *Karkún* in a Mámlatdár's Kacherry?—No doubt in such a case I should prefer the older man, but I say that for the service as it has advanced the older class of Mámlatdár is no longer fit.

4572: Not even with a liberal education?—No, I think not. At present we are in a transition state, and we must maintain a higher standard of education, while at the same time we make use of the material to our hand.

4573. Is a University degree in England a royal road to any particular appointment?—No.

4574. Then why should it be so in India?—Because it happens to be our only means of knowing whether a man is really well educated.

4575. Are there not colleges and schools which give a very fair education?—They have hardly begun to shew their value yet.

4576. Is not the final school test as lately adopted a very efficient test?—Yes, for appointments below Mámlatdárs.

4577. You expressed disapproval of the four or five appointments of Deputy Collectors which were made under special circumstances, why?—I simply say that to appoint a man to a Deputy Collectorship who has never done an hour's work or shewn that he possesses any ability or training of any sort, or undergone any examination, over the heads of men who have risen from the lower ranks of the service with the implied right of succeeding to the post, is to injure the whole service down to the bottom.

The *President*.

4578. Would you object to his being appointed after undergoing a proper test?—Yes, I would object to his being appointed in that particular line. It was implied and certainly understood by everybody, official and non-official, that those

Mr. *Ryland*—continued.

who entered the service as graduates would have to rise up in regular routine to Deputy Collectorships. Therefore, if you throw in at the very top of the service a man who has no particular claim on the public, who has done no service, who is, so far as the public knows, incompetent, you destroy all stimulus to promotion in all ranks of the service. I know there is a very strong feeling in that respect. It is also one of the bad effects involved in the working of the Statutory system in this Presidency.

4579. Have you found these Deputy Collectors so very inefficient?—Exceedingly inefficient.

Mr. *Ryland.*

4580. When you say there are several members of the Uncovenanted Service who are proving their worth and ability, I suppose you have in your mind Europeans as well as Natives?—Yes.

4581. You would in no way limit promotion in the Uncovenanted Service to Natives or even give Natives the preference in awarding promotion?—No

4582. For your improved local service you would have the leave and pension rules as liberal as possible without increasing materially the expenses of the State?—I would leave them precisely as they are.

4583. In the Uncovenanted Service there is one class which enjoys more favorable pay and furlough rules, would you made these rules applicable to the higher service?—No, I would let it remain as it is. I have never heard anything like a general complaint of want of liberality in the pay and leave rules.

4584. Is it not a harsh rule which compels Europeans on first appointment to enter such a very low grade as that on Rs. 35? Can you expect Europeans of good social standing and position to take such appointments?—Not if they are to live on their pay, but I do not see why their parents should not make them some small allowance. If a European wants to rise through that grade, I do not see why for six months he should not take the appointment.

4585. It is not so in other Provinces?—I think the special reason which led to it in this Province was that we wanted to secure a certian amount of experience in the administration of the country which was only attainable by actually serving in the lowest grades. I know at this moment three European families who have been out here some time, who are content to employ their sons on Rs 30 and Rs. 35 in the vicinity of Bombay and Poona.

4586. As clerks?—Yes.

The President.

4587. Is it any, hardship to a man to be obliged to serve on the pay he voluntarily accepts?—No.

Sir *Charles Turner.*

4588. Nor to receive small pay during his apprenticeship?—No, it is only an apprenticeship.

Mr. *Nulkar.*

4589. You say two or three years is not sufficient training in England and that you would prefer the candidates to undergo six or seven years training?—Yes.

4590. Is this one of your reasons for wishing to confine the competitive examination to England?—Yes.

4591. I suppose you are aware that of the three Native Civilians we have in this Presidency two

Mr. *Nulkar*—continued.

of them acquired a finish to their education after a year or two. So that under the present system there is nothing to prevent its being done in other cases also?—No, only that it is much more likely to be secured by the longer training.

4592. Under the rule established by Sir Bartle Frere were not graduates appointed direct to Mámlatdárships?—Yes, they were at first.

4593. Has the time come do you think when we may fairly judge of the system of appointing B. A. Mámlatdárs'?—It is too soon yet to pronounce an opinion on that point. As far as my experience goes the new rules are working exceedingly well, and I think that when the University standard is enhanced and with it of course the standard of examination, we shall get better and better men every day I think the time has not yet arrived when we can either pronounce the system perfect or condemn it, and I would simply say leave well alone.

4594. Is there any means in this Presidency of testing a man's ability to conduct his work in English, read English Law Books and Reports, &c?—Yes, there is the High Standard Examination.

4595. You know something of the Native Magistracy and Subordinate Judiciary?—Yes.

4596. How do the Native Magistracy compare as regards ability, education and legal knowledge with the Subordinate Judiciary?—I should say the Civil Judges were decidedly the better educated as Judicial Officers. I do not think they can be compared, the two branches are so totally different. The Native Magistracy is decidedly improving. I myself have seen most wonderful improvements of late in the Native Magistracy of this Presidency.

4597. Is that in any way attributable to the fact that we are getting a better educated class of men?—Yes.

4598. As a matter of fact and without reference to rules, what is the average length of time that a graduate takes to become a Mámlatdár?—He must wait for vacancies as they occur, and also he must be recommended. The promotion of course is not immediate from the lower grades, but it is tolerably rapid.

4599. Approximately how long has a man to wait to become a Mámlatdár?—It takes from eight to ten years to become a pucka Mámlatdár.

4600. Do you call that rapid promotion?—I think it is very good promotion indeed.

4601. You are certain that it is not before six or seven years?—Yes.

The *President.*

4602 A man who entered on his probation last year most likely will not become a Mámlatdár for the next ten not pucka?—No.

Mr. *Ryland.*

4603. What pay do they get during that period?—Rs 50 to Rs. 60 and Rs. 70, and their travelling allowance. At first a man gets Rs. 35, he then becomes an Awal Karkun on Rs. 60 and Rs. 70.

Mr. *Nulkar.*

4604. Under the rules can a B. A. claim Rs. 30 on first appointment?—It is a very common thing for us to receive a petition saying that the Collector has put in a man as an acting first Karkun,

Mr. *Nulkar*—continued.

that he is not a graduate, and that the petitioner is on the list and ought to have got the appointment.

4605. Is it open to a Collector to treat a graduate in this way?—For temporary convenience only, not for a substantive appointment.

The Hon'ble Mr. *Quinton.*

4606. You say that the minimum and maximum ages for English and Native youths should be raised from twenty to twenty-three, would you allow anybody to enter the competition under twenty years of age?—I should prefer not

4607. Do you then believe that since the age was reduced to its present limit there has been a reduction in the number of successful Native candidates?—There has certainly been a reduction in the number of those who would have been likely to send their children to England if the age had been higher As regards the number of successful candidates, I cannot say.

4608. You say you have sent three of your own sons to compete Have they all succeeded?—One of them was successful

4609. Has his health broken down under the strain?—No, but then he went under the earlier rules I sent my second son also and he would have got into the service easily, but his health began to fail and I took him away My third son also went up and I feel certain would have passed in another year, but his health also began to fail, and I took him away at once

4610 What do you mean by Uncovenanted Service when you say you would promote men of proved merit and ability from it?—The whole Uncovenanted Service as at present constituted including all departments—Opium, Forest, Finance, &c

4611. You say that the result of your proposals respecting promotions from the Uncovenanted Service and appointments of men of good family to the Statutory Service, and also of the modifications you propose in the competitive examination in England, would be that probably three-fifths of the service hereafter would be Native Would that lower the tone of the administration?—Not I think, if the competitive examination in England is rigidly maintained at its present standard My remark also has reference to the time when the special Statutory system as regards the aristocracy shall have died out and ceased to have a *raison d'être*

4612 Is that time within measurable distance?—I say that if this class do not show themselves particularly anxious to avail themselves of the system within the next five or ten years the system ought to be dropped.

4613. You say the present Statutory Civilians are deficient in force of character. Do you think the Statutory men who may be appointed in the next five years, will have any more force of character?—No, but I think they may acquire it to a certain extent by going to England There is this, however, to be said that you want in the junior grades tools of all kinds, so that as regards them it would not be so very important

4614 Do you think that Natives are peculiarly adapted to certain posts? In other words, are there any posts to which you would not appoint Natives?—My idea is that the door once open, it is for the Government to select the fittest man be he whom he may.

4615 Would your field of selection be equally promising at starting?—No it could not be.

The Hon'ble Mr. *Quinton*—continued.

4616 You would select from the Statutory and Uncovenanted Services and from those who have passed the open competition in England Would these three classes of Natives be all equally fitted?—No, but neither are they now.

4617 Would the disparity be greater than it is among the men of the Civil Service who come in at present?—Certainly it would be

4618. Do you think Natives ought to be eligible for any posts?—Not for District Collectorship, heads of departments, or District Judgeships.

4619 You would not appoint them to District Judgeships?—Not immediately. It may be that they will rise to them I am speaking of the present only.

4620 Do you know any man in the Uncovenanted Service now, whom you would promote to any of these appointments?—Not to either District Judge or Collectorships.

4621. Do you think men might be found in other departments?—There might be isolated instances

4622. Would you promote a man from another department to be Collector of a district?—It might be advisable in rare and exceptional cases to do so

Mr. *Crosthwaite*

4623. You admit that for a time you would lower the standard of efficiency in the service by adopting your proposals?—That is inevitable in any change you may make.

4624 But Government would have no control over the time; I mean that Natives might not come in under the competitive system and you would be obliged to fill up your three-fifths by the Statute?—I think not.

4625 The successful candidate for a Statutory appointment should, you say, become entitled to a scholarship for three years, he should have his passage paid to England and back, and on his arrival in India he should draw not Rs. 200 as a Statutory Civilian now gets, but Rs. 400 Have you considered the financial results of your scheme?—Yes, it would cost about £800 a year to keep these three officers and pay their expenses backwards and forwards.

The *President*

4626. You do not wish to alter the Statute?—No

4627 But you propose to get hold of cadets of good family, and send them to England for special training How could you do that under the Statute? How could you justify the appointment of untried men?—It is done at present

4628. But I understood you to say that that was one of your objections to the Statutory system, would the same objection apply to your own system.?—Under my system the men could go home and be trained and at any rate prove their ability

4629 Is there a large section of the community here who could not be expected to enter the Uncovenanted Service and for whom it would be desirable to retain a system like the Statutory system?—There are a considerable number of scions of aristocratic families who would not enter the Uncovenanted Service, especially in the Carnatic.

4630 Do they not enter any branch of the Government service?—No, and they are rather a floating trouble to us

Mr. *Nulkar*

4631. Are there many fit men among them?—Not at present I think.

WITNESS LXXI—28th January 1887.

Examination of W. H. CROWE, Esq, C.S, District Judge, Poona.

Mr. *Stewart.*

4632. You are District Judge of Poona and Agent to the Sárdár of the Deccan?—Yes.

4633 Will you tell us please what is the prevailing feeling amongst Natives in your part of the country regarding the Statutory Service?—As far as I have been able to understand from Natives with whom I have conversed they regard it with disfavor.

4634. On what grounds?—That there is no test of merit and ability, and that only the friends and relatives of those who have the most influence succeed in getting appointed

4635 Then the objections are chiefly against the rules and not against the Statute itself?—Yes.

4636. Is any objection expressed against the Statute itself?—I think the class who would be most likely to succeed if the appointments were thrown open to competition object to the Statute.

4637. Do they object to the definition of Natives of India?—I have not heard of any objection to it.

4638 They merely object to merit and ability not having been properly tested in making the appointments?—Yes

4639. How would you ascertain merit and ability if the Statute were retained?—By throwing open a number of appointments to open competition

4640 Do you disapprove of nomination altogether?—Yes

4641 If the present system is continued would you require the selected candidates to proceed to England for a period of training?—I think so.

4642 Do you know any Statutory Civilians?—I have some acquaintance with two of them One of them I know pretty well.

4643 Do they compare favorably or otherwise with the members of the higher Uncovenanted Service?—Unfavorably.

4644. In what respects have you noticed deficiencies in their character or work?—Of course I have only seen their magisterial work. I cannot exactly specify the defect, but my general impression is, that they are not as good Magistrates as some Deputy Collectors.

4645. Is any dissatisfaction felt with the present system of recruitment for the Covenanted Service?—I think there is a general opinion that the age limit is fixed too low to give the Natives a fair chance, and some of course would have the examination held in India as well as in England. My own opinion is that the age limit as at present fixed is too low. I would raise it to twenty-two. I would have the marks for Arabic and Sanskrit on the same scale as Greek and Latin and would add Persian as a Vernacular upon the same footing as modern European languages. I think it would be a very bad step to hold a simultaneous examination in India.

4646 Why?—Because I think the advantage of a training in England is paramount.

4647. Would you give scholarships and passage money to Natives who might desire to go to England to compete?—I think the sons of poor parents should have an opportunity of entering the service and for that purpose I would give scholarships.

Vol IV
Sec II
Bombay

W H Crowe
Esq, C.S

4648. Have you made the acquaintance of young Natives who have come out to India after appointment by competition in England?—I know two such men very well.

4649. Are they as good as could be obtained under any system?—I cannot say that, but they are certainly above the average

4650. How would you recruit for the Uncovenanted Service?—I think it should be thrown open to all subjects of Her Majesty and that appointments to it should be made by open competition.

4651. Then you do not approve of the present system of appointing Mámlatdárs and Subordinate Judges?—No, I would have competition for them.

4652 Would you have any qualifying test before competition?—In the case of Subordinate Judges it would be necessary, that either they should have passed the test examination as now prescribed, or that they should have taken some Law or University degree

4653 Would you have the same system for Mámlatdárs?—I am not so well acquainted with their duties, but I think that if graduates are to be appointed to those posts they should compete for them

4654 Would you recruit provincially or would you admit residents of other Provinces?—Provincially.

Mr *Nulkar.*

4655 How long have you been in the Judicial Department?—Sixteen years I have had the powers of a District Judge for the last eleven years and a half

4656 Is it one of your duties as a District Judge to supervise the work of the Native Magistracy from the monthly reports?—No. The Native Magistrates' reports go before the District Magistrate The reports of first-class Magistrates come to me

4657 Do you find the Native Subordinate Magistrates' work in any way superior or inferior to or on a par with that of other Magistrates having the same powers?—I have not noticed that they are inferior.

4658. Your duties are more directly connected with Subordinate Judges. How does their work compare with that of first-class Magistrates?—The work of the Subordinate Judges is infinitely superior to that of the Native Magistrates. You see the latter have not the time to devote to their judicial work. Their revenue work is more important to them than their judicial work.

4659. Does the fact that they have not passed the same educational test as the Subordinate Judges tell on their Magisterial work?—I think it does I think their knowledge of law is inferior

4660 Do you expect to see that defect cured if the present system of appointing graduates is allowed fair play?—I think so, but so long as the Executive and Magisterial work are combined in one officer the Magisterial work will suffer.

Mr. *Nulkar*—continued

4661. You would have the two functions separated?—Yes

Sir *Charles Turner*

4662. Cases under Rs 5,000 come to you from the Subordinate Judges on appeal, do they not?—Yes, from the second-class Subordinate Judges.

4663. How is their work done?—Excellently as a rule.

4664. Do you see anything of the work of the first-class Subordinate Judges?—Yes, I see appeals from them in cases under Rs 5,000 also.

4665 And how is their work done?—Their work is excellent also.

4666. Does the work of young men first appointed to the lowest grades show any want of acquaintance with practice?—Yes, it is crude at first

4667 How long, as a rule, does it take them to get over that want of experience?—About two years' practice.

4668 At what age do the lowest grade Subordinate Judges obtain their appointments?—I should say at about twenty-seven or twenty-eight.

4669 In the future we are told that a certain number of years' practice at the Bar or service as ministerial officers of the Court is to be required as a qualification?—Yes

4670. That I presume has been rendered necessary by the evidence of immaturity in their work?—Yes, under the old practice if a man qualified himself by taking a University degree and passing the test examination prescribed by the High Court, his name was registered, but if no appointment fell vacant he might remain doing nothing for four or five years during which he was loosing all the advantages of his education, unless he happened to be in a position to keep it up.

4671 As a Court of first appeal you have frequently had to consider whether the judgments of the Courts below you were correct on questions of fact; are they generally correct?—Generally I think they are

4672 Your own judgments go in appeal, I believe, to the High Court?—Yes, in original cases

4673 How often are your judgments interfered with by the High Court on questions of fact?—Not often

4674. More often than you interfere with the judgments of the Subordinate Courts?—No You see the only cases, in which a District Judge has original jurisdiction, are those in which Government is a party, so that the comparison is scarcely fair

4674 (*a*) Do the cases which you have on appeal frequently go up to the High Court on second appeal on points of law?—Yes

4675. And an imperfect investigation of fact is held to be a sufficient ground for the High Court's interference?—Yes.

4676 Are cases often sent back to you for reconsideration?—I cannot remember any case of my own having been so sent.

4677. Do you remember any instance in which the soundness of your own judgment was questioned, when you have overruled the judgment of the Court of first instance on a question of fact?—I do not remember any.

Mr *Stewart*

4678 As agent for the Sardár of the Deccan how many Sardárs have you to look after in Bombay and Puna?—About three hundred.

Mr. *Stewart*—continued.

4679. What steps do these Sardárs take as a rule towards educating their sons?—They are not as a rule very anxious about it

4680 Are there at present any Sardárs sufficiently educated to enter the Covenanted Service and perform the work creditably?—None with whom I am acquainted.

4681. Do they take any interest in the Statutory Service?—I think they approve of it.

The *President.*

4682. Are these Sardárs British subjects?—Some of them are independent Chiefs.

4683. Of these three hundred Sardárs are the majority British subjects?—Yes.

4684. Do they find employment either in Native States or under the British Government?—As a rule I believe they are not anxious for civil employment.

4685. Do they belong to the Military class?—Some of them do.

4686. Is their absence from the administration due to this reluctance on their part to seek it, or from practical difficulties in qualifying?—I think want of qualification is the principal obstacle.

Mr. *Nulkar.*

4687. Are there not some Sardárs on whom the title has been conferred as a personal distinction?—There are.

The *President.*

4688. Would these men if qualified for the Uncovenanted Service not find employment in that Service?—I know of no reason why they should not.

4689. Would they object to such employment as beneath their status?—I think not.

Mr. *Nulkar.*

4690. Have not some of them actually taken service?—Yes.

The *President.*

4691. Then the difficulties in the way of their accepting such service have nothing to do with pride of birth or rank?—Not at all.

Mr. *Ryland.*

4692 Would they be likely to succeed in an open competition?—If they were educated I see no reason why they should not. At present they have not the education.

Mr *Stewart.*

5693. Have you any suggestions to offer as regards the present pay and furlough rules?—I certainly think Statutory Civilians should draw less pay than Covenanted Civilians. I also think that as long as the British Government exists in India, the backbone of the Civil Administration must be composed of Englishmen, and that you must pay according to the quality of the men you want, however expensive it may be. If you reduce the pay, you reduce the quality of the men who will compete.

4694 On what principle would you make a distinction between the pay of a Native Statutory Civilian and that of a Covenanted Civilian?—I think the present two-thirds is a very liberal

Mr. *Stewart*—continued.

allowance I think that a Native who enters the Civil Service through the ordinary channel of competition should get the same pay as a European

4695 Would you make any distinction between the furlough rules applicable to Statutory and those applicable to Covenanted Civilians?—I think so.

Mr. *Stewart*—continued.

4696 On what principle?—That the former are living in their own country and climate and do not require change so much as we do.

The *President*.

4697 Is there any other point on which you would wish to give evidence?—No.

WITNESS LXXII—28th January 1887

Examination of SIDDESHWAR MITTER, Esq

Vol IV Sec II Bombay

Siddeshwar Mitter, Esq

Mr *Stewart.*

4698. What is your employment?—I am connected with a literary society in Calcutta which has been for some time translating the *Mahábhárata* into English and I have lately been travelling in this part of the country I am a Native of Bengal.

4699 On what point do you wish to tender evidence?—On the whole of the issues before the Commission.

4700. Is the present system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Service approved?—No. The chief reason is, that they get less pay than the members of the Covenanted Service, another reason is, that they do not enter by the door of competition

4701. Have you any objection to the Statute itself?—No.

4702. Do you think the term Natives of India sufficiently comprehensive?—Yes.

4703 How would you amend the rules?—I would abolish the Statutory Service altogether.

4704. If it is not abolished, would you require selected candidates to proceed to England for training?—Yes, for two years after selection by competitive examination here

4705 Is any dissatisfaction felt with the present system of recruitment for the Covenanted Service?—Yes, on the ground that the limit of age debars the Indian candidates from presenting themselves at the examination. Personally, I do not see the force of the objection; because if Europeans can pass at nineteen, why should not Natives also? I would not advocate the raising of the age limit simply for the benefit of a particular class, but if on other grounds it is considered necessary to raise it, I would offer no objection Another ground of dissatisfaction is that sufficient marks are not allotted to Oriental languages—Sanskrit and Arabic I would allot 800 marks to each

4706 Are you a Sanskrit scholar?—I know a little of the language.

4707 Do Natives labour under any disadvantage in having to undertake a long journey in order to compete?—Yes, in the case of those who fail and, therefore, I would have a simultaneous examination in India

4708 Should it be identical with the one held in England?—Yes.

4709 Would you hold it at more than one centre in India?—Only at one centre

4709(*a*) And would you have the candidates selected in order of merit?—Yes.

4710. Would you apportion any number of appointments to Natives?—No.

4711 Would you require the selected candidates to go to England to complete their training?—Yes They should undergo two years' probation in England with their English colleagues.

4712 Should the probation be passed at a University, or would you leave that to the candidates choice?—Just as it is now

4713. Do you know any of the young Natives who have gained entrance to the Civil Service through the English competition?—Almost all of those in Bengal

4714 Do you consider that in their case the competitive examination has given us very good men?—Yes.

Mr. *Ryland.*

4715. You are in favor of maintaining the high standard of the English examination?—Yes.

4716. Do you consider that up to the present time the system has given us the best men?—Yes

4717. Would an examination in India by enlarging the area of selection enable us to get better men?—Of course

4718. In what respect?—Because of the wider field for selection.

4719. Do you mean that men intellectually better might thus be obtained?—Yes.

4720 But as regards moral and physical qualities?—I believe Indian schools develop those qualities

4721 Wherein, then, consists the advantage of an English training and education?—It will benefit them physically.

4722. And will also test their moral courage?—I believe so.

Mr. *Stewart.*

4723 How would you recruit for the Uncovenanted Service?—I would admit all Her Majesty's natural-born subjects by open competition in each province in India.

Mr. *Ryland.*

4724. Where were you educated?—In the Canning College at Lucknow and in Calcutta. I was born in the North-West Provinces, but am a Bengali by descent

4725 Have you taken any degree?—No.

4726. Have you been in the Government service?—No

4727 You have had no experience of the duties of the posts reserved for the Covenanted Civil Service?—No, but I have been acquainted with persons in the Service.

The Hon'ble Mr. *Quinton.*

4728 What is your present avocation?—I am a delegate of the Society for translating the Máhabhárata.

Sir *Charles Turner.*

4729. Had you any employment previously—I live on my own private means.

4730 How old are you?—Twenty-two.

Mr. *Stewart.*

4731 Have you any suggestions to offer as regards the pay and furlough rules?—Yes, I believe the present pay of the Statutory Civilians is too small; they ought to have at least three fourths of what the Covenanted Civilian gets. At present they can hardly maintain their position

4732 Do not many of the same rank live upon much less?—Not that I know of As regard furlough the two services should be on exactly the same footing

Mr *Nulkar.*

4733 Are you deputed by your Society to give evidence on their behalf, or do you merely state your own views?—Only my own views.

The *President*

4734. Is there any other point on which you wish to give evidence?—No

WITNESS LXXIII.—28th January 1887

Examination of JEHANGIRSHAH ERACHSHAH KOHIYAR, Esq, Assistant Secretary to the Government of Bombay.

The *President*

4735. You are Assistant Secretary to the Government of Bombay in the Revenue, Financial and General Departments?—Yes.

4736. You belonging to the Uncovenanted Service?—Yes, I have been in the service since 1873. My present pay is Rs. 600 rising to Rs. 700 per mensem.

4737. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—No. So far as I know it is generally disapproved by those who are capable of forming an opinion on the subject. I have known even the near relatives and friends of Statutory Civilians speak of the system with disapprobation. Men who may some day hope to have their sons put into the Statutory Service condemn the system quite as much as those who cannot entertain any such hope.

4738. What are the grounds of disapprobation?—The principal grounds of disapprobation, so far as I know, are:—

(i) An objection to the system of nomination, which narrows the field of selection and is associated in mens' minds with favoritism. The prevailing idea is that there should be a fair field and no favor.

(ii) The feeling that the men who have been appointed Statutory Civilians are not the best, as regards brains or culture, who could have been obtained under a system of open competition. I fear the feeling is to a great extent justified so far as this Presidency is concerned. Of the nine Statutory Civilians appointed in this Presidency the acquirements of some are, I believe, below or not much above the Matriculation standard, and only two are distinguished University men. The general belief is, that under the present system it is impracticable for Government, even with the best intentions, to find out who is the best of the large number of eligible young men in the Presidency.

(iii) The proportion of appointments given to Statutory Civilians, ⅙th of the total number of appointments reserved for the Covenanted Civil Service, is considered too small.

(iv) The feeling that an inferior service has been created for Natives, consisting of inferior men admitted by the back door of favor, and the sense of national humiliation attendant upon such a feeling. This I believe is the chief ground of disapprobation, and lies at the root of the dissatisfaction with the Statutory Service which has been expressed ever since its creation in 1879.

4739. Are the defects of the existing system susceptible of remedy—

(*a*) by an amendment of the Rules; or

(*b*) by an amendment of the Statutory provisions in that behalf,

or should those provisions be repealed?—So far as grounds (i), (ii) and (iii) mentioned above are concerned, the defects of the existing system could, I believe, be removed by altering the rules so as to admit a larger number of men to the Statutory Service by open competition in India. But the chief ground of dissatisfaction, (iv), will still remain, and it, as well as the dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service, can only be removed by repealing the provisions of the Statute 33 Vic., Cap. 3, Sec. 6, or by not bringing them into operation.

The *President*—continued.

Vol IV Sec II Bombay

Jehangirshah Erachshah Kohiyar, Esq

4740. If the provisions of the Statute 33 Vic., Sec. 6, are not repealed nor substantially amended so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—I do not think any such amendment of the Statute as it contemplated in this question will go far towards allaying the dissatisfaction felt with the existing system of admitting Natives to the ranks of the Covenanted Civil Service

4741. If the Statutory Service is retained should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—If the Statutory system is retained the selected candidates should most certainly be required to proceed to England for training.

4742. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Yes. The Natives think that under the existing system of recruitment for the Covenanted Civil Service, the provisions of the Statute 3 & 4 William IV, C. 85, Sec. 87, and the Royal promise contained in the Proclamation of 1858 are not fulfilled.

4743 Do Natives of India labour under any, and, if any, what disadvantages in competing for employment in this branch of the service?—The Natives labour under the following disadvantages in competing for the Covenanted Civil Service:—

(i) They have to pass a difficult examination in a foreign tongue before the age of nineteen.

(ii) The maximum number of marks assigned at the examination for Sanskrit and Arabic is 500 in each case, while the maximum number of marks assigned for Greek and Latin is 600 and 800 respectively. Moreover, no modern Oriental language closely allied with any of the Vernaculars of India finds a place in the examination, while 500 marks are assigned for proficiency in French and German, and 400 for proficiency in Italian.

(iii) Native parents have to send their children at a tender age to a foreign country where it is difficult to ensure proper supervision and control, and to keep them there for several years at a great cost on the mere chance of their passing the examination The temptations to which young men are exposed in England are reported to be so great that the very men, European and Native, who used formerly to advise Native parents to send their sons at a tender age to England for education, now dissuade them from doing so. I have made enquiries regarding the sums spent on Native youths in training in England for the

The *President*—continued.

Covenanted Civil Service, exclusive of passage money and outfit, with the following results :—

Serial Number	Number of years for which the young man was in training in England	Total sum spent during the period.	Average sum spent per annum
1	4½	Rs. 30,000	Rs 6,600
2	10	„ 30,000	„ 3,000
3	10	„ 30,000	„ 3,000
4	3	„ 18,000	„ 6,000
5	2¾	£800	£ 300
6	1	Rs. 4,400	Rs. 4,400

The only one of these six young men who was allowed to appear and was successful at the open competition was the one who was in England for one year only. These disadvantages are so great that practically the Natives of India are shut out of the competition

4744 By what changes may those disadvantages be minimized or removed ?—The disadvantages may be removed by the following means —

(i) By altering the maximum limit of age from nineteen to twenty-three .

(ii) By raising the maxima marks assigned to Sanskrit and Arabic, and adding Persian to the subjects in which the examination is held ,

(iii) By holding examinations simultaneously in England and India

The disadvantage of having to send youths to England at a tender age and great cost might to a great extent be removed if an enterprising private individual established in India a training school for candidates for the open competition in England , and considering the increased activity of private enterprise in the matter of higher education in India, it seems to me very probable that within a few years such an institution will spring up, if competitive examinations for admission to the Covenanted Civil Service are not held simultaneously in England and India.

4745. If an examination is held in India, should it be identical with that held in England ? Should it be held at one or more centres in India ?—Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations ? If such an apportionment is made, on what principle is it to be regulated ? Should there be an apportionment between the residents in the territories of the several Administrations, respectively, or between the members of the principal religious sects ?—The examination in India should, I think, be identical with that held in England, the *viâ voce* examination being dispensed with if it cannot be arranged for. It should be held at one centre in India to minimize the chances of the papers being tampered with, and to increase the chances of detecting the perpetrators of fraud if it occurs. The candidates in England and in India should compete with one another and be selected in order of merit, subject to the condition that the minimum number of Europeans who pass, whether in England or in India, should be ⅗rds of the total number of vacancies, and the maximum ⅘ths : the remaining vacancies being filled by Natives as defined by the Statute 33 Vic, Cap. 3, Sec 6. The result will practically be the same as if the present Statutory Service were recruited by open competition in India, and the number of appointments reserved for it raised from ⅕th to a proportion fluctuating between ⅓th and ½rd of the total number of posts held by the Covenanted Civil Service. The difference will be that there will be between the Europeans and the Indians employed in the service the solidarity and mutual respect of men who have gone through the same ordeal, and there will be no room for the feeling of humiliation felt by the Native public at men of their race not being admitted to the ranks of the Covenanted Civil Service on the same terms as Europeans. I do not lose sight of the fact that the provisions of the Statute 33 Vic , Cap. 3, Sec. 6, admit persons to specific appointments only and not to membership in an organized service, but it seems to me that when young men just commencing life are admitted to the ranks of the Covenanted Civil Service the difficulty of Government in stopping their advancement as soon as their turn comes for promotion to the office of District Collector and Magistrate or District Judge, will be the same whether they have been admitted under that Statute or by open competition in England. In both cases, if the men who are superseded towards the middle of their official career, in the prime of their vigour and manhood, are qualified to hold the appointments, their dissatisfaction will be the same, and so also will be the outcry against their supersession. The administrative inconvenience and the political danger will be the same in both cases.

(4) I should prefer to establish a healthy rivalry between the different Provinces and religious sects, rather than to encourage them to look upon a certain number of appointments in the Imperial Service as theirs, whether they qualify themselves thoroughly for them or not. If this is done, a great impetus will be given to the education of the backward classes, and I think they will be able in a few years to take their place at the open competition without any assistance. In the meanwhile, I should earnestly advocate the founding of scholarships to be held by promising students of the most important among the backward classes, such as the Mahomedans, the Marathas, the Sikhs and the Rájputs, on condition of their studying for the open competition for admission to the Covenanted Civil Service.

A certificate of moral fitness given by the Principal and Professors of the College which each candidate for the open competition may have attended should be demanded from him ; and he should, I think, be required to pass a preliminary test as regards physical fitness, which should not merely be a medical examination with a view to ascertain the candidate's freedom from disease or bodily infirmity, but should demand a certain degree of proficiency in athletic exercises, swimming, riding and manly games—such as cricket.

Generally, I may observe that if an examination is held in India under the conditions which I advocate, only the flower of the youth of the country, regarding them from physical, moral and intellectual points of view, will have any

The *President*—continued.

chance of obtaining admission to the Covenanted Civil Service. They will be a vast improvement upon the precocious, feeble, hot-house plants who alone can, under the present system, obtain admission to the Covenanted Service by open competition, and who will I fear obtain admission in larger numbers if a coach for training them establishes himself in India, and they will be a still greater improvement upon the Statutory Civilian, who will only too often become a source of humiliation alike to himself, to the service to which he has obtained admission, and to his countrymen. The danger of the Natives asking for a larger proportion of appointments in the Covenanted Service than one-third is, I believe, greater under the present system than under that which I advocate for while under the existing system they can always point to a large number of young men who they believe have been unduly handicapped in obtaining admission to the service and are therefore not satisfied with the proportion of appointments assigned to the Statutory Service; under the other system they will see, I think, how difficult it is for their countrymen, even with a fair field and no favor, to make good their claim to the maximum proportion of one-third of the total number of vacancies open to them For as a competent witness has already stated before the Commission, the raising of the age will have the effect of bringing into the field English University men of a high order against whom it will be very difficult for the Natives to hold their own Again, testimonials of physical fitness of the nature suggested above, though necessary in the interests of the service, will have the effect of keeping out precocious young men of low physique, of whom there is, so far as I am able to judge, a greater proportion among Native than among English University men But above all, the fact that the number of men who can in this country afford to maintain their sons up to the advanced age of twenty-three, to give them a liberal University education, and to incur the special expenses of training them for the open competition for the Covenanted Civil Service, is very limited as compared with the number of such men in the United Kingdom, will tell against the Natives The following figures showing the number of persons assessed to the Income Tax in the Bombay Presidency in 1872-73, and of those who were assessed to it in the United Kingdom will throw some light on this subject. The figures for the United Kingdom represent the trades and professions only, those for the Bombay Presidency represent agriculturists in addition to trades and professions. Neither set of figures includes persons who paid the tax on income derived from Government securities and railway or other stock, of which there is believed to be an immensely greater proportion in the United Kingdom than in India:—

Name of Province or Country.	Population according to the Census of 1872.	No of persons with incomes exceeding Rs 1,000 or £100.	Percentage of tax payers to population
Bombay Presidency including Sind	16,228,774	27,909*	·17
The United Kingdom .	31,835,757*	215,770	67

*The Financial Reform Almanack for 1887, pages 105 and 178

The *President*—continued.

Vol IV Sec II Bombay

Jhangirshah Edulshah Kohiyar, Esq

4746. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—If an examination is held in India the successful candidates should be required as an obligatory condition to proceed to England for a term of three years. The objections to going to England are I believe still strong amongst the orthodox members of certain communities, but they are fast wearing out, and no loss of efficiency to the service or total exclusion from it of large and important communities for any considerable length of time need, I think, be apprehended from the enforcement of this condition On the other hand, it seems to me to be absolutely necessary that the Native members of the Covenanted Civil Service should learn to associate freely with Englishmen, and by free and constant personal contact with them learn to enter into and appreciate their modes of thought and feeling more largely than they can in India Of the other advantages of visiting England, which have been worn threadbare before the Commission, I need not say anything. Natives who have received an University education in India are Anglicised in thought and feeling to such an extent that a three years' stay in England will anglicise them as completely as a young lad going to England one or two years before his examination and spending two years there on probation after passing it, is likely to be For my own part I should prefer that the higher administration of the country in the Revenue, Magisterial and Judicial branches should be carried on by an English Service as at present, with a comparatively small admixture of Natives trained in the manner, I have indicated, rather than that any important branch of the administration should be made over entirely to Natives and that, too, to Natives who have never been, to England I believe the former course will be more for the good of the administration and therefore of the country, and that the small measure of confidence thus shown in the people will have a great effect in bringing them closer and attaching them to their rulers—as great I should say, as the Emperor Akbar's policy of employing Hindus in high offices had upon their ancestors And the Natives admitted to the Covenanted Service under the conditions I advocate will, I feel sure, prove themselves as worthy of confidence on occasions of emergency as did the highly educated Native Deputy Collector of Broach on the occasion of the riots of 1885, or one of the Native members of the Commissioned Medical Service during the last Afghan War.

4747. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—There are only three Natives in this Presidency obtained under the system of open competition in England, and only one of them was obtained under the existing limit of age

The Hon'ble Mr. *Quinton*.

4748 Where were you educated?—In the Elphinstone College.

4749 Have you ever resided out of Bombay?—I have resided also at Poona, and I have travelled through parts of the Presidency. I am a Native of Surat.

4750 At what age did you enter the service?—I was born in 1852, and entered the service in 1873.

Vol. IV. Sec II Bombay

Jehangirshah Erachshah Kohiyar, Esq

The Hon'ble Mr. *Quinton*—continued.

4751. What appointments have you held?—I was or a year and a half acting first Assistant in the Meteorological Department of the Government Observatory at Colaba and was afterwards Assistant Superintendent in the Revenue and Financial and General Department. I was subsequently a reporter in the public press for six months, till 1882, when I was appointed to my present post.

Sir *Charles Turner*

4752. As regards the expense incurred by Native youths in training in England, can you tell us whether in the cases you mention there were any exceptional circumstances which raised the annual cost from Rs 3,000 in one case to Rs 6,000 in another?—I have not had time to obtain exact information on that point. I obtained the figures from the nearest relatives of the young men.

4753. Do they represent what has actually been spent or what it was absolutely necessary to spend?—The Natives of this country are scarcely in a position to judge as to what is necessary to be spent.

4754. Are you aware that there is a society in London founded expressly for the purpose of assisting young Natives on their arrival with trustworthy information on these points and for securing for them desirable associations and surroundings?—I know that, but I doubt very much whether it has been able to effect anything.

4755. Do you know any gentleman who has been in communication with the National Indian Society?—I have been told that the only satisfactory circumstance in connection with that Society was, that they had asked some gentlemen to undertake the supervision of the young men.

4756. You say that of the five young men who spent so much money in their training in England only one was allowed to appear. What do you mean by that? Allowed by whom?—By the Civil Service Commissioners. In the first case the young gentleman was not allowed to appear because the age was suddenly lowered. I have not been able to enquire whether in the second and third cases they were able to appear or not. In the fourth I believe the cause was that the age was again lowered. In the fifth the young gentlemen did appear and failed

4757 You propose that the candidates in England and India should compete with one another and be selected in order of merit, but that the minimum number of Europeans who pass, whether in England or in India, should be $\frac{3}{5}$rds of the total number of vacancies, and the maximum $\frac{4}{5}$ths How would the number vary in each year?—Supposing the total number of appointments vacant was forty-two, and out of the candidates who appeared at the examination there were twenty-eight Europeans and fourteen Natives, the first twenty-eight Europeans, and the first fourteen Natives would be admitted, and if out of the first forty-two there were thirty five Europeans they would all be admitted with the first seven of the Native candidates.

4758 There would be a maximum of Europeans and a minimum of Natives?—Yes.

The *President*.

4759. Suppose you had not seven Native candidates?—Then the Natives would lose by default as it were.

The *President*—continued.

4760. But you only allow $\frac{4}{5}$ths to be filled up by Europeans?—I had not thought of that.

4761. You say the remaining vacancies will be filled by Natives as defined by the Statute, do you mean that in the competition in England only Englishmen might appear?—No, they would be free to appear in England or in India.

4762. Then do you mean that amongst the minimum of $\frac{1}{5}$th of Natives you would count domiciled Europeans?—I would certainly include them.

4763. I understand your scheme to be that, suppose there are forty-two vacancies seven at least must be given to Natives, and fourteen may be given?—Yes.

4764. And out of these forty-two, thirty-five may be given to Europeans, but not less than twenty-eight shall be given?—Yes.

4765. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Sec. 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Land Revenue and Judicial Services down to and including the offices of Mámlatdár and Subordinate Judge of the lowest grade, are at present open to all Natives of India as described in Statute 33 Vic., Cap. 3, Sec. 6. If the Covenanted Service is thrown open to Natives even to the limited extent I advocate, I see no reason why the Uncovenanted Service should not be thrown open to the sons of Europeans living in the country who have received their training in India, provided they satisfy the same tests as the Natives and show a proficiency in the Vernaculars of the Presidency I think the condition I have named should be a *sine quâ non*: for if young men wholly unacquainted with the people, their languages, manners, customs, and feelings were to be employed, they would take a great many years before they could make efficient Mámlatdárs or Subordinate Judges—officers who have to deal directly with the people in matters of every-day occurrence Their experience would either have to be acquired at the expense of the people, or during unreasonably long and costly periods of probation.

4766 Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The system of recruitment of the Subordinate Judicial Service which at present obtains in this Presidency amounts to a competition The names of all candidates who, after passing the LL.B. and Subordinate Judges' examinations, apply for appointment are arranged in the order of the date of their passing the examinations, the names of those who passed on the same date being arranged in the order of merit; and they are offered appointments as they fall vacant, no candidate whose turn has come for appointment being as a rule passed over unless he has not passed an examination in a Vernacular language other than his own, and there are other men of his year who have done so, or unless he does not know the Vernacular of the District to which he is to be appointed From the 1st January 1890 the candidates will be required to produce certificates of having either practised or held offices in Civil Courts for three years before they are appointed to be Subordinate Judges. This plan will secure probation at the expense of the candidate. The fact that under the present system

The *President*—continued.

the names of those who have passed certain examinations, and not merely of those who have taken a comparatively high rank at those examinations, are brought on the list of qualified applicants results in very long delays in obtaining appointments, and the result is, I believe, that the services of the best men are often lost to the State On the other hand, the knowledge of the world acquired during the years of waiting is no doubt of great use to those who ultimately enter the service, and on the whole I do not feel inclined to advocate any change in the existing system of making appointments to the Judicial Service.

Under the orders which were passed in December 1878 by Sir Richard Temple's Government for the employment of graduates in the Land Revenue Department of this Presidency exclusive of Sind, and under the orders which have been passed subsequently from time to time in the interest of non-graduates, the following classes of officers are at the present time eligible for Mámlats —

(i) Old officers of the Revenue Department —non-graduates, who were already of long standing in the service when the passing of Departmental Examinations was first (in 1879) made a condition for advancement to Mámlats Government have reserved the right to sanction the promotion of such officers to Mámlats only in very exceptional cases of fitness.

(ii) Non-graduates serving in the Land Revenue Department on 1st January 1879, who had passed the Departmental Examinations prior to that date and thus qualified themselves for Mámlats. These officers take precedence of all others mentioned under heads (iii) to (v) below.

(iii) Non-graduates serving in the Land Revenue Department on the 1st January 1879, who had not passed the Departmental Examinations on that date, but were allowed to pass them within five years of that date, *i e*, up to 31st December 1883* These officers and the graduates who entered the Land Revenue Department under the Resolution of December 1878, and passed the Departmental Examinations up to December 1883, are eligible for Mámlats according to the date of their passing the Higher Standard Departmental Examination, and in the case of men who passed on the same date, according to their rank at the examination.

(iv) Graduates who passed the Higher Standard Departmental Examinations between 1st January 1884 and 2nd September 1885, during which period only graduates were, under the operation of the Resolution of December 1878, permitted, as a rule, to appear for that examination. These graduates cannot be promoted to Mámlats until all the officers enumerated under heads (ii) and (iii) above have been provided for.

(v) Graduates who have passed the Higher Standard Departmental Examination subsequently to 2nd September 1885 Also non-graduates of certain classes,† who since that date have been allowed to appear for the Higher Standard Departmental Examination and who have passed that examination The latter are eligible only to fill vacancies in the office of Mámlatdár, either acting for short periods, or,

* Only two years were allowed by the Government of Sir Richard Temple, but three more years were allowed subsequently.

The *President*—continued

when no qualified graduate is available, permanently -

The practical result of the orders under which all these officers are held eligible for Mámlats is that a large number of non-graduates having forced themselves through the Departmental examinations within the time allowed them after the 1st January 1872, the graduates in the Department find that they have no prospect of promotion to Mámlats for periods extending up to fifteen years and even more The Department has thus lost its attractions for University men The prospects of many of the non-graduates who have passed the qualifying tests are as remote as those of graduates The rule that non-graduates of the class mentioned under head (v) will be eligible to fill every third vacancy in the office of Mámlatdár, the other two being filled by graduates, will perhaps virtually not come into force until all the men (graduates and non-graduates) who qualified before 2nd September 1885, have been provided for There would thus seem to be no prospect of the termination of the deadlock arising from the number of qualified men being far in excess of actual requirements, for a long time to come

The necessary consequence of this state of things is dissatisfaction all round, and, as regards men of the old stamp, I have heard of demoralization also Had the Higher Standard Departmental Examination for non-graduate Subordinates of the Land Revenue Department been a competitive instead of a qualifying test there would not have been at the present time a far greater number of qualified men than is needed, and it seems to me that as regards the future the best course to adopt will be to make that examination competitive. If this is done, and if all the non-graduates who have already passed the examination and who may pass it hereafter are placed on one list, and one appointment in every three in the office of Mámlatdár is allotted to them in the order in which they stand on the list, the others being given to qualified graduates, or in their absence to non-graduates, there will be no room for complaint after the present block in promotion has terminated. Such a rule may be brought into force from the 1st January 1890, after which date the first competitive examination according to the Higher Standard should be held only when the number of qualified graduates has been reduced to the required minimum

The appointment of graduates, too, to the Land Revenue Department, may, I think, be made competitive in the same manner in which the appointment of LL. B's. and men who have passed the Subordinate Judges' examination to the lowest grade of Subordinate Judges is now competitive. That is to say, the graduates who apply for admission to the Land Revenue Department may, in each Division, be brought on one list in the order of date of their passing their degree examination, and in the case of men who passed on the same date, in the order of merit. Appointments of Rs. 30—those on which graduates now commence—may be offered to them in their order on the list, care being taken not to recruit more graduates than the requirements of

†(*a*) Chitnises or Head Clerks to Commissioners and Collectors, (*b*) Officers of the Revenue Service of not less than ten years' standing, who may have been recommended by Commissioners on grounds of special merit and accepted by Government as persons fit to appear at the Higher Standard Departmental Examinatson.

Jehangirshah Erachshah Kohiyar, Esq

The *President*—continued

the service demand Vernacular tests similar to those in force in the Judicial Department may also be demanded if considered necessary.

If the grade of Mámlatdárs are recruited in the manner I have suggested, I see no reason why those of Deputy Collectors should not be recruited from Mámlatdárs only, instead of, as now, mainly from Mámlatdárs, but occasionally also from Head Accountants, and from men of good family who prefer to be appointed Deputy Collectors at once instead of passing through the grade of Mámlatdárs. In fact, the grades of Mámlatdárs and Deputy Collectors may be readjusted so as to secure a regular flow of promotion from grade to grade. Such are my suggestions so far as regards the Presidency proper. As regards Sind, where graduates have a preferential claim to the appointments of 2nd Munshi in Mukhtyarkars' offices, and where graduates and non-graduates who pass the Higher Departmental Examination are all brought on one list in the order of the date of their passing the examination and their rank at the examination, a similar system may, I think, be adopted for the future

If these suggestions are accepted, two-thirds of the Land Revenue Department in the grades of Mámlatdárs, Mukhtyarkars and Deputy Collectors will be ultimately filled by University men, and that Department will then fairly stand comparison, as regards honesty and success in the administration of justice, with the Subordinate Judicial Service, to which the Land Revenue Department is now considered inferior in these characteristics. That the graduates who have ere this been promoted too quickly to Mámlats are not at present equal in administrative capacity to Mámlatdárs of the older generation is only to be expected from their comparative inexperience It would be well if before promotion to Mámlats graduates had to serve short periods of apprenticeship in several of the appointments intermediate, in point of salary, between the Karkunships worth Rs. 30 per mensem on which they commence, and Mámlats such appointments for instance as those of Head Karkuns to Mámlatdárs of Mahalkaris, and of Chitnises to Collectors and Commissioners. I would only hope that the total period of apprenticeship may not be fixed so high as to drive away the best talent from the Land Revenue Department.

4767. Whatever system be adopted, should the recruitment be made by the several Administrations only form persons resident in the territories under such Administrations respectively, or with a preference for such residents?—I think that for the reasons I have already mentioned, the recruitment should be made by the provincial Administration only from persons resident in the territories under it

4768. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—If the existing Statutory Service is abolished the proportion of offices assigned to that service should be thrown open to competition in England and India I do not think that it would be possible, as a rule, to promote Uncovenanted officers to the Covenanted Service, or that if it were possible it would be advisable—in the interests of the administration—to do so. In the first place, I presume that only men of merit and ability proved in the Uncovenanted Service would be appointed to the offices which are now filled, as a rule, by young men just beginning life, for if

The *President*—continued

men who merely give promise of future usefulness are to be appointed there is as much reason for selecting them out of unemployed young men as out of young men who have not been long in the service. It takes many years, generally as much as one-half of a man's total period of service, to establish a reputation, in large services like the Subordinate Land Revenue and Judicial Services for conspicuous merit and ability. By that time it is generally not worth a man's while to accept an appointment in the Covenanted Service on the condition that he should take rank after the competition men who had arrived in the country before he was admitted to the service, even if the pay which he is actually drawing at the time he is admitted is guaranteed to him until he is promoted. For such a man would generally find that he has much better chances of promotion if he stays where he is than he would have if he were to enter the Covenanted Service in the hope of rising to be District Judge or District Magistrate some day—a hope which could not possibly be fulfilled long before the end of his service, if it is fulfilled at all. To ask that such a man should be put over the heads of Covenanted Civilians drawing less pay than himself in the gradation list of Civilians would be obviously unfair to the Covenanted Service, and no Government could accede to such a request without running the risk of producing discontent and consequent inefficiency in that service In either case the vague hope of Uncovenanted officers of proved merit and ability to enter the Covenanted Service would be disappointed. As to detaching a certain number of appointments from the Covenanted Service and making them over to the Subordinate Land Revenue and Judicial Services, if such a scheme is contemplated in this question, I have already stated that the course does not appear to me to be advisable Rather than do so, I would propose that certain appointments which are at present open to these Uncovenanted Services in common with legal practitioners and others, as well as other appointments of a similar nature, should be reserved as prizes for the most distinguished members of these services. Such appointments might be :—

1. *For the Judicial Service.*

Judges in the Presidency and Mufasal Small Cause Courts, except the Chief Judge

Officers of the High Court, such as Deputy and Assistant Registrars on the Original and Appellate Sides.

2 *For the Revenue and Magisterial Service*

Presidency Magistrates, except the Chief Presidency Magistrate.

Talukdari Settlement Officer.

City Magistrate, Karáchi.

I speak on this subject with great diffidence, as there may be advantages in employing legal practitioners in such appointments of which I am not aware I may only remark that the best of the Barristers in Bombay, European or Native, or for the matter of that even such of them as have succeeded in establishing a reputation at the Bar, would scarcely care to accept any of these appointments; and that it seems to me a hardship that men who at the outset of their career, after passing the L L B, and Subordinate Judges' examinations, chose the Subordinate Judicial Service, should towards the end of it find some of the best of the appointments within their reach snatched away by those of their *confrères* who preferred to practise at the Bar

The *President*—continued.

4769 Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated?—I think the pay given to Natives admitted to the Covenanted Civil Service, whether by competition or under the Statutory rules, or from the ranks of the Uncovenanted Service, should be two-thirds of that of Europeans

4770. Should any distinction be made in the Furlough Rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other, and what ground?—The furlough rules, for members of the Covenanted Civil Service, differ from those for Statutory Civilians in the following respect.—

The Covenanted Civilian is entitled to furlough for six years in all during the whole of his service the Statutory Civilian for two years only (Civil Leave Code, 6th Edition, Secs 47 and 83)

It seems to me that Natives admitted to the the Covenanted Service, whether under the Statutory rules or by open competition, should be allowed furlough for four years on condition that two of them at least are spent in Europe. This will not only afford them greater facility for recruiting health, but also enable them to keep touch with the civilisation of the West, a great advantage in itself.

4771 Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory Rules?—As regards the question of pay I have already given my answer above As regards the retiring annuity, the following difference is observable between the rules applicable to the Covenanted and Statutory services —

The Covenanted Civilian is entitled after twenty-five years' service and twenty-one years'

The *President*—continued.

active service, to a pension of £1,000, out of which £600 is held to be the amount paid by the State, the remainder having been contributed by himself the Statutory Civilian does not contribute to his pension, and is entitled to a pension of Rs 5,000 a year, after an active service of not less than twenty-five years, and Rs 6,000 a year after similar service of not less than thirty years (Civil Pension Code, 5th Edition, Secs 27 and 34).

I see no objection to the rates of pension for Statutory Civilians, which might, I think, be rendered applicable to Natives who are admitted to the Covenanted Service by competition, but I think that it would be an advantage if the two years of furlough spent in Europe were counted, virtually, as qualifying service, and the Native Civilians given a pension of Rs 5,000 a year after twenty-five years' service, and twenty-three years' active service, or of Rs 6,000 a year after thirty years' service, and twenty-eight years' active service The encouragement thus given to Natives in the Covenanted Service visiting Europe would, I think, be amply repaid in various ways.

Mr. *Stewart.*

4772 When you say that graduate candidates for Mamlatdárships cannot hope to get promotion before fifteen years, you refer, I presume, to the present state of things caused by an unforeseen block?—Yes.

4773. You say, as regards the graduates, they are dissatisfied, and, as regards the old class, they are demoralized also, what do you mean by demoralized?—I was told the other day by a distinguished Collector that the men were making the best of their opportunities.

The *President.*

4774 Do you mean they are corrupt?—Yes, they think they will have to wait so long for promotion that they are drifting into corruption, not having the moral training of the graduates.

4775. Is there any other point you wish to bring out?—No.

WITNESS LXXIV—28th January 1887.

Examination of the Hon'ble RAYMOND WEST, M.A., F.R.G.S., LL.D., Barrister-at-Law, Judge, High Court, Bombay.

Vol IV. Sec II Bombay.

The Hon'ble *Raymond West.*

The *President.*

4776. Will you kindly state your views on the general questions before the Commission?—My views on the general subject are very fully set forth in the answers I have sent in, so that on the general question of the constitution of the Public Service, I can hardly add anything.*

I am desirous, however, of removing what I think to be a somewhat false impression created by some misunderstanding of what Sir Charles Sargent said the other day with regard, as it has been understood, to the comparative efficiency of the different classes of Judicial Officers in this Presidency. I understand the Chief Justice to have meant no more than this that if it were necessary in the interests of the public and of the public service to make a reduction in the Covenanted Civil Service, the Subordinate Judges of the Presidency afforded a fund from which the Government might readily draw to supplement the diminution, the Subordinate Judges under the existing system being eminently qualified for the offices they fill and a very able and well educated set of men. In that opinion of the Chief Justice I entirely concur; but if, as it appears to have been supposed in some quarters, the inference to be drawn from that, is that the Covenanted officers filling the position of District Judges are even comparatively inefficient, much less if the inference is to be drawn that they are less qualified as Judges, taken in any respect, than the Subordinate Judges, I cannot concur in any such opinion, nor do I think that is the opinion of the most intelligent amongst the Subordinate Judges themselves.

As is generally known, I am one of those who have watched by the cradle of the Subordinate Judicial Service in this Presidency and I should be sorry to hear anything said in its disparagement. I feel the greatest possible interest in it, it has been continually advancing, and will I think continue to advance in efficiency and ability. But I think that in late years there has been a great advance also in the upper branch of the Judicial system, and at this moment it cannot be said that branch is not, for its purpose, perfectly efficient. I have had a few tables prepared in the office of the High Court. I would not attach an excessive value to such statements, but I trust that a comparison between the work done by the different branches will conclusively show that the District Judges in this Presidency cannot in any degree be charged with inefficiency in the performance of their functions. The first list I have had made shows what the result was, during two years, of appeals from decrees made by Judges on the Original Side of the High Court itself, and it will appear that the proportion of confirmations was forty-two, that is rather more than $\frac{4}{10}$ths.

* *Note.*—The answers referred to are given in section 3 of

The *President*—continued

Results of Appeals from decrees on the Original Side of the High Court

	Decisions				
	Confirmed.	Modified.	Reversed	Dismissed, withdrawn or disposed of by consent decrees.	Total
1885..	6	6	7	3	22
1886...	20	6	7	7	40
Total	26	12	14	10	62

·42 of confirmations.

$1\frac{4}{7}$ Confirmations to 1 reversal.

These are appeals from the Original Side of the High Court to a higher bench of that Court

The next point to which I will call attention is the small statement No 2 I will ask the Commission to look at the first part of that statement which shows the appeals from decisions of District Judges and Assistant Judges classed together in one group, for 1885 and 1886. This return I may point out is confined to the class of cases in which questions of fact came particularly under the notice of the Courts *viz.*, first or regular appeals in which the appeals lie on a matter of fact, the other appeals being only on matters of law. The results are shown in this tabular statement. No 2

Results of Trials of Regular or First Appeals against decisions of the Lower Courts on Facts (as well as Law) in the High Court of Bombay in 1885—1886.

	Confirmed	Modified.	Reversed	Total	Remarks.
Appeals from decisions of District Judges and Assistant Judges.					
In 1885 ..	18	0	3	21	7894 of decisions confirmed
,, 1886 ...	42	10	3	55	10 confirmations to 1 reversal.
	60	10	6	76	
Appeals from decisions of Subordinate Judges					
In 1885 ...	14	6	13	33	·4868 of decisions confirmed
,, 1886	23	10	10	43	$1\frac{3}{5}$ confirmation to 1 reversal
	37	16	23	76	

$1\frac{3}{5} \times 6 = 10$ Thus tested the District Judges' decisions are six-fold better than those of the Subordinate Judges.

The *President*—continued.

The first remarks at the side of the table points out that 7894, that is nearly 80 per cent. of the decisions were confirmed, and the second remark shows that there were ten confirmations to one reversal in this class of cases in these two years, namely, those cases in which fact came more particularly into question The second part of the return relates to appeals from decisions of Subordinate Judges, that is, regular appeals in which matters of fact were at issue, and the total result, it will be seen, is 37 confirmed against 23 reversed, that is to say, 4868, or nearly one-half of the decisions confirmed instead of 80 per cent, and 1⅔rds confirmation to one reversal instead of 10 confirmed to 1 reversed as shown for appeals from District Courts If we draw out the ratio of these two proportions it is that of six to one. One and two-thirds, the proportion of confirmations to reversals in the case of appeals from the Subordinate Judges, multiplied by six makes ten, the proportions of the confirmations to reversals in appeals from the District Courts This comparison shows that if we were to judge by the actual numerical results the conclusion would be in a high degree in favor of the comparative efficiency of the District Judges I do not think that one should attach too much value to results of this kind, but I do think that the table at least shows this most conclusively, that the Judges of the District Courts and the Assistant Judges, taken as a class, cannot be considered inefficient for the trial of matters of fact It is in these appeals on matters of fact that the District Judges really come out most favorably On the other hand, it is due to the Subordinate Judges to say that in appeals that have been again appealed to the High Court on matters of law, they on the whole show much more favorably than the other class. So that the conclusion I arrive at is something entirely different from the view taken by the Chief Justice, and is that the Subordinate Judges *do* decide matters of law very well, whereas in determining matters of fact they do *not*, as a rule, come out nearly so well as the Judges and Assistant Judges of the District Courts. I may explain that one reason why they come out so favorably in matters of second appeal where the appeal is solely on matters of law is, in many instances at any rate, that the District Judges in handing over appeals to be tried by the Subordinate Judges, who hear only such appeals, attached to a Court for the purpose of giving assistance to the District Judges in disposing of an accumulation of appeals, usually and very properly select for these Subordinate Judges the most simple and easy appeals, and direct the officer of the Court to retain for themselves those which present most difficulty That would account for the Subordinate Judegs being more successful, judged by the result when the cases come to the High Court afterwards. But the difference is after all not very great; All that I mean to insist on is that it is established conclusively, if these returns are taken as evidence, that the Subordinate Judges, so far from shining specially in the determination of matters of fact, shine rather in the determination of matters of law I will now ask the Commission's attention to the following returns, the object of which is to show the results of appeals from the District Courts in the Presidency of Bombay to the highest Courts, the results in the High Court here during 1885 and 1886.

The *President*—continued.

The return which I now lay before the Commission relates only to the District Courts and the appeals from them.

No. 3

Results of Trials of Second Appeals from decisions in First Appeals of the District Courts of the Presidency of Bombay.

	Confirmed	Modified.	Reversed	Total.
1885 ...	350	8	64	422
1886 ..	643	31	108	782
Total ...	993	39	172	1,204

·8247 of decisions confirmed
5¾ confirmations to 1 reversal.

It will be seen that there were 993 judgments confirmed against 172 reversed in the two years in Second Appeal. That represents 8247 or 82½ per cent of decisions confirmed or 5¾ confirmations to 1 reversal If that be compared with the results of appeals from the Original Side of the High Court in the return first put in, it will be seen that it is more favorable to the District Courts. But let us compare it with the following return :—

No 4.

Results af Appeals from decisions of Single Judges to the Lord Justices of Appeal reported in L. R. 27 Ch Div

Confirmed	Modified	Reversed	Total.
16	2	6	24

·667 of decisions affirmed.
2⅔ Confirmations to 1 reversal

I had one of the volumes of the Law Reports taken out quite casually and the appeals in it counted and their results noted, and, as will be seen from the above return, they represent 16 decisions confirmed against 6 reversed, and 667 of decisions confirmed , again, 2⅔ confirmations to one reversal; the proportions in both instances being in a marked degree less than the proportions of confirmations in the case of the District Judges of this Presidency, namely, ·667 against ·824 of the total, and 2⅔ confirmations against 5¾ confirmations to 1 reversal. The comparison is thus wholly, so far as it goes, in favor of the District Courts of this Presidency.

Next I will ask the attention of the Commission to another small return I have had made in which the appeals in two volumes were counted.

No 5.

Results of Appeals to the House of Lords and the Privy Council as shown in Vols 9 and 10 of L R Appeal Cases.

	Confirmed.	Modified	Reversed.	Total.
1884	30	6	17	53
1885 ..	24	5	9	38
Total .	54	11	26	91

·593 of decisions confirmed
2 confirmations to 1 reversal.

These generally are appeals against appellate decisions, so that they correspond in a degree to the second appeals in our High Courts against

The *President*—continued.

the decisions in appeal of District Courts. The result of the two years—1884 and 1885—there shown is 54 confirmed to 26 reversed, and the proportion of decisions confirmed is ·59, that is 59 per cent., and 2 confirmations to 1 reversal.

The result in every case, therefore, appears to be very favorable to the working of the District Courts, and the list having been made out without any particular reference or choice of volumes, the conclusion seems to be a pretty safe one, that the District Courts in this Presidency cannot, as has been supposed by certain critics under a mistaken impression of what the Chief Justice said, be considered to be inefficient for their proper purposes.

Before I leave this subject I should like to draw attention to two other returns, which I have had prepared in the office of the Registrar These show the results of appeals to the Privy Council from the High Court and the late Supreme Courts in India. They are the result of an examination of fourteen volumes of Moore's Indian Appeals.

Moore's Indian Appeals, Vol. I. to XIV.

Results of Appeals heard by the Judicial Committee of the Privy Council from decisions of the Superior Courts in India.

CALCUTTA.				MADRAS				BOMBAY				ALLAHABAD				REMARKS.
Confirmed	Modified	Reversed	Total	Confirmed	Modified	Reversed	Total	Confirmed	Modified	Reversed.	Total	Confirmed	Modified	Reversed	Total	
110	19	100	229	32	1	24	57	27	3	17	47	16	6	13	35	
48	8	43	..	57	2	42		57	6	36		45	17	37		Percentage.

But I will only trouble the Commission by stating what the percentage of confirmation is as shown by these volumes. From Calcutta the percentage of confirmations was 48, which shows that the chances were apparently greater of a decision actually contested being reversed than of its being confirmed on appeal to the Privy Council; and from Madras the proportion of confirmations was 57, which is better than the result from Calcutta. From Bombay also the result was 57 per cent., from Allahabad the result falls below that from Calcutta, being 45 per cent. of confirmations. When we pass from the earlier to the more recent volumes of decisions of the Privy Council, those contained in the new reports published by the Council of Law-Reporting, we get a result somewhat more favorable.

Law Reports, Indian Appeals, Vols. I to XII.

Results of Appeals heard by the Judicial Committee of the Privy Council from decisions of the several High Courts in India.

CALCUTTA				MADRAS.				BOMBAY.				ALLAHABAD				Remarks.
Confirmed	Modified	Reversed	Total.	Confirmed	Modified.	Reversed.	Total	Confirmed	Modified	Reversed	Total	Confirmed	Modified	Reversed	Total	
93	17	52	162	18	2	12	32	11	1	1	13	17	3	12	32	
57	10	32		56	6	37		85	7½	7½	.	53	9	37	.	Percentage.

Calcutta has 57 per cent. of confirmations; Madras 56; Bombay, I am happy to notice, 85 per cent.; Allahabad improving on its former

The *President*—continued.

position, but still lagging somewhat behind, has 53 per cent of confirmations. If we compare any of these results, singly or in the aggregate, with the results of appeals made from the District Courts to the High Court, we arrive at a general conclusion which is distinctly in favor of the working of the District Courts according to the only test which a Judge of the High Court can apply, *viz*, what are the results of the cases which actually come before them. That the High Courts themselves are sometimes rash is shown by this analysis.

Results of Appeals from the High Courts in India heard by the Judicial Committee of the Privy Council. From Law Reports 7—12 Indian Appeals.
(*N B.*—This does not include appeals from Judicial Commissioners or the Punjab Chief Court)

In Judicial Committee.	District Judge's decrees confirmed by High Court.	Subordinate Judge's decrees confirmed by High Court	District Judge's decrees reversed by High Court.	Subordinate Judge's decrees reversed by High Court.	District Judge's decrees modified by High Court.	Subordinate Judge's decrees modified by High Court	REMARKS.	
Confirmed	15	16	11	13	3	4		
Reversed	3	3	3	13	2	1		
Modified	2	...	4	1	1	3		
	20	19	18	27	6	8		
	·75 Confirmed by Judicial Committee.	84 Confirmed by Judicial Committee.	·61 Confirmed by Judicial Committee.	48 Confirmed by Judicial Committee.	5 Confirmed by Judicial Committee.	5 Confirmed by Judicial Committee.		

The number of appeals made from the decisions of the District Courts in proportion to the number of cases decided by them, I may say is about one in four; the proportion of reversals therefore would be about 4 per cent. of the whole, or of about 1 decision in 25 I think it is impossible, then, to conclude, when one looks at the figures fairly—and nothing is so good for correcting a first impression as an examination and testing of figures,—that it is open to us as Judges of the High Court to say that the District Judges

The *President*—continued.

are inefficient in the performance of their proper duty.

A great deal of care is now taken in the instruction of the successful candidates for the Covenanted Service in law, and so far as their rather too tender age allows they come out very well grounded, especially in the Criminal Codes, as I have discovered for myself by testing the young men who have been sent to me on reaching India some years ago. Sir Henry Maine spoke of the remarkable ability which the selected candidates showed in answering their Law papers, and I dare say this ability is displayed in a remarkable degree, while on their arrival the Civil Servants are put to work which, as a training for them in Magistrate's and Revenue officers' duties, gives them that kind of proficiency which is the very best they could start with as Judicial officers at a later stage. On this point I would like the Commission to refer to a minute which was drawn up some years ago by Mr. Justice Melvill and if the Commission allow me I will read an extract from it.

Extracts from a Memorandum made by Mr. Justice Melvill, *on a minute by the Hon'ble* J. Fitzjames Stephen *on the Administration of Justice in British India.*

Dated 13th November 1872.

Para. 6—"The Judicial Branch was certainly in disrepute when I entered the service (in 1855); and I can remember some instances of incompetent men being made Judges in order to get rid of them from the Revenue Department. But there have been no similar instances since the establishment of the High Court. The High Court would feel bound to protest against any such action on the part of Government, and I have no doubt that the Government would recognize the propriety of the protest. So far from there having been any recent attempt to make the Bench a refuge for incompetency, the Government has, on one occasion certainly, removed a Judge at the request of the High Court, and relegated him to executive duties.

Para. 7.—"At the present moment the Judicial branch undoubtedly contains its fair share of the best men of the service, and if the present system be continued, I think it will continue to attract a fair proportion of such men..... . .. ..

Para 9.—"I think that the two years which elapse between the first and final examinations to which a young Civilian is subjected before he comes out to India, should be devoted as much as possible to the study of law, and as little as possible to the study of the Native languages, which can much more easily and quickly be acquired in this country. When he has been thus well grounded in law, he can, I believe, receive no better practical legal education than he will acquire during five years spent as an Assistant to a Collector and Magistrate. In that position he will acquire a fair knowledge of the language, the habits and feelings of the people, he will learn how to obtain and value evidence, he will become practically acquainted with, and, as a Sessions Judge, will be better able to supervise all that portion of the Judicial machinery which is worked by the Police officers and Magistrates; and he will learn something of the details of our revenue system,—a knowledge of which he will find most necessary to him as a Judge, for the Pleaders in the Civil Courts are, as a rule, perfectly ignorant on the

The *President*—continued.

subject, and will render him little or no assistance in suits in which questions relating to the revenue may arise. I am far from undervaluing such a practical forensic training as is suggested by Mr. Stephen at para. 48 of his minute, but I am convinced that no such measure as he proposes would fit a Civilian for the duties of a Mufasal Judge, so well as a few years spent in the discharge of the functions of an Assistant Collector or Magistrate.

Para. 21.—"The permanent Native Appellate Judge should receive the same pay as an Assistant Judge, which might well be fixed at Rs. 1,000 per mensem. Such a salary in the case of a Native would be at least as high a renumeration as that now paid to the European District Judge. A Native can supply his wants at half the cost to a European, and he has no claim to that portion of the salary of the English official which is intended as a compensation for separation from home and family, and for living in an unhealthy and unpleasant climate. Natives now almost monopolise the Subordinate Judgeships, they hold the greater number of the Small Cause Court Judgeships, and if to these advantages were added the prospect of one or more seats in every District Court, and of a seat in the High Court, they would certainly have no reason to complain that they had not their full share of Judicial appointments.

Para. 25.—"At page 98 Mr. Stephen advocated the throwing open the position of Sessions and Civil Judge to Natives. This appointment is of course necessarily open to Natives who are members of the Covenanted Civil Service. It is not, I think, desirable, at all events for the present, to go further than this. It is not desirable that a Native should hold an office by virtue of which he is to preside over a Court of which the other members are English Full Power Magistrates, and the duty of which Court it is to hear appeals from the decisions of English Full Power Magistrates. It would be quite sufficient if Natives be admitted as members of the Appellate Courts on a salary which is in their case at least equivalent to that enjoyed by the Sessions and Civil Judges."

On the occasion when Mr. Melvill's minute was recorded, I too wrote a minute on the system of appeals, some lines of which it may be worth while to read as pertinent to the present enquiry. I say in it that first appeals, where matters of fact are involved, were really better disposed of (with ordinary intelligence) in the District Courts, than in the High Courts, because the Pleaders being thoroughly familiar with these districts and within reach of local information, are in a position to help the Judge with much greater ease than a Pleader in the High Court.

Extracts from a Minute by Mr. Justice West regarding the proposals for the revision of the then existing system of appeal in the Courts of Civil Judicature.

Dated 14th July 1873.

"The District Judge having a special experience of the district ought to deal with the case* quite as well as the High Court. If further evidence is required, it is obtained more readily than by the High Court. If the Courts of first appeal, therefore, be only reasonably well manned, I do not think their decisions would in general be improved by a further appeal. I mean their deci-

* In first appeal.

Vol IV Sec II Bombay.

The Hon'ble *Raymond West.*

The *President*—continued.

sions on the facts, against their decisions on points of law there is an appeal already, as I think there ought to be in every case

"It has become almost a common place of complaint that the High Courts are often prevented from doing justice by their powerlessness to interfere with the first Appellate Court's decision on the facts I think that in this matter injustice is often done to the lower Courts. Opinions as to the proper inferences from evidence may vary infinitely, because there is no definite standard to refer to. There must in general have been at least a plausible case for the first Courts' judgment on a matter of fact which has been upset in regular appeal, and it is not worth while for the Pleader of a respondent in special appeal to fight very earnestly for the soundness of the District Judge's decision, which sound or unsound is conclusive and in his favor. It is very seldom indeed that the facts are so completely set before the Court in a special appeal as in the previous regular appeal; and unless they are, it cannot safely condemn the decisions arrived at upon them If these decisions be palpably erroneous in so many instances, as is sometimes asserted, how comes it that an application for a review of judgment is so seldom presented?—I believe that complaints are very often urged in the High Court which, if presented in this, the proper forum, the first Appellate Court would be met by an immediate and sufficient answer.* Inexperienced Judges (and Assistant Judges perhaps still more) are rather too ready to set their own mere opinion against that of the Judge of first instance In a revised Code of Procedure, this should be expressly guarded against, and in the meantime the High Court might occasionally remind a District Judge or an Assistant Judge that a decision should not be reversed unless the Appellate Court is satisfied that it was wrong, but I think the proposed rule C would invite and ensure an appeal on the facts in every case in which the Appellate Court differed from that of the first instance I do not think this desirable or an improvement upon the present system.....

* It would be well, however, if every Judge were required to keep a minute in his own hand of all the judicial proceedings in each case before him. These notes would make many things clear which without them are inexplicable and open to misrepresentation

"If appeals could readily be made to the Privy Council, there would be as large a proportion of them, I think, from decisions of the High Courts as there now are to the High Courts from decisions of the District Judges The proportion of judgments reversed or modified is about the same in each class of cases, and in each it would become much lower if judicial appointments were made on the sole ground of special qualifications for the work. A lower proportion of reversals would convey an intelligible lesson even to those who could not quite follow the reasoning of the judgments, and the completely groundless appeals which now form so large a proportion of the whole number filed would fall as low as our mischievous rules for the remuneration of pleaders would allow them to fall.

"In illustration of what I have just written, I may be allowed to refer to my own experience. As District Judge of Canara I disposed of rather more than 700 regular appeals Special appeals were filed in about 1 in 17 of these cases My judgment was reversed outright in two cases, in

The *President*—continued

six it was reversed and the cause remanded in order that some issue might be tried which had not been raised before me. In six of the cases thus remanded the original decision in regular appeal was repeated: the other two went down after I had left the district, and I don't know what the result was It is hardly desirable that there should be fewer special appeals than 1 in 17 or 20 of the cases of regular appeal. A reversal in only about 1 case in 15 or 20 of special appeals would very soon bring down their number within manageable limits, and I see no reason why the proportion should be higher for other districts than for Canara if judicial competence were firmly insisted on."

That unless the Commission desire to put some questions to me on the subject will close what I have to say on this particular branch of the enquiry.

Mr *Crosthwaite*

4777. Are these Subordinate Judges taken from practising Pleaders?—In almost every case they are gentlemen who have taken the degree of LL. B., in the Bombay University and who by that become qualified, on paying a certain fee and stamp duty, to become Pleaders of the High Court, but who in most instances have not become so on account of the heavy duty imposed by the Government on taking out a license. They generally lie by for a year or two until a vacancy occurs and they are appointed then directly to the mufasal bench in the order in which they have passed.

4778. Has the experiment ever been tried here of appointing a Subordinate Judge to a District Court?—The Bombay Government did, in one instance, appoint a gentleman who had filled the office of Assistant Judge, and Judge of the Small Cause Court, to a higher post than the post of Joint-Judge which he held for about two years

4779. Was that done under the Statute?—I think it was done under 33 Vic.

4780 Was it done on the recommendation of the High Court?—No

4781. Was it a success?—I cannot say that it was. The gentleman was removed by the Government of India

4782. It has been suggested that the administration of Civil Justice may be separated from that of Criminal Justice and made over to Subordinate Judges, who are generally Natives. Would you favor an arrangement of that kind?—My opinion is that the matter must be looked at as one branch of the general enquiry as to the proper organization of the public service. I think there are particular instances in which Subordinate Judges might, as part of a general organization, be advanced to the higher position; but any sudden change of that kind would be attended with enormous mischief. There would not be the proper selection, and there would be a break in the continuity of the public service, and a breaking up, also, of the respect for the Courts which it is so very important to preserve in a country like this I should like in this connexion to point out a few of the duties which, besides the strictly Judicial ones, devolve on the District Judge and make it important that the officer holding that office should be a man of cool and calm temperament, and as far removed as possible from all connection with the factions and intrigues of his district, and also known to be as far as possible removed from them—above suspicion in fact. He has the superintendence of the Subordinate Courts, deci-

sions which come before him in cases which are not subject to appeal That is of comparatively small importance He has the superintendence of establishments all through his district That is a matter of importance and requires a very calm and impartial temper and severance of connection from all private and official interests in his district He has the appointment of all functionaries in his Courts drawing a salary of more than Rs 10 When I was myself a District Judge, soon after I took up the office, I found that in the Canara district, of which I was appointed Judge, the whole of the Court's establishments were divided amongst a very few families, so much so that I found nearly seventy employés in different offices of the district belonging to one family In the event of any misconduct on the part of the establishments it would have been, under the circumstances, almost impossible to get at the truth, when there was so large a party dispersed through the district largely concerned in keeping the truth back. I do not say, of course, that a Native Judge could not work an investigation of that kind, but only that he would stand at a disadvantage. Then the District Judge has to make representations to the High Court on the character and conduct of the Judges under him with a view to promotion That is a matter also which requires a certain degree of severance from the social feeling of the Native community of the district. Then the investigation of the accounts in his own and the Subordinate Courts devolves upon him under our system, and I need hardly tell some of the members of the Commission that fraud in the accounts of the Courts in this country is a matter of not very unfrequent occurrence The opportunities for fraud are very frequent. I do not say a word against the character of the officers in charge of the accounts and the ministerial work, but I say there is a duty to be done by the Judge, and that severance from local feeling, from local jealousy and suspicion is desirable in a matter of that kind The transfer of the Administration of Civil Justice from the hands of the present District Judges to those of Native Judges on lower salaries, which would be necessary should the functions of Sessions and Civil Judges be severed, must be attended also with a lowering of salaries either on one side or on both, and this would immediately lower the respect felt for the orders of the Courts. Such a change would have the effect of lessening the respect which makes the use of force needless by aiding Government in subduing the spirit of violence and revenge which one finds always existing to a certain extent amongst the half-educated, unadvanced communities. Next it is pretty certain that under the new system European officers would shun the Judicial line of the service Its official and social estimation would be lowered The Civil Judge seeing the Sessions Judge better paid would become dissatisfied The people seeing the Civil Judge less paid would look upon him as an inferior person to the Sessions Judge, and this feeling of comparative contempt would soon be followed by distrust. Again, the ready and unquestioned acceptance of the judgments of the Court, which is so valuable as a means of peace in a country, depends very greatly on the figure and impression, a Judge makes on the popular imagination, and this in the case of the District Judges is affected far more by the Judge's work

as Sessions Judge than by his work as Civil Judge His work as Civil Judge is in that manner furthered considerably by his administration of Criminal Justice In the pretty frequent case of disputes between castes or factions in this Presidency, the English Judges' decisions are never questioned on the ground of their justice On the ground of their quality they may be, but intentional injustice is never imputed On the other hand, the Native Judge's decision, when he gives one, is hardly ever received with the same feeling of confidence Then there are cases of friction between the Subordinate Judges and the Executive Officers which occur from time to time, and are specially likely to occur when the Collector has to carry out the decrees of the Civil Courts as he has now At the present time the intervention of the District Judge is generally effectual, but if the position of the District Judge were lowered in any material degree or his relation to the general Administration materially changed, his intervention would certainly become less effectual and, in some instances I am afraid, rather more than useless In suits against the Government and Government officers the Jurisdiction in which is now confined to the District Courts, the District Judge's decision is received by both sides without suspicion of partiality, and there is hardly any other country except England, of which we can say the same I fear that here too the same confidence might very likely not be felt in Native Judges of no particular distinction. Defeated suitors would grumble and spread malevolent reports A strong-willed Collector would, no doubt, exercise a powerful pressure on the Civil Courts The Government if defeated would be tempted to extend the operation of the Revenue Jurisdiction Act, which has been so ill received by the community in this Presidency, the Executive officers would probably bear the adverse decisions given by Native Judges of comparatively low rank only with resentment, or with jealous defiance They would complain loudly to the Government, and the Government, unable to form an accurate judgment for itself, would withdraw this and that class of suits by degrees from the Ordinary Jurisdiction We should thus pass from the constitutional English system of general official responsibility to the ordinary tribunals, to the French system of exemptions and of special Executive Jurisdictions. These are the subject of continual and just complaint in European countries, and in this country more than there. Such a system would lead to arbitrariness and to the practical irresponsibility of Executive Officers. The greatest safeguard of the British Government is confidence in its justice, and this might be fatally impaired by superseding the Judges who are universally accepted as trustworthy. Next, in the absence of European District Judges, there would be none but the Native Judges for the mufasal Appellate work of the High Court, no one else being trained for it, and these Native Judges being, from the nature of things, ignorant as the Subordinate Judges now are, of our administrative system, because they go into Judgeships straight from their examination and are for the most part town-born and town-bred, could not instruct and control a Barrister Judge sitting with them, and decisions between the Government and private persons would be very unsatisfactory. In cases of complaint of corruption or other misconduct against the Subordinate Judges,

Mr *Crosthwaite*—continued.

the greater weight and force of character of the English Judge is valuable both for keeping off false testimony and for encouraging honest but timid witnesses to come forward. The decision he arrives at, being known beforehand to be free from all influences arising from caste or social connections, is received with confidence The general authority of the dominant race lends aid to a moral satisfaction, it at least helps to satisfy the many minds which are themselves incapable of critically examining the evidence given in a particular case In time of agitation and disturbance the presence of a European Judge, acquainted with both Natives and Europeans and enjoying their confidence, is most desirable at the head-quarters of a District. The Natives at such times become alarmed and distrustful, and the Europeans become impatient and eager for strong measures. A tranquil mind accustomed to weigh evidence and exercise authority is, in such circumstances, able to sooth and calm the popular ferment, prevent outbreaking of passion and sometimes painful collisions.

So much for the view of the matter from the side of Civil Justice, but the severance of the Civil from the Criminal Jurisdiction of the District Courts would be attended with serious detriment to the administration of Criminal Justice. The Judge would have necessarily a much larger area of Jurisdiction, and, therefore, would be generally further away from people who needed his assistance He would have to spend much time in travelling. Appeals from Magistrates to the Sessions Courts would be heard very slowly, and prisoners in many instances would be kept in jail much longer than they ought to be, and then the change, which is so very desirable, of making the Sessions Judge an Appellate tribunal from all decisions of Magistrates, could not be carried out. Under these circumstances the Covenanted Service, being under the proposed system practically restricted to Criminal work, could supply the High Court with only a one-sided ability and experience Its members would then be wholly or almost wholly expelled from the High Court whose Criminal as well as Civil work would thus suffer materially.

Sir *Charles Turner*

4783. The returns which you have drawn up of the work of the District Courts and the Subordinate Judges embrace, I believe, the whole number of appeals tried by the High Court ?—Yes.

4784. The returns which you have put in, showing the result of appeals to the House of Lords, and the result of appeals from the decisions of single Judges to the Lords Justices, do not embrace the whole of the appeals presented ?—They show only those reported

4785. But is it not the case that a very large number of appeals are not reported ?—It is.

4786 Then practically this test of comparison you would apply is not at all conclusive ?—I do not think it is perfect ; I do not put it forward as conclusive but as suggestive.

4787. Is it not the case in England that very few cases are reported unless a point of law is involved which was theretofore doubtful ?—That is so. That is what makes them, as I think, instructive ; because in second appeals to the High Courts it is only questions of law which come under discussion

4788. Is it not the practice here to file a very large number of second appeals on very worthless

Sir *Charles Turner*—continued

grounds ?—One may say that there are 789 appeals filed which possibly ought not to have been filed, because the decision below is confirmed. I don't know any other test.

4789. Does the practice obtain in this Presidency of sifting the appeals before admission ?—Under the Code of Civil Procedure every appeal goes first before one Judge, who if he sees no ground at all for it rejects it, that practice is, I believe, followed in all the Courts now Certainly in this Court.

4790. With regard to these figures, I see that in computing the results of trials of regular or first appeals you have not included the cases dismissed for default, withdrawn or disposed of by consent ?—I made some enquires about that class on the Original Side of the High Court, but I was unable from those enquiries to distribute them fairly on exactly the same principles as the cases on the Appellate Side, or I should have done so

4791 Are you aware that in England you cannot as a right appeal in all cases which are heard by the superior Courts ?—Yes.

4792. That also would make an element of difference ?—There are many elements of difference besides that. I do not put these returns forward as in any way giving a complete view, but rather as suggestive of a conclusion, that it cannot fairly be said on a general view of the subject from the returns of their work, that the District Courts are inefficient as Courts of Appeal.

4793. With regard to the appreciation of judicial work from statistics, is not the best test first to take the number of appealable cases and then the number of appeals and then the reversals ?—No. There are modifications

4794 For instance, supposing a Judge has tried 100 cases and only 5 or 6 are appealed, and 2 of these are reversed, would that Judge's work be apparently better than the work of the Judge who had tried 100 cases in which 25 were appealed and 12 reversed ?—Not quite necessarily.

4795 *Primâ facie* would it not argue that there was greater dissatisfaction with the judgments of the latter ?—That would be very suggsetive, but not conclusive.

4796 In some districts where the number of appeals is greater than in others may not this be due to the particular character of the land tenure ?—Yes, where the tenures are complicated. I do not think it is possible to say as a fact of experience, that the best Court is that from which there are the fewest appeals.

4797. But *cæteris paribus*, does not the larger number of appeals presented from a Judge's decisions indicate the greater dissatisfaction of the suitors with his decisions ?—In a measure that is correct It indicates a greater number of suitors or their advisers who are dissatisfied with his decisions or expect to get them changed

4798. Ordinarily would it not show that a Judge, the greater comparative number of whose decisions appealed against were reversed, was the inferior in efficiency ?—Generally speaking it would be so

4799. Sometimes it would not ?—Distinctly

4900. For instance in the case of the District Courts, do you not think that the appeals presented from their decisions are generally very much less substantial than the appeals presented from a single Judge of the High Court to the bench of the High Court ?—The results show that it is so, but what precisely am I to understand by substantial ?

Sir *Charles Turner*—continued.

4801. I use the term in the sense in which it is used in the Code "a substantial ground of appeal."—That is, that which appears *primâ-facie* substantial The only way of determining that is by forming a judgment at first sight But if it means that which is in *fact* successful the returns would best show the truth.

4802. Are there more appeals which may be called frivolous presented from the judgments of the lower tribunals to the High Court than there are presented from one side of the High Court to the other?—Yes, distinctly; but they are not numerous.

4803 It was suggested by Sir Charles Sargent that cases in which Government is a party might be called up to the High Court for trial?—They might be so, but they would rather overload the High Court with work and would be tried by a tribunal much more expensive and not more capable. When cases are withdrawn from the District Courts to the High Court it is generally thought necessary to try them with two Judges. I have myself taken part in these trials, perhaps the most notorious were those Canara cases. In the course of the trial of one of those cases Sir Michael Westropp observed to me that certainly no man was fit to try a case of that kind who had not been trained as a Revenue officer.

4804. I believe the High Court forwards each year to Government a report of its proceedings, in which there is a table showing the number of appeals to the Privy Council, the number of appeals abandoned and the number of appeals in which Judgments are modified or reversed. Have you prepared your returns from these reports?—No. They were prepared in the office from the ordinary registers.

4805. Would not that be a fairer method of ascertaining the facts you wish to bring out?—It would involve a somewhat further calculation, because sometimes the parties make a first step in order to force a compromise and then abandon it.

4806. But that would be shown in these returns?—I think it would.

4807. Then by comparing these reports would you get a more accurate view than you have got by the system you have adopted of comparing only reported cases?—It would be more comprehensive no doubt.

4808. Might not a very large quantity of the work of the Original Side of the High Court be made over to a Subordinate Judge's Court or to a Judge of the Small Cause Court invested with a Subordinate Judge's powers?—Some portion of it might, and possibly with advantage, but it would be attended with a considerable constitutional danger, which is this the High Court in its Original Side is the inheritor of the power and authority and position of the old Supreme Court. The High Court has to dispose of a great many cases between private individuals and thus comes in frequent contact with the public. That being so, if its jurisdiction were very much diminished by those cases being withdrawn from it, its occasions of coming into close relation with the public would be lessened. Its numbers and jurisdiction being cut down it would have less opportunity of supporting the people against encroachments of the Executive and the people would lose much of their interest in it. Formerly the High Court or Supreme Court was looked upon as the Court of the Supreme Government as against the East India Company, which then governed this country, and it could always depend upon the support of the Supreme Government and Parliament Now-a-days, when there is no reserve force on which the High Court can certainly rely, its constitutional position is at once more important and more precarious, and it is impossible to whittle away its jurisdiction in ordinary cases without impairing to some degree the security of the people against the encroachments to which the Executive is prone

Sir *Charles Turner*—continued.

4809. Do you know that almost of necessity a great many Hindus come to the High Court in partition suits, that the value of those suits is extremely small, and that the expense of litigating them is so great as very frequently to absorb, in Court Fees alone, the whole value of the property?—I am not aware that this is so specially in partition suits The expenses are very heavy, but I do not think the fees taken by Government absorb generally so great a proportion of the property.

4810. Would you be surprised to hear that cases have occurred where the whole value of the property has been swallowed up by Government fees?—No, occasionally they do occur

4811 The High Court would derive very little prestige from being concerned in such cases?—I think the interchange of good offices between the High Court and the people is just as great in cases of that sort, and perhaps still more so where poor men come before the High Court to have their cases tried with solemnity free of cost.

4812. Although they may have their property sold up to pay a deficiency of fees?—The Court suffers no discredit by that. It is well known to be a matter of fiscal exaction

4813. Do you allow Pleaders to appear on the Original Side of the High Court?—No, the question of admitting Pleaders on the Original Side is a somewhat complicated one

4814 Then in small cases which come before the High Court, suits for huts for instance, the parties have to instruct a Barrister as well as a Pleader They must employ a double agency in fact?—No, they need not, they can appear in person

4815. But if they wish for any professional assistance they must employ an Attorney and a Barrister?—That is so.

4816. Does not that involve a very heavy expense?—It does

4817. Do you not think it would be better for the people to establish a Native Subordinate Judge to try causes of small value whether they relate to moveable or immoveable property?—I think there is a balance of advantage and of disadvantage in the changes which have been proposed of late in that direction, and I should be myself disposed to advocate some change of that kind, but not a change going further than popular feeling would support.

The Hon'ble Mr. *Quinton.*

4818. How would you reerut for the Covenanted Civil Service?—Assuming that the existing system is substantially retained as it is, and under the same circumstances and conditions, I think a simultaneous examination in England and India on the same papers would be preferable to the present system, and in such a system the Statutory Civilians would be unnecessary I think if Native candidates are admitted to the Civil Service by competition they should be admitted on equal terms with English candidates and that

The Hon'ble Mr. *Quinton*—continued.

there should be an examination held in some Indian centre Bombay would, I think, be most convenient as avoiding the perils of the Post Office in the transmission of papers. The candidates who came up for examination there would be examined on exactly the same papers, and if their answers obtained higher marks they should, so far as they exceed the marks obtained by English candidates, secure the places for the Indian candidates

4819. Under such circumstances you would dispense with the *vivâ voce* examination altogether?—Yes

4820 What do you think would be the chance of success of Indian candidates at present as against English candidates in an examination of that kind, taking the age limit as it is at present?—I am inclined to think that Natives would get a considerably higher percentage of places than they do now, but to what extent that would go it is impossible to say without experiment. I think we may fairly say they would gain several places each year If the age were raised to twenty-three we should have comparatively ripe young men amongst the Native candidates and I think they would benefit more by the competition than they do now. Those who deserved to succeed would have a better chance of succeeding.

4821. Do you know to what standard Sanskrit is taught in the University here?—It is taught up to a very high standard for the honours examination So far as I could judge from a slender study of the subject and from what I hear also from others, I thought the standard in Sanskrit at home some years ago was far too low as compared with Greek. At one time it seemed almost puerile.

Mr. *Crosthwaite.*

4822. You are acquainted with the pay of Judges in Egypt and perhaps also of Judges on the Continent?—Yes, to some extent.

4823 And with the cost of living on the Continent?—Yes, as compared with here.

4824 How would the pay of Judges in Egypt compare with the pay of Native Judges here?—The lower Judges in the Tribunaux Indigènes get about £220 a year. In the case of a European (and a few have been appointed) he gets about 50 per cent more than a Native Judge, and the cost of living in Egypt may be taken as 60 or 80 per cent. greater than here. In the towns I should say 100 per cent more

4825 Are those Judges as efficient as Subordinate Judges here?—I do not think they are as efficient as the Subordinates Judges of this Presidency are now. There is a want of organization.

4826 Are they trustworthy?—The general idea is that they are not No distinct instance of proved corruption came under my observation while I was there

4827. Can you compare the rate of pay of Judges in France or Germany with the rate of pay here?—In the Cour de Cassation the President gets, I believe, 50,000 francs a year, and the Ordinary Appellate Judgeships run up to about £800 a year, and down to about £500, £400 and £300 for the Ordinary Judges

4828. And in Courts of first instance?—From £200 I believe up to £400 Of course the cost of living in France is very much higher than here. One may say double.

Mr *Nulkar*

4829 May I ask how you came to discover that there were seventy persons in Canara in the Subordinate Service all related to each other? Did you call for returns?—No, but I made enquiries privately and set down the answers in notes. And after a certain time I arrived at the conclusion that a great many of these people were connected, and on making enquiries of the people themselves they admitted that these connections existed

Mr. *Nulkar*—continued

4830. If every high officer did as you did I suppose the evil could be easily remedied?—Certainly. It was all owing to a certain amount of neglect

4831. I suppose you mix with educated Natives a good deal and can tell us whether the standard of living amongst them has advanced with the advance of civilisation?—Undoubtedly the scale of living is rising

4832. And if you want to enlist the services of such men you would have to pay them more than was the case formerly?—Clearly so

4833. It would be a mistake to take the standard of living among orthodox people in the mufasal as a standard for the advanced classes, would it not?—I think it would to a certain extent. They occupy what we might call a medium position between the very simple life of the Natives and the advanced life of Europeans. They have adopted habits which to certain extent are the European, but still habits not so expensive as his.

Mr. *Ryland*

4834. Would not the peculiar views or bias entertained by a District Judge be liable to have a very serious effect on the administration of justice generally in a District?—I should not say there would be a bias, but the suspicion of a bias.

4835. But suppose there was such bias?—Of course.

4836. Would not the bias of a District Judge performing the duties of a Sessions Judge very much affect the proceedings in or success of appeals?—No doubt. The prior training of the Subordinate Judges does not fit them for fulfilling the office of Sessions Judge, because being engaged simply in Court work from the time they emerge from college, they have not that opportunity of learning the procedure of Magisterial and Sessions Courts, which Sessions Judges have in the course of their training as Assistant Magistrate.

The *President.*

4837. Is there any other point on which you have evidence to offer?—No, but I wish to put in an extract from a minute written by me in 1873

Copy Extracts from Letter No 332 of 1873, dated 12th February 1873, from the Judicial Commissioner in Sind, to the Secretary to Government, Judicial Department, Bombay

Para. 17. "More than two or three of each annual batch of Civilians are called to the Bar as it is, so that the Government has full opportunity, if it pleases, to try the proposed experiment But, putting professional prepossessions aside, could not a better selection be made from among those successful candidates, at the final examination for the Civil Service, whose papers, no doubt, now, as when Sir H. Maine examined them, "show remarkable knowledge and capacity"? (Selections No. LXX, page 170) Education

"A certain number of the candidates who succeeded in the competitive examination, say two or three in each year, might be allowed to remain in England till they were called to the Bar"—Minute, page 48

The *President*—continued.

for the Bar in England will henceforth, it may be hoped, become something more than a mere name; but how can it or ought it to embrace that learning in the codes and "Anglo-Indian Law" which Mr. Step'ien insists on as the necessary and sufficient basis of legal training for India?—It is the scheme of the Civil Service Commissioners that insists on this. They are not unwilling to amend it, according to such lights as are afforded them, and the men successful, according to their standards, are the ones, if any, whom Government ought to employ as advocates But, whether Barristers or not, these Civilians, to make good advocates, must be put to the business young They would thus be withdrawn from that district work without which they could not fit themselves to be good Mufasal Judges. A couple of years of work amid the Bar in the High Court, the exulting glow of a single forensic success, would give them a permanent distaste for tent-life and solitary drudgery "up-country." The comparatively unsuccessful men would thus be made almost useless, where a different training would have turned them out good if not brilliant officers. The successful men would simply be lost If a Civilian deputy advocate was making but a very moderate sum as a member of the Bar, he would resign the service rather than accept an Assistant Judgeship on Rs. 700 a month. The Bar would thus get our best judicial men. In return, it would give us its worst. I do not think this exchange desirable. Another objection is, that, by injuring the prospect of the independent Bar in India, it would diminish the number of men of good abilities and social status coming out from England to join it—to join it as their career, not merely as a stepping stone to a District Judgeship, for of these there would, no doubt, always be enough and to spare. The Bar in India is exposed to some very obvious deteriorating influences. Its high tone can be preserved, unless some great moral change comes over this country, only by a predominance of the best British element.

Para. 18. "The policy of appointing practising Barristers, and the policy of appointing able Natives to District Judgeships, are entirely distinct, and require separate consideration. As to Barristers, it would admittedly be wrong to appoint them until their experience of the country and their acquaintance with the people qualified them to deal with the evidence that would be laid before them If such intimacy with the people, as is to be gained by several years of constant work amongst them in a subordinate positions, is necessary for a Civilian judge, it is not less so for a Barrister judge If the former ought—and undoubtedly he ought—to have a thorough colloquial mastery of the language of his district, so ought the latter. In this Presidency, not a word of English perhaps is heard in a district court throughout a whole year, and really good and trust-

"I would, on the one hand, encourage Civilians to be lawyers, and on the other, enable lawyers, not being Civilians, to receive judicial appointments I think that all district and session judgeships as well as the High Court judgeships should be thrown open, and that the ablest Natives should be appointed to them largely, especially in the quieter parts of the country"—Minute, page 49

The *President*—continued.

worthy interpreters are not to be had, except at high salaries, and after long and careful training. This would involve very great expense. The English Barrister would generally have but a very imperfect acquaintance with the working of our general system of administration, and cases very often turn upon the details of revenue management. If a Barrister familiar with the habits of the Maráthás, with their language, and with the administrative system prevailing in the Maráthá district, should desire a District Judgeship, the next point for consideration would be his ability. He must, by the hypothesis, have been some years—say seven—in the country He must have failed at the Bar, for a man successful at the Bar makes much more than Rs 2,000 a month after seven years' practice This would raise a presumption against him, and he would go to the Mufasal, and eventually come back, perhaps to the High Court with an undesirable want of prestige. Supposing these difficulties overcome, the Government would, next, have to consider how such an appointment would affect the efficiency of its service at large A Civil Servant even of marked ability does not get a Judgeship generally in less than fifteen years If outsiders were admitted, he would have to wait still longer. It would, therefore, be a much more promising course for a man of any ability to join the Indian Bar than the Civil Service He would escape several years of lonesome toil; the pain sometimes of working under unamiable superiors; and he would obtain a competency much sooner But all his gain would be so much loss to the Government, which might have had his services on cheaper terms Judicial ability, and the qualities which it implies would be driven out of the service, and Government would have to pay much higher for the same article in a essentially limited open marked.

Para. 19 The considerations I have suggested, would after a time, operate so strongly with the government that, in all probability, the "abler Natives" would be almost the sole gainers by the proposed change of system And this, under reasonable conditions, would be very desirable. But how much there is in those words "especially in the quieter parts of the country" The most sagacious of our countrymen in India have always been warning us against the folly of a false security The Government takes it for granted that if it assigns an English gentleman a post he will stick to it; if it gives him unpopular duty to do, he will do it, however, odious or even dangerous it may be. It is relieved from a thousand perplexing inquiries by the absolute trust that generally may be and is reposed on his integrity by both Government and subjects. I do not wish to use uncomplimentary language; but could the same qualities be counted on in a service filled with Natives in its highest posts? In a time of political excitement, I think, the anxieties of Government would be vastly increased by the Judgeships, especially Sessions Judgeships, being mainly held by a class who, however accomplished and amiable, notoriously want, of all things,

"Some civil manhood firm against the crowd."

Of still more fiery trials of their constancy it is not necessary to say anything But Mr Stephen would, according to one part of his plan,

The *President*—continued.

almost abolish Sessions Judgeships. The magistracy with enhanced powers would still be mainly a European service. This would so far be well; but the Civil Judgeships thus getting gradually filled by Natives, and being stripped of the powers that appeal to the popular imagination, would lose popular respect, and with respect would also lose confidence. It is surely fallacious to reason in this matter from the success of Subordinate Judges, or of one or two Native Judges brought up under European influences and working with European colleagues in a High Court. Neither in the one position nor in the other is the Native gentleman thrown on his own resources. He is subjected to a close and severe supervision, or to a prevailing influence, to a control and a support which exempt him from any severe call on the moral qualities by which an empire is sustained. Some Native Judges, I think, there should be in every grade, but their proportional numbers and the laws of their admission, are matters that should not be left to mere chance. They should be determined upon a deep investigation of the problem in all its manifold bearings, and as part of a policy, generous indeed, but imperial, and with all its outlines firmly drawn

This passage will, I think, exasperate Native readers a good deal. My own impression is, that as a Native gentleman rises to a distinguished position, his expenses increase in an almost greater ratio than those of the European. Society and the opinion of his class make demands on him which his best qualities make him indisposed to resist But the suggestion, if it is to be thoroughly examined, raises the whole question of the best organization of the Public Service in India, and this, no doubt, is the question that circumstances are really pressing on the Government I may venture to say—not claiming for my opinion any particular value—that I believe the most effective constitution of the Public Service is to be obtained through a staff of officers well chosen and thoroughly disciplined from early manhood to the work that Government in every department wants to have done It is by discipline and corporate feeling that we make up for the paucity of our numbers All public servants holding important positions ought to work in the spirit of the Government, and of the institutions that they have to carry on. They ought also to work with a thorough harmony of departments. Failures in this respect not only lead to immediate waste of power, but present our whole system in a ludicrous and humiliating aspect. Now this vital principle of a consistent singleness of aim, animating and controlling the work of Government down to its minutest details, is not to be found in any heterogeneous body, brought together by simple self-interest, disappointment in independent pursuits, or mere casual agglomeration of men whose character and frame of mind have long before been definitely cast in a different mould. The members of such a body never really acquire a distinctive character, and cannot work with that almost unconscious co-ordination of their efforts, which is natural to those whose chief pride has always been in their service, and whose public education has, for all of them, been much alike. Montesquieu has pointed out how essential it is that subordinate institutions and laws should harmonize with the main principle of a Government. The rule can never be departed from without mischief; and everything that necessitates the maintenance of British ascendancy justifies also the maintenance of a Public Service the best adapted to further its ends and support its integrity A permanently employed and scientifically trained body of servants, too—a service in short—is, I think, the cheapest way of getting its work done that Government can employ. Men individually clever will yet not do so much work, nor do it so well, as those of ordinary powers taught to work accurately to each other's hands. In particular instances, no doubt, a brilliant outsider might be brought in, who would do remarkably well. But what of that?—It is not by flashes of genius that the work of administration can be best carried on, but by a thoroughly good organization, making up by its general excellence and the mutual adaptation of all its parts for some inevitable mediocrity.

"It appears to me quite unnecessary to pay Native Judges at anything like the same rate as English Judges or officials"—Minute, page 49

The *President*—continued.

Para. 21 "If any weight attaches to these considerations, the disintegration of the Civil Service would be a most pernicious step The true policy of Government lies in extending the limits of that service so as to make it embrace every considerable section of the administrative body —such as the Education Department and the Engineering Department—composed necessarily of educated gentlemen. It should be essentially and distinctively European. The wants of the Native and of the Englishman are too different for any general service rules to be good for both. Such an incorporation of the special departments in the Civil Service would not present any difficulties that might not be overcome by a little ingenuity, and it would do an immensity of good, if all the English gentlemen serving the Government in India, were once more united in one great body,—partakers of the same spirit and traditions—and everywhere meeting each other as comrades.

Para. 22. "This, however, would, in itself, be but half a policy We are not to unite all the intelligence of Europeans in one firm barrier against Native advancement. So far as is consistent with the security of our Government and the other conditions of its beneficial working, the Natives of India ought to have a preference for all the employments that the Public Service affords. In obtaining them, however, they ought not to take more from the public as salary than a fair equivalent for working in their own country. I believe that, except in a few positions of special dignity, about one-half of the amount paid to a European would more than compensate a Native (so far as he can do it at all) for doing the same work. So far as the work can be got done at this rate, Europeans should not be employed; so far as their obvious and latent qualities have to be retained, they should be fittingly remunerated The application of these principles, in practice, would be found in making all public employments open to all Natives (subject to certain educational tests), but to limit the proportion of Natives to Europeans in each department in a somewhat rigorous manner. The proportion for each great department should be revised once in about ten years (different departments in different years) by the Government of India and the Secretary of State; and the new proportions thus fixed, should then be steadily and methodically worked up to in filling vacancies. The greater economy of Native labour, whether of the highest or of the lowest class would, under this system, put a constant pressure

The *President*—continued

on the Government to employ no more Europeans than were really necessary; the public resources would be economized; and educated Natives would, on the whole be gainers, because, though a fortunate few, to be counted on one's fingers, would not be paid needlessly large salaries; an honourable, sufficient, and ever extending field would be opened up and reserved for the whole body * * * * * * *

Para 54. "Mr. Stephen says (Minute, page 47) that in the Civil Service "the Government of India has in its hands already the means of securing the services of as many and as able Barristers as it can possibly want;" this implies "as many and as able Judges as it can want," provided it affords the means of training, and rigorously insists on efficiency. Mr. Stephen would have a considerable number of the Civilians converted into Barristers, but this, as we see every day, would not necessarily make them better lawyers or judges; while the mode of employment he proposes for these Barristers would draw off many of the ablest men in the service to an independent career, which the Government, in its own interest, should be the last to lay open for them These "much abler men" than the English Barristers who accept Indian Judgeships (Minute, page 48) ought by all means to be retained, and not only for their future value, but for their intermediate work. A state of mere pupilage continued for years after the active powers have been fully developed, impairs men's capacity while it extends their knowledge, and even if this were not so, the Government cannot afford to have a number of clever and highly paid young men idling about as registrars or "auscultators," it must get constant work out of them, and work of a high class, which, indeed, is the great charm of his employment to many a Civilian who sees his contemporaries in an open profession enjoying for years an income and a consideration far superior to his own. The fewness of the years during which Europeans can labour in India, the quantity and the importance of the work that must be crowded into them, are matters not sufficiently borne in mind by reformers. What we have to do is to rear up a class of legal scholars so far as their production is compatible with the attainment of other equally important ends, but the Government cannot go on merely perfecting and polishing its expensive machinery almost to the end of the chapter. It must set it in motion as soon as it will go reasonably well, and be content with moderate results quickly and regularly realized. And if this machinery can be made or continued as an integral part of a great connected system, moved by the same impulses, controlled by the same dominating intelligence as all the other parts, the greatest economy of forces will be obtained, the greatest total out-turn of work secured with least hazard and loss, in proportion to the capital invested and the means at command. There is already a great waste of power through the conflict of contradictory principles in the Government of India, and this must increase with every partial improvement, unless the seeming reform be consistent with a definite theory, working itself out in all the various departments of the administration, and be adjusted to its place and use in the system by a true co-ordinating faculty

Para. 55 "If these views have any truth, they are surely conclusive in favor of the maintenance,

The *President*—continued

if it can be maintained, of a service furnishing officers for most of the chief posts under the Government in India. The principles I insist upon may seem of too abstract a nature for the needs of actual statesmanship; but my experience in public life has taught me the advantage and the necessity of foresight and organization. This is rather against our national habits, and as Lord Bacon says, "the wisdom of all these later times . ..... is rather fine deliveries and shiftings of dangers and mischiefs when they are near, than solid and grounded courses to keep them aloof But this is but to try masteries with fortune" If, therefore, Barristers and Natives, not members of the Civil Service, are to be made eligible for Mufasal Judgeships, the probable consequences of their admission should be examined in their whole extent, the gain and loss carefully estimated, and the extent and mode of the innovation subjected to precise and well-weighed rules. A mere haphazard appointment of a Barrister here, and a Native gentleman there, would be almost purely mischievous One of the first points to be considered in connexion with Mr. Stephen's proposal, is that the appointment of Barristers to Mufasal Judgeships would entail a great additional expense on the Government. Even supposing them able to dispense with a staff of interpreters and the elaborate apparatus of an English court, the gentlemen thus appointed would require, at least, as high a scale of salaries and pensions (pensions supplied by the Government as distinguished from those bought by subscription) as the Civilians. They would not be able to work to a later age. The experience gained from such appointments, as they already hold, shows that about twelve years' work might be looked for The Civilian yields twenty-five years' work, the earlier half of which is rendered at a salary which it would be an insult to offer to any moderately able Barrister As to the comparative fitness of the two classes, it is open to Government, without quitting the Civil Service, to secure, if it will, the very best of a set of men of tested ability and education, and to exact from them all but a Utopian range of strictly legal acquirements. Why should it throw away its own good bargains to take the bad ones of the Bar?—Successful Barristers or even attorneys would not resign their prospects of a speedy fortune, pleasantly acquired, to become ill-paid drudges in a Mufasal court. I am only now emerging from the junior ranks of of the Civil Service, yet I have seen two generations of Barristers and Solicitors retire with fortunes from practice in Bombay. What aspirants to office, then, would the Bar offer to the Government? Either the decidedly unsuccessful men, or else men who had come from England for the mere purpose of being appointed. In either case they would, in the words of the late Mr. Howard (himself a Barrister and not a Civilian), be "men of no great learning and ability, and would certainly know nothing of the country, the system of administration, the people, their language, habits, usages and feelings." To such a system of appointments the objections are "such that the project has never seriously been pressed by any statesman of weight" (Selection LXX, page 83.) The men thus selected would surely not be superior to those who, according to Mr Stephen (Minute, page 48), are probably "much abler" than the Barristers who now accept judgeships of the High Court. A black swan might,

The Hon'ble *Raymond West*

The *President*—continued.

however, possibly be found once in a generation or so who, despising the prospects of immediate professional success, would be content to devote great abilities to the acquisition of the Native languages, and to a thorough study of the peculiarities of Native society; such a man, it will be said, ought to receive a Mufasal Judgeship. Perhaps, he ought, but would he take it. His special knowledge, once recognized, though he might be but a middling advocate, would forthwith secure him an income at the Bar far higher than that of the District Judge, and an almost certain succession to a place on the bench of the High Court. If he would accept the District Judgeship, his appointment would create an amount of discouragement and misgiving amongst the Civilians that would do far more harm than the appointment could do good, and he would bring to his office, in nine cases out of ten, a set of feelings and traditions quite out of harmony with those of the place. It appears to me, I confess, that Mr Stephen's scheme, while it would do infinite injury to the Bar itself, regarded as an open and independant profession, with a set of prizes proper to its most distinguished members as such, would at the same time keep down the practical efficiency of the judical body at a much lower level than need be and greatly impair the energy of our general administration His plan would not, in truth, be one "to incorporate the best Barristers in India into the Civil Service," but for transferring the best Civilians to the Bar. If a real incorporation of young men of special gifts could indeed be effected, I think the Civil Service and the country would gain very greatly by it; and ten years ago I suggested, in a discussion raised by Sir C Trevelyan, that the basis of selection for the service should be widened in this way. A certain number of places in the Civil Service might with advantage be given to young advocates in England, Ireland, and Scotland, who after a University course involving genuine discipline, had gained specified distinctions in their law examinations. The prizes would not, indeed, offer any attraction to many of those entitled to claim them, but, still, we should gain a distinct addition to our judicial force, as, by applying an analogous method in other directions, we might strengthen our chief administrative departments; and the men thus introduced would be really incorporated into the general body, not more excrescences upon it If here and there a young man of marked ability at the Indian Bar should be willing to join the Civil Service, the path should be open to him, but not an access *per saltum* to the higher dignities and emoluments which other have to win by years of toil and banishment from society. Such a plan as this would fit well into the general scheme of an extended comprehension of the Civil Service, which I should advocate, and would need only to be precisely defined and effectually guarded against jobbery It is a pity that this precaution should be necessary, and that an imperfect examination system should be, to so large an extent, indispensible But that system might easibly be supplemented by exacting proofs of a definite course of educational discipline, and even as it is, it furnishes a set of officers distinctly superior as a class, so far as my observation has extended, to those who owe their appointments to patronage

Para. 56 "The opening of the higher posts of the Judicial Service, as of the other branches of the administration, to Native gentlemen is to be defended and opposed by arguments wholly different from those that apply to the case of Englishmen The first consideration that presents itself is, that the admission of Native gentlemen to the Civil Service is an anomaly, and one which, like other haphazard arrangements, may eventually prove highly embarrassing and mischievous The Government needs no covenant to secure the services of a Native gentleman. He needs no covenant, like the Englishman, to induce him to face the chances of exile and foreign service. The salaries provided as, payment for all that an Englishman gives up, the rules as to furlough, and many other matters appropriate to an English gentleman serving in the tropics are quite inappropriate to a Hindu serving at home The true basis of a similarity of rules and prospects would be an approximate equality of attainments and circumstances; and this principle, while including nearly all English gentlemen serving the Government of India in one class, would include all Native gentlemen in another As it is, we see many Natives obtaining furloughs intended to enable English officers to visit Europe. We see some Natives paid salaries on an extravagantly high scale, considering the work they have to do, or what men of similar attainments would be content to receive in expensive England. On the other hand, we see great numbers of Natives excluded from posts which they could fill, and ought to hold, a constant influx of young gentlemen from England looking for appointments a constant multiplication of uncovenanted departments and places, and a prevailing disinclination to lower the salaries of these places to the level of the work, through a humane reluctance to injure office-holders, and a human love of valuable patronage. The truth is, that in this matter we affect an equality which is impossible, a fair play in which there is no fairness, fill many offices with men not the most competent, and in all departments of Government spend a great deal more money than is necessary. It is time to honestly avow that a certain proportion of places must needs be held by European officers paid at especially high rates; and at the same time that no more than that proportion should be thus held, the remainder being reserved, subject only to casual exceptions, for Natives It is, of course, not only for his obvious and examinable qualities that an English officer is retained and paid, but also for his presumed honour, loyalty, courage, and personal weight of character. If the conditions of any branch of the public service in India are such that the English gentleman's special latent endowments are not required in its officers, that department should be wholly Native, except so far as may be necessary to bring it into proper relation to other departments. If, on the other hand, these qualities are required in a special degree, the department should be exclusively or almost exclusively English. In intermediate cases an intermediate rule should be laid down, and the proper composition of each department should be reviewed about once in ten years, in order that the rule may be modified according to the changes of character and of public need which time brings about. The number of European officers would thus be kept down to the proper minimum. Those retained should receive salaries at about double the rate of the Native gentlemen holding corresponding places in the same department, and should, in all practicable cases, be included in a service bound to the Government by a Commission or a Covenant.

The *President*—continued.

Individual Natives might think they were hardly used under a system like this; so also might individual Englishmen, but rules must be made for classes; and the tax-payers of India, not being made for the purpose of supporting officers, ought both to have the strongest and best administration that the Government can supply, and pay the lowest price at which it can be procured If these principles are to be applied to the filling of the offices now reserved for the Civil Service, the first question is whether any great section of those offices is separable from the rest as distinctly calling, not at all, or but slightly and occasionally, for the special qualities for which Englishmen receive a special salary If there is such a class of offices, it ought to be made a Native department Again, there may be a section of offices, that should always be strictly reserved, and a third that should be partially reserved for European officers. Probably the Judicial Department, as regards places of more than Rs. 400 a month, would fall within the last class, and the proportion of European and Native employés admissible to it being definitely settled, the vacancies occurring should be filled by placing a Native or a Euroapean gentleman's name at the bottom of the list in that department. Once placed in the department, each should have all its dignities within his reach, but with a constant difference in the rate of pay Educational tests and a term of probation might be prescribed for Native candidates for this as for other departments of the Public Service; and the higher special departmental examination (which should be indispensable) ought to be such as to keep in the probationary grade, and evenally turn out, or send down, every candidate whose legal knowledge was not built upon the basis of a sound and liberal education. If the supply of qualified European or Native candidates for the department failed, one or more of the other class might be appointed, but at the

The *President*—continued.

the first opportunity the settled equilibrium should be restored.

Vol IV Sec II Bombay.

Para 57. "It may be objected to this scheme of appointment that there is a brutal candour about it, which would wound the susceptibilities of the class of Natives who, serving Government in the higher offices, would see Englishmen receiving double pay for doing the same work as themselves The answer should be that they were not paid for doing the same work, but that work *plus* qualities not to be dispensed with; and that no more of them were retained than necessary. It may be hoped that in the course of time there will be a class of educated Natives who are not office-seekers, and who are proprietors and tax-payers Such gentlemen will readily understand both the blessing and the need of a strong Government, striving towards intelligible and worthy ends, the needlessness of paying fancy prices for an every-day article—not to say a drug in the market. And as to the Native officials themselves, it is impossible but that they should see that the present scale of salaries being designed for Englishmen, Englishmen will practically monopolize the offices If their advance in capacity, loyalty, and soundness of judgment has been such as would justify their indiscriminate admission to the Bench, it must also have enabled them to see through the disguises with which a but half-sincere and inconsistent system cloaks itself, and to recognize the advantages to their whole class and to the Native community of that by which I should propose to replace it. The rudest frankness is, in truth, less offensive, less demoralizing, than the attempted impostures of an affected magnanimity, embarrassed and betrayed by the counter-strivings of a still lingering conscientiousness. This lesson, if teaching were needed, we have sedulously taught the Natives by our talk, our manners, and our literature, and, as critics and censors, they have thoroughly learned it."

The Hon'ble *Raymond West*

WITNESS LXXV—29th January 1887

Examination of Surgeon V. R KIRTIKAR, I.M S., L R.C.P, M R.C.S., Acting Professor of Anatomy, Grant Medical College, Bombay.

Vol IV
Sec II
Bombay

Surgeon V R Kirtikar

Mr *Stewart*.

4838 You are the acting Professor of Anatomy at the Grant Medical College, Bombay, and Second Surgeon at the Jamsetjee Jeejeebhoy Hospital, Bombay?—Yes

4839 Can you tell us what is the general feeling regarding the Statutory Service?—It is one of discontent

4840. What are the reasons for discontent?—*Because it is exclusive, inasmuch as it throws open an important branch of the public service to a very limited class of Natives The designation of this limited class is vague "Influence" and "good position" are confounded with "acquired wealth." This acquired wealth may be the result of chance, speculation or rapid and unusual success in trade or merchandise but under the present Statutory system there is nothing to prevent the children of a person so become rich from being considered eligible* On the other hand an intelligent class of supposed "uninfluential" Natives—of real good birth—is left out This class—much larger in extent than the supposed class of persons of "influence" and "good position"—might furnish equally respectable though perhaps less monied servants of the State, discharging their duties in an equally creditable and strictly honest manner, and in an equally if not more intelligent way. Absence of affluence does not necessarily mean poverty, nor does it indicate want of good breeding or the absence of the commonest principles of everyday morality I do not believe that the dissatisfaction which prevails regarding the Statutory Service is in any way the result of jealousy, as it exists among men who personally are not affected one way or the other, but who watch the tide of affairs as mere spectators. If those who are supposed to be jealous, belong to the class of men excluded as not being "influential" or of "high position" the feeling of jealousy, is but natural—I should even call it a feeling of disgust—at invidious distinctions being made regarding the social or public status of this or that individual The decision as to whether a person is of an influential family or not is open to objection and very rightly too It is liable to be the result of prejudice or predilection, the former from misrepresentation to European officials of the actual status of the candidates' family in Native society, the latter from undue favoritism or personal intimacy with the candidate's friends and relations, ending in a desire to do a good turn to the candidate or "take him in hand" for the exercise of patronage In this observation I presume that the intentions on either side are honest. Still it is obvious that the classes of educated Natives who suffer by this arrangement, however honest and well intentioned, are not wrong in wishing to subvert a system which affects their public life materially should they even supplicate the grace of admission into the service and risk a refusal. There are also public grounds on which independent observers would object to the system It is possible to secure at times, if not always, better men—men of more distinguished University and college careers, for the same amount of public expense to fill the posts now thrown open by the Statutory Service - It is not that Natives of India look upon the Statutory Service with dissatisfaction Of course it is chiefly confined to those who suffer. There are many Natives who are habitually indifferent as to what is passing around them They appreciate neither the merits nor the demerits of the Statutory Service, or any service at all. If they, under such circumstances, express no opinion against it, it is not to be supposed on any account that their silence means total acquiescence It means indifference and submission to the authority of the ruling power

Mr. *Stewart*—continued.

4841. How would you remedy the defects of the system?—The defects of the existing system are not susceptible of remedy by any amendment of the Rules. New rules must be made if the provisions of the Statute 33 Vic, Chap 3, Section 6, are to be carried out, namely, by giving additional facilities for the employment of Natives of India of "proved merit and ability" in the Civil Service of Her Majesty in India. The Statute need not be repealed It starts with a clear basis of "proved merit and ability" which can be decided only in the case of those who have already served the State, as Uncovenanted Officers. The principle on which the Rules are made is wrong, inasmuch as nomination decides the lot of candidates and whoever is most in favor, or whoever has more patronage to assist him, whether from the accident of his birth in an affluent family or from the personal friendship of his parents with the nominating officials, succeeds in entering the service. Rules must therefore be made for establishing a competitive system, if the statutory system is retained The Statute, should be amended, I think, to make it clear that the tried and trusted servants of Government in the Uncovenanted service alone come under the head of persons of "proved merit and ability," for it could hardly be supposed that it is easy to test or prove the merit of a young man fresh from school or college, under the existing arrangement of selection, before he is admited into the Statutory Service The service as it exists should be abolished, and at the same time it should be clearly noted that though the present Rules speak of "high birth" and "influence," the Statute is silent on the point.

4842 If the provisions of the Statute 33 Vic, Chap. 3, Section 6, are not repealed nor substantially amended so as to take away the power conferred on the Local Adminstrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—If the provisions of the Statute are amended, it should be distinctly stated that the privileges which are now enjoyed by the Natives of the country, and by the children of Native parents, should be extended to a person, one of whose parents is a Native of India. This will remove a great deal of doubt that now exists as to whether Eurasians are Natives or not Let the class of persons who can claim for their legal parent (mother or father) a Native of India, have similar privileges and let it be so distinctly stated.

* The following answers were read by the witness.

Mr. *Stewart*—continued.

If it is in contemplation to retain the Statutory Service for the advancement of deserving old servants of Government, the wording of the Statute 33 Vic., Chap. 3, Section 6, should be so rendered in plain terms, as to leave out of the service inexperienced young men, as otherwise the wording of the Statute "proved ability and merit" would be meaningless, as it is extremely difficult to prove the merit and ability of presumably inexperienced novices. To say that their ability and merit are proved during their probationary period of two years after nomination, is an evident anomaly, inasmuch as where an already trained officer from the Uncovenanted Service would at once discharge his onerous duty in an efficient way and get handsomely paid for it, the probationer draws his pay to learn his work. From an economical point of view as well, this is waste of money, and to the public it is no less a loss, as in the place of an experienced old Uncovenanted officer he gets a young and inexperienced Covenanted officer I presume here that both are servants of the State, possessing the fullest amount of moral rectitude.

4843. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—If the Statutory Service is at all retained for younger men, the selected candidates should be required to go to England for training. Mere encouragement will not answer. It is not clear, however, what is meant by the term "encouraged." If it is made optional and means the allowance of passage money, having in view the reduced salaries of the Statutory officers, it is possible the money encouragement may not be sufficient, and the great fear is that family ties and other considerations, such as want of desire to leave home, want of curiosity to travel, caste prejudices, religious notions, imaginary fears of bad health in a cold climate, acquirements of bad habits from want of domestic supervision, loneliness, dread of accidents,—all these singly or collectively may act as deterrents and the selected candidate may not go, and thereby he may lose a rare opportunity of improving himself in every way. Going to England must be made compulsory in the case of a young officer just commencing his career.

Should the officers appointed to the Statutory Service be from the Uncovenated Service, their promotion being the result of long and meritorious service, and their time of "education" having passed, it would not be necessary to send them to England. I presume that such promotion of officers would be of an exceptional character, showing on the one hand that merit is rewarded and good work recognized, and preventing, on the other hand, a flooding of the higher service with undeserving Natives Because it is desirable to allow a greater share to deserving Natives in the higher appointments, it should not be supposed that undeserving Uncovenanted Natives should by the mere favoritism of their immediate superiors be forced into the superior service which requires greater efficiency and independence of character.

4844. Is any dissatisfaction felt with the existing system of the recruitment for the Covenanted Civil Service?—There is much dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service.

4845 Should any, and, if any, what change be made in that system?—Some changes should be made in the present system. Chiefly, the age should be raised from nineteen to twenty-three or to twenty-one at least. I should prefer twenty-three. The Sanskrit and Arabic languages should be brought on a level with Latin and Greek as regards the marks assigned. This will, to a certain extent, make up for the disadvantage an Indian candidate labours under in having to learn English at a comparatively later age than an English boy appearing at the competitive examination with English as his principal selected subject.

Mr. *Stewart*—continued

4846. Do Natives of India labour under any, and, if any, what disadvantages in competing for employment in this branch of the service?—This I consider is a serious disadvantage, namely, the very low age limit for competing: English not being the Vernacular of Indians is begun generally at the age of ten, and by the time a boy is nineteen he is hardly as well read in English literature as his English confrère Being mainly educated in India, in his early days principally under Native teachers, till he enters a College he hardly sees an Englishman to talk to, much less to be taught under, except in Missionary Schools. His early training under such circumstances, and for obvious reasons, cannot be of the stamp which marks the school and college career of an English boy in England It may be asked why Indians, who want their boys to compete with English boys for the service, should not get their children educated in England? I would answer in reply, that it is desirable and also necessary for Indians to be trained and educated in England under English influence if it is intended that they should hold high posts under Government in the Covenanted Civil Service. Yet at the same time the present age is so low that it requires more than ordinary care and expense, coupled with no small amount of parental anxiety, to send out Indian children on the mere chance of passing the competitive examination The present standard is decidedly prohibitive in the case of Natives, in its consequences at least It is often a risk to send an Indian boy at a tender age away from home among entire strangers, where he is much left to himself for the purposes of study If, therefore, the age is raised to twenty-three or twenty-one at least, the Indian boy may study here for a part of the time he is engaged in studying for the open competition, and just before competing he may go to England for the purpose of giving a finishing touch to his education, for the purpose of being moulded into shape, and also that he may have some of his conceit knocked out of him, for an Indian youth who is successful here is apt to consider there is no wiser man elsewhere When such an Indian student comes into contact with a tough English scholar, and gets beaten by him in an examination, he begins to find his own level and so profits by his mere visit, leaving alone the other advantages of study in England. The domestic condition of an Indian family, presided over by an uneducated mother, is entirely different from the domestic condition of an English family as regards their respective educational influences on their respective children, and this circumstance must of necessity tell on the general mental progress of the Indian youth An English boy at nineteen is far different from an Indian youth at nineteen in every way. Both may be educated, both may be truthful, yet there is a difference. The English boy is under more favorable influences at home and in school. As regards the acquisition of English, the Native youth has to toil under disadvantages and he can learn at school

Mr. *Stewart*—continued.

only. His home education is practically *nil*. This being so, for a Native youth to compete for the service, it is essential that he should leave home early to prepare himself in a foreign country. It must be conceded that a father who overcomes all obstacles that naturally come in the way of a Hindu, for instance, sending his son to England for the purpose of being trained for the open competition, must have some reasonable hopes of the ultimate success of his son. These hopes, the present limit of age, does not give. For if unsuccessful the boy returns "educated," of course, but without a "profession" or "post" and has to begin again to earn a livelihood. This entails an additional stay in England for a period of three or four years at least, which means money; or else he returns with no better prospects than when he left On the contrary, he is considerably out of pocket and has only proved himself an unsuccessful speculator, it may be for no fault of his.

I would suggest the increasing of the limit of age to twenty-three—or twenty-one at least; this step will, in my opinion, be just and will minimize the disadvantages.

I would not on any account establish scholarships or allow passage money to Native candidates to proceed to England for competition. European parents spend money for the education of their children, very rightly considering that superior education is to be had in England or in Europe alone, and this good example of theirs can be usefully followed by my countrymen with regard to the education of their own children, if they want and they do earnestly want the high appointments held at present by better educated Englishmen alone. The aspirations of the Indians are high and justly so; the way to realize them must be equally high and justly followed It is improper and even dangerous for us to wish to hold high appointments and not try to deserve them by giving ourselves that better, decidedly superior class of education we may receive in England if only we choose to pay for it To make the State pay for this English education by the establishment of scholarships would be an unjust burden to the State treasury which derives its income from the tax-payer There is no reason why a tax-payer should be made to pay for educating a would-be-officer when, as at present, it commands a decidedly better educated English youth without establishing State scholarships.

Arabic and Sanskrit should have their marks raised as I have already said

4847. Are you in favor of simultaneous examinations for the Covenanted Civil Service being held in England and India?—I entirely disapprove of simultaneous examinations in India and England. A rigorous *vivâ voce* should be exacted in every examination where competition is concerned This would in a measure make up for the unfortunate disadvantage slow writers labor under in not being able to produce, in a given space of time, as much writing work as a quick writer can. If examinations are held simultaneously in India and England, such a *vivâ voce* examination cannot be carried on with a uniform standard. There should therefore be one examination held only in England as at present. If it is urged that *vivâ voce* examinations may be dispensed with, or that they may be conducted here, I say that it would be injudicious to dispense with them; it would lead to a lowering of the standard of [illegible] If the *vivâ voce* examinations are conducted here, with the best intentions and with strictest honesty on the part of examiners, there would be different "marking" for one and the same examination in two different places Thus the unity of test and competition would be destroyed, causing much dissatisfaction of a legitimate character. If the age is increased Native parents of means could be induced to send their children to England for the completion of their studies, and for competition thereafter; and then, under altered circumstances, if they did not send their children, it would be their fault. Training in England would decidedly produce a superior class of Indians. It is my unqualified opinion and conviction, founded on personal experience, that English training is essential for the highest Native officials discharging the duties of the cultured and well-trained, well brought up English officers constituting the Covenanted Civil Service of India. And as I consider that for some time to come only a limited number of Natives can get into the Covenanted Service even if the age difficulty is removed by increasing the age, it is neceesary that only the best specimens of cultured Native youth should enter the service, not as so many Indians drawing high salaries or shining as ornaments of their race, but as efficient high-minded men serving the country; and giving a due return to the people of the country for the taxes they pay to make up the Indian official's salary, by the Native officials discharging their duty honestly and in an independent and painstaking manner. Freedom of thought, independence of character, courage of one's opinion, courtesy on the one hand and absence of servility on the other, and above all toleration of the views of others, are qualities which require due exercise and example in a young man when in *statu pupillari*, and they are nowhere more effectively learnt than in English schools and Universities, where our highest officials come in contact with the high-minded men that constitute the learned society of England. Not that there is an absence of these in India. But I maintain that for the best exercise of these qualities, which are God's gift to every man, my countrymen should be trained in England.

Mr. *Stewart*—continued

To answer every reasonable demand the appointments should be made in the order of merit, regardless of nationality or birth. Before admitting a candidate, be he English or Native, his moral character should be carefully and fully ascertained, his physique tested, and if he comes within the required number, he should be at once admitted as a Probationer in the Civil Service as is now done. This ought to satisfy all reasonable demands.

No apportionment should be made between Englishmen and Natives, as no satisfactory principle could be laid down. If the competitive system is adopted, as it should be, in my opinion, it would be difficult to work any apportionment system—and it would simply result in apparent injustice on account of birth in a particular race. On the other hand each section and sub-section of the Hindu community besides the grand, but no less important, groups that form the complex mass of "Natives," or "Indians" in the Western Presidency, such as the Parsis, Mahomedans including Khojas and Borahs, Jains, Rajputs, Native Christians, Portuguese, and Sindhis, will naturally wish each for their own representatives, and race-questions will arise as between a

Mr. *Stewart*—continued.

Native and a Native. Thus there will be in the long run internal bickerings and petty jealousies, of which the foster-parent will be the British Government, in an unintentional manner. This will not add to the stability of the Government. Apportionment is therefore not only undesirable but positively dangerous. The distinction of "European" and "Native" is quite enough of an evil for our own day. Let there be an open competition for all the subjects of Her Imperial Majesty, in England, and let those who by their superior culture and training win the highest places, be selected. If all the Indian sections and sub-sections are allowed an apportionment, no end of individual sections and sub-sections will crop up The actual tendency of the British rule, however, is to allow these distinctions of Native Society to die a natural death for administrative, public, or political purposes at least, if in no other department of Indian life.

4848. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Chap. 3, Section 6, or from all natural-born subjects of Her Majesty?—All natural-born subjects of Her Imperial Majesty should be admitted to this service.

4849. Should the recruitment be by competition, or by nomination, or by both systems combined, and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—There need not be a competitive system for this service The present arrangement of nomination might be considered as answering the present state of the country. There is no doubt that such an arrangement would lead to the exercise of favoritism; but on the other hand, in a purely competitive system there is the danger of one of the several sections in the Native community getting an advantage over another; it is fair that a due admixture of deserving men from all sections of the Native community should be allowed the opportunity of holding the higher appointments of the Uncovenanted Service—as rewards for past meritorious service. And as this class is always recruited from amongst the lower grades of the Subordinate Service, the selection of candidates for the higher posts of the Uncovenanted Service will always fall on those whose services have been known to be good, and whose aptitude for this or that particular work is not a matter of doubt.

4850. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations respectively, or with a preference for such residents?—There should be no restrictions about residents or non-residents regarding appointments.

4851. If the existing Statutory Service is abolished, should the proportion of offices assigned to that Service be allotted to the Uncovenanted Service?—If the present Statutory system is abolished, the whole proportion of offices assigned to that service need not be assigned to the Uncovenanted Service, provided the Covenanted Civil Service is left open to the Natives in a practical and practicable manner by the increase of age to twenty-three or twenty-one at least. In rare, very rare, instances, however, deserving officers of the Uncovenanted Civil Service might be rewarded by giving them high appointments in the Covenanted Civil Service, with due regard to the special qualifications of the Native official so rewarded.

Mr. *Stewart*—continued.

It is desirable to institute a competitive examination for the lower grades of the Uncovenanted Service, as I have reason to believe that a great deal of positive injustice is done by Sheristedárs in the Mufasal when the question of selection of candidates is discussed in the offices of district officers Attempts, often successful, are made in introducing into the office friends, relations and castemen, and a sort of a family arrangement is kept up. A competitive examination *ab initio* would be grateful to the people at large, whose voice is never heard, whose aspirations are never higher than a humble desire to earn a small honest pittance for the bare maintenance of themselves and their families and perhaps a few dependants. The class of these minor officials is very large, much larger than those seeking higher appointments, and redress to their grievances does not involve any sacrifice either of principle or money, should the competitive system of election be established to start with.

4852. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—No distinction should in my opinion be made in the salaries attached to posts reserved for the Covenanted Service. The pay of the post should be given to the actual incumbent On the grounds of economy the pay may be reduced, but the reduction should affect the holder of the appointment regardless of his nationality

And this should be so for two reasons.—the Native official is bound to keep up his position, and should even be made to do so, as an English officer holding the same appointment and drawing the same pay would

4853 If such distinction should be made, on what principle should it be regulated?—High pay and pay equal to that drawn by an English officer will always raise a Native official in the eyes of the Native public When the public hear of a high Native official, they always ask what pay he draws, and if they know he draws as much as an English officer they think more highly of him than they do if they know he is drawing less. This may after all mean nothing as regards the official position he really enjoys in official circles, but there is no doubt it is lowering in one sense the dignity of the office.

Again I may add a cogent reason in favor of retaining the same pay. If a Native official draws a high salary, as high as his European confrère, the Native official would be better off and would be naturally disposed to increase the comforts of his family and raise the tone of his household by giving his children as good and expensive education as an English official in his position does or would think of doing. This requires the necessary means. If the pay is high in the case of Europeans to enable them to bring up their families in a decent manner and becoming an officer, a similar feeling should be encouraged in a high Native official. This will in time produce a class of Natives born in a high class, and with better and more elevated surroundings. Besides it seems unfair to hold a Native responsible for a certain high post the anxiety of which is as great to a Native as it is to a European and to pay him less. It is contrary to the principles,

Mr. *Stewart*—continued.

and the acknowledged working lines of British justice and British sense of equality.

4954. Should any distinction be made in the Furlough Rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other and what ground?—Furlough rules may be made to suit the Department. In the case of Natives of India who after their first visit to England do not care to go back to it—as many Englishmen do not for years, the subsidiary leave question is practically a dead letter. But the tendency of the times and the attractions of a second visit to England are sometimes so great as to almost enforce a second visit to England on a Native official, either for the improvement of his mind or for the supervision of his children's education, that it seems fair to say that the rule granting subsidiary leave to the port of embarcation or debarcation might be retained. But this is more a point of administrative convenience than of principle. I would therefore be satisfied with any rules of furlough or leave that the Department makes for the convenience and despatch of official work.*

4855. At what age did you go to England?—I went at the age of twenty-five I think.

4856. How long did you stay in England?—Three years

The Hon'ble Mr. *Quinton.*

4857. I would like to ask one question as to your proposal to put Sanskrit and Arabic on a level with Latin and Greek? Have you learned Sanskrit yourself?—I do not know much of it, I am learning it, I know Sanskrit to understand it, but I cannot say I know it as a scholar.

4858 Can you tell me whether Sanskrit and Arabic are taught in Indian schools, up to the same standard as Greek and Latin are taught in English schools?—Yes, I can say that

4859 And do you think the knowledge of Arabic and Sanskrit acquired is equal in extent to the knowledge of Greek and Latin?—Oh yes, decidedly.

Mr. *Stewart*

4860 When you went to England did you on your return have any caste difficulties to contend with?—I am a Bombay Purbu: I had no difficulty, I was received back on the same terms as when I left.

Mr *Nulkar.*

4861 Were you educated in England before you entered the service?—I was educated partly in Bombay in the Elphinstone College and partly at Dr Wilson's School.

4862 Did you pass any examinations?—I passed my Matriculation Examination and went to England, I was not successful in my B. A. examination. I am not particularly fond of Mathematics and the standard was so high for me that I threw it up I stayed in England three years I was in the Medical College for two or three years before I went to England. I prosecuted my medical studies first in Bombay at the Grant Medical College

Mr. *Nulkar*—continued

4863. You then went up for the Army Medical Service?—Yes I studied at University College, London.

4864. In what year did you enter the Army?—In the year 1877—ten years ago.

4865 Ever since then and till you obtained your present appointment you have been serving with the Army?—Not exactly with the Army. I was at Tanna for six years before I came here.

4866. For how many years did you serve with the Army?—I served with the Army for five years.

4867. Did you serve with the same regiment throughout?—I served with different regiments. I served with the 19th for a short time, I was with the 1st Beluchis, then with the 1st Sind Horse, I then went back to the 1st Beluchis for a short time, I was subsequently with the Jacob's Rifles during the Afghan Campaign

4868. What different Military Stations did you serve in?—At one station; in addition to Regimental duties, I had Staff Surgeon's duties, I was also in charge of the Lock Hospital, I was sent to Sind with the Beluchis. I was Staff Surgeon there and then I went to Beluchistan and served in the Afghan Campaign during the whole time, from the breaking out of the war to the end of it. I was in the campaign nearly two years, from 1878 to 1880.

4869 I believe you formed part of the force that served at Maiwand?—Yes, I am one of the survivors of those who served in General Burrough's Brigade which was defeated at Maiwand

4870. You were present on the day of the disaster?—I was.

4871. And you returned with the remnant of the army to Kandahar?—I did.

4872. Was your name mentioned in the despatches?—I have not seen my name in the despatches, but when I was appointed Civil Surgeon of Tanna my name was mentioned in the Government Resolution, and it was distinctly stated I was appointed Civil Surgeon in recognition of my gallant behaviour at the battle of Maiwand.

4873. Then you were not found fault with?—No. I was rather kindly thought of.

Mr. *Stewart.*

4874. Have you taken leave since you came to India?—I have taken privilege leave, but I propose to myself a short visit to England. If I get a year's leave I will go.

The *President.*

4875. Are there any other points on which you wish to offer evidence?—There were one or two points, but to a certain extent I think they are answered in my cross-examination on other questions.

4876. Your going to England has made no difference in your position in your caste?—My going to England has not put me out of caste at all, although I live in the European way.

* End of written replies

WITNESS LXXVI—29th January 1887

Examination of DINSHA E. VACHHA, Esq, Merchant, Joint Honorary Secretary, Bombay Presidency Association, Bombay.

Mr. *Stewart*

4877. You are one of the Secretaries of the Bombay Presidency Association?—Yes.

4878. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The prevalent feeling in this Presidency regarding the existing Statutory system is one of dissatisfaction. The dissatisfaction is general and is not confined to any particular class or community Hindus, Mahomedans and Parsis alike feel it—in fact, I may say, all classes of the population who are capable of thinking or speaking on public questions share it. This feeling, it may be observed, was very well expressed in the following paragraph of the memorial to the Secretary of State for India, on the whole question of the Covenanted Civil Service, which was adopted in 1884 at a public meeting of the Native inhabitants of Bombay—

"It may, no doubt, be urged that it is unnecessary to consider the rules of the Civil Service in the light of their operation on candidates from this country in consequence of the existence of the Native Civil Service which has been instituted in pursuance of the provisions of the Statute Vic Cap 3, Section 6, 1870 Your memorialists beg to say that the constitution of that service and the mode of nomination to it are alike most unsatisfactory to the people of this country. Your memorialists would rather see their countrymen enter the Covenanted Civil Service of Her Majesty, on the one hand, by the same door and under the same safeguards, and, on the other hand, with the same facilities as those by which other sections of Her Majesty's subjects enter it. Your memorialists do not desire that their countrymen should be admitted, to a service which is only nominally the same as that Covenanted Civil Service, but is really and not quite unjustly looked down upon by all members of the service, and admitted, too, in a manner which provokes the observation that they are admitted, not on account of proved merit, but from more or less questionable considerations, such as those of official patronage or family influence."

4879. What are the grounds of disapprobation?—The grounds of disapprobation are against both the Statute and the Rules framed under it. For a better understanding of the feeling of disapprobation it is needful to remember the agitation among Indians that preceded the passing of the Statute, and the debate that ensued in the House of Commons in 1868 on the motion of the late Mr. Fawcett regarding the justice of holding simultaneous examinations in India at various centres in connection with the Covenanted Civil Service It is also needful to remember the reason which led to the withdrawal, immediately after their institution, of the scholarships originally recommended by Sir John Lawrence with the view of offering facilities to Indian candidates competing for that service. It was hoped, after the debate that had taken place and after the circumstances under which Professor Fawcett had withdrawn his motion for a simultaneous examination in India, that the grievance, the justice of which was generally admitted, would be satisfactorily redressed. Consequently, when

Mr. *Stewart*—continued

the Statute was passed in 1870, the disappointment was great, as it turned out to be something very different in substance from what Natives had demanded, and were led to hope for in the way of reasonable facilities to enable them to compete for the Covenanted Civil Service It was instinctively felt that they had been offered stones when they had asked for bread. That the provision in Section 6 was an ingenious, but not ingenuous attempt at driving the first thin end of the wedge, namely, of shutting the doors of the competitive Civil Service against Natives of India, and instituting a distinctly separate service for Natives only. The principle of nomination, too, was considered most objectionable. The apprehension originally felt, and even publicly expressed here, in 1870, was fully justified when, eight years later, after the rules under Section 6 had for the first time been framed, the Government of Lord Lytton, in their despatch of 2nd May 1878, openly suggested the expediency of closing the Covenanted Civil Service against Natives All the feelings of dissatisfaction found greater vent when appointments came to be made and the lower scale of pay, &c, fixed under those rules. The utter hollowness of the Act was then fully realised.

The persons hitherto nominated to the Statutory Civil Service, with an exception or two, are not men of proved merit and ability—at any rate not such as would have come out successfully under the severe ordeal of the competitive Civil Service examination.

The system benefits individuals rather than classes. Nomination is made of sons or relations of an illiterate or semi-illiterate aristocracy, or of persons possessing influence with high officials, Members of Council, or Governors. The classes from whom the best ability could be selected, are thus virtually ignored. Thus the original forebodings of 1870 have been amply justified.

The Statutory Civilian is looked at askance by the public as an official of inferior ability, and as one who has made his way into the Civil Service, not by the honourable and straight door of open competition, but by the back door of patronage or family or social influence. He is looked down upon by the Covenanted Civil Servant, and is viewed with jealousy by members of proved merit and ability in the Uncovenanted Civil Service, who naturally feel that they have better claims to promotion into the Covenanted Civil Service. Neither the educated classes nor University men view him with favor. The Statutory Civilian himself feels that he is branded with inferiority—an inferiority which is aggravated by the lower salary he is obliged to draw, while the authorities nominating him do not escape being the subject of scandal

On the whole, the system must be pronounced as unsound. It offers a premium to the undeserved or to those who are not capable of winning apointments in the service by sheer merit. It again demoralises those classes in whose behalf a cry seems to have been very recently raised—the classes called "backward," who from pride of race, or birth, or wealth, or from ignorance, or

Mr. *Stewart*—continued.

indolence, or all combined, are seldom self-reliant or even willing to improve their condition intellectually. At the same time it acts unfairly towards those advanced classes from whom selections of the best ability can be made The principle which Government insists upon, and properly too, that the best talent available should alone be drafted into the Covenanted Civil Service, is here violated. And the Government is acting inconsistently with its own declaration when it nominates men whom it knows are of inferior ability, to the service which it has left open to the most superior talent offering.

4880. How would you remedy the defects of the system?—For the above reasons I am of opinion that the Statute should be wholly repealed. No amendment, no tinkering will improve matters, or allay dissatisfaction. Even if the Act and the rules under it are so amended as to make the service competitive to a limited extent, it will not remove the principal objection, namely, that it is a distinctive service reserved for Natives only, and is inferior in many respects to the superior Covenanted Civil Service Natives do not want such a separate service. It is their natural desire to educate themselves for the superior service, and, if successful, to show, as time progresses, that they are equally able to hold their own with Englishmen And it would be unjust to close the opportunity against Natives. In fact, under no other Service but the Covenanted Civil Service can they ever hope to rise to the highest appointments.

It will not do to retain the Statute, even for a time, for the backward classes The Government ought, in strict equity, to look to the good of the public at large, and not to the good of sections or classes who cannot or will not help themselves. Some educational facilities, however, should for a time be reasonably provided for the backward classes. My idea is, and I give it out for what it may be worth, that the more the spirit of stern impartiality governs the Government in its dealings with the subject races the less will this cry of helping the backward be heard in the future. When it is perceived and felt that the Government will refuse to offer any facilities beyond such as it may consider adequate or reasonable, those classes will perforce put their shoulders to the wheel. When they have advanced to that stage their intellectual progress will certainly be as rapid as that of the classes now known as "advanced"

4881. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Dissatisfaction is undoubtedly felt, and has been loudly and repeatedly expressed during the last twenty years, with the existing system of recruitment for the Covenanted Civil Service, and at no time has the dissatisfaction found louder vent than during the past five years. Memorials and petitions from almost all important places in the country, as passed at public meetings, have been despatched to the authorities, praying for relief from the hardships consequent on existing rules and regulations

The changes made in the limit of age during the last twenty-five years have I fear, laid the authorities open to the suspicion of not being fairly disposed towards Natives of India. It may be that those who have had a hand in reducing the limit, first from twenty-three to twenty-two, then to twenty-one and lastly to nineteen, were actuated by the best of intentions. But, whatever the intentions, the result in practice has

Mr. *Stewart*—continued

unfortunately been such as to raise the suspicion alluded to I see that Munro's opinion as to Government intentions and actions is freely quoted That while it professes the best of intentions for the advancement of Natives, it takes means which are the reverse of likely to attain that end. In this connexion I beg leave to point out the observation contained and the quotation made from Mr. John Bright's speech in the 12th paragraph of the Bombay memorial. The present limit of age certainly deters Indian graduates from competing. It is well known that Indian Students do not graduate for the degree of Bachelor of Arts before twenty or twenty-one. Hence it is absolutely impossible for them to compete for the Covenanted Civil Service at nineteen. Thirdly, because of the different values assigned to Greek and Latin and to Sanskrit and Arabic. Fourthly, because of the many difficulties attendant on a stay in London, and of the heavy expenses involved in a stay, at the shortest, of three years. I say three, because only the exceptionally able young men from India can proceed to England at seventeen or eighteen and successfully pass the examination, say after a year. The remaining two years are for the probational examinations. Even in the case of such young men the expenses are considerable. I personally know of an instance of a successful Parsi Civilian, whose father spent, in all, Rs 17,000 during his three years' stay. No doubt he earned £300 for two years (at £150 per annum) during the probationary period But £12½ per month were altogether inadequate for him to maintain himself decently like a gentleman, so that the father had to supplement that allowance by a further sum of Rs. 200 per month. But this is the case of an exceptional young man who was fortunate to pass at once. The expenses of those who must be sent early if the chances of success are to be pretty freely assured beforehand, are proportionately greater. And yet it is said that it costs little to Indian parents to send up their sons to compete for the Civil Service in London.

As regards those who are sent at an early age, it is known that parents keenly feel the separation Nay more They dread the temptations to which a young person, freed from parental control, is exposed, even when best looked after by friends They further apprehend loss of national feeling in the boy, apart from the liability to estrangement from themselves. Lastly, it should be remembered that greater dissatisfaction is felt with the several difficulties stated above than with the smaller number of Natives who have hitherto gained admittance into the Civil Service

4882 What changes would you propose?—The changes which are absolutely necessary for a reform in the system of recruitment should be:—*(a)* Simultaneous examinations in India and in England. I fail to perceive any objection, political or other, to such a system, if instituted. On the contrary, it will at once allay the deep dissatisfaction felt at present for it will remove the principal cause—namely, the hardships which candidates from India have now needlessly to endure. In my opinion, it is also just that the examination should be held in India. The justice was recognized by the India Office Committee as far back as 1860, but their report seems to have been allowed to be pigeonholed. Its fairness was once more generally admitted in Parliament in 1868. Up to this time

Mr *Stewart*—continued.

I have not heard of any difficulty being raised in reference to the suggested change, save the difficulty of holding a *viva voce* examination This examination, I am informed, is nominal as at present conducted If so, it may be done away with. But if *viva voce* examination is held essential, then there would be no difficulty in holding it at any time during the probationary period of all the passed candidates. As to the examination papers, they may safely be sent under seal to the authorities here, and the examination day fixed for the same day as in London The answers of Indian candidates may be sent sealed also and inspected by the same examiners, —the names of all successful candidates, English and Indian, being arranged in one list in the order of merit. This system will involve no trouble whatever on those who may be entrusted here with the watching of the examination. They will have merely to perform police duty

(*b*) Raising the maximum limit of age to twenty-three It is known that, under the present limit of age, boys more than young persons flock to the examination. At any rate, the matured ability on which Lord Macaulay's Committee so wisely and properly insisted, is absent That ability comes more with twenty-three than with nineteen The best of the competent persons are not to be obtained for the service at the latter age So that the sooner the injurious policy to the State pursued in the administration of India since 1876, is reversed and the original limit of age, namely, twenty-three, restored, the better for all—English and Natives. In this connexion I would again draw the attention of the Commission to the cogency of the argument adduced in the 4th paragraph of the Bombay memorial

(*c*) Equal number of marks for Sanskrit and Arabic, as for Greek and Latin. I would suggest that Persian might be added.

4883. If an examination is held in India should it be identical with that held in England? —The examination in India should of course, be identical with that held in England There should be the same papers and the same tests of intellectual, physical, and moral fitness. The application of different methods and different tests to English and Indian candidates must be considered as distinctively retrogressive. One set of examinations for Europeans and one for Natives will never do The latter want no favor or grace. Their demand has uniformly been for a fair field—competition on equal terms with Europeans shoulder to shoulder.

It should be obligatory on the successful candidates to spend at least two, if not three, years in England, with the view of completing their training and extending their intellectual horizon—in fact, of returning better citizens all round The immense benefit to be derived from a sufficiently long contact with what is best and most wholesome in Western society and civilization cannot be gainsaid. The cause of Indian social reform will receive greater stimulus by the imposition of this essential condition

One principle alone should regulate all appointments, namely the principle of merit as tested by examination. It would be prejudicial to the best interests of India and England to adopt any other The principle of Imperial equity so wisely laid down in the 87th Section of the Charter Act of 1833 should be scrupulously adhered to. To

Mr. *Stewart*—continued

reserve so many appointments for Natives and so many for Europeans is unfair, when once the successful candidates have satisfied the tests laid down by Government. It is chimerical to fancy that Bengalis or any other advanced classes of Indians will swamp the appointments in the Covenanted Civil Service It will scarcely be possible at any time for Natives wholly educated in this country to pass in such large numbers as to swamp the English, so long as the English language is one of the crucial tests of the competitive examination I for one hold it impossible that any Native, however able or exceptionally talented, can score the same number of marks in English as his European competitor I think the apprehension expressed regarding the matter in some quarters is quite un-English Whatever the strength of the Covenanted Civil Service may be, whether it is increased or decreased, the appointments under it should be absolutely unreserved. There should not be the smallest restriction on the present right of Natives of India to enter equally with Europeans any one of the posts now reserved to the Covenanted Civil Service It should be remembered that no appointments are now reserved for Europeans only. Then why should they be reserved in the future?—especially bearing in mind the fact that Natives are getting better qualified, as time progresses, to hold the highest executive or administrative posts. I am not at one with those who assert that Natives are or will always be unfit for such posts. On the contrary, whenever they have been allowed the opportunity, as shown by their appointment to the Bench of our High Court, they have shown their capacity to be fully equal the Europeans. The fact is, as Sir Charles Trevelyan remarked in his evidence before the Finance Committee of 1871-74, that the necessary opportunities are not allowed Said he: "We want to turn them out first class artisans, and yet we will not allow them to become apprentices." The ostensible object aimed at by the Commission is to secure finality. That finality cannot nor will ever be reached if certain appointments are to be reserved for Europeans alone. Such a restriction would be unjust. There is no appointment, I submit, which a Native may not be qualified to fill in due course. The time may be near or remote, but that it will come I have not the slightest doubt. And it would be a stain on the reputation of the English for their deep sense of justice and fair play if Natives who became qualified in the fullness of time to fill the highest appointments were disabled by any legal or other device. The principle of equality and impartiality, I repeat must be maintained inviolate.

Neither should there be, for the same reason any apportionment between the residents in the territories of the several Administrations respectively or between the members of the principal religious sects. Differences of caste, or race have been distinctly repudiated in the Charter Act and the Queen's Proclamation. Ability and integrity have alone been recognised, and that too impartially, and it would be unwise and impolitic to set up social or religious distinctions in the administration of the empire. If experience, during the past half a century, has taught one great, political lesson more than another, it is this · that the more impartial the Government is in its dealing with all classes of its subjects, black or white or coloured, Europeans or Natives, the greater the ultimate security and strength of the empire.

Mr *Stewart*—continued.

This noble spirit of imperial equity, irrespective of race or creed, should be sedulously encouraged. It was this feeling, so long as it lasted, which cemented the multitude of nations into one solid empire in the time of the Romans. But the English have reached a far higher standard of civilization than the Romans, and their code of political ethics is also greatly superior Consequently it is more incumbent on them, than it was ever the case with the Romans, to stimulate this spirit of impartiality and equality among all their subjects. Political evil, it is alleged, will arise if appointments are not apportioned according to races or sects. I apprehend no such evil. On the contrary political evils are certain to arise if ever the policy of "divide and rule" is to hold sway among the responsible administrators of India. I have firm faith that the English language and English justice will, in the long run, minimize in a great degree, if not entirely set at rest, all racial difficulties. And it should be the duty of the British Government to do all that lies in its power to attain that end

4884. Should the Uncovenanted Service be recruited only from Natives of India as described in Statue 33 Vic., Cap. 3, Sec. 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service should be recruited from all natural-born subjects of Her Majesty

4885 Should the recruitment be by competition or by nomination, or by both systems combined, and if by both combined, should one system be applied to all offices or classes of offices or should be system be varied with the class of offices?—The recruitment should be by competition, and one system should be applied to all offices or classes of offices

4886 Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The recruitment should be made by the several Administrations only from persons resident in the territories under such Administrations, respectively It would, however, be desirable to have an interchange of officials so selected among the Administrations. People in different parts must be taught to trust and respect each other. That will be a decided gain.

4887 Have you anything to say as to salaries and pensions?—I am of opinion that the salaries and pensions now allowed to members of the Indian Covenanted Civil Service are certainly high, having regard to the financial ability of India. On Imperial as well as national considerations it is desirable to reduce the salaries and pensions to a reasonable scale, say thirty per cent., all round. I am also of opinion that there should be no distinction between Natives and Europeans entering the Covenanted or Uncovenanted Civil Service, as both classes of officials will be admitted to the respective services by the same tests. And the Government is bound not to show special favor to any one class. It will again lay itself open to the charge of violating the principle of equality and impartiality. What the Government has to look to is this: that the salaries attached to the different posts are commensurate with the duties and responsibilities of those posts. It is not bound to consider whether one set of incumbents of such posts feel that the salaries are inadequate or not quite liberal. Those who

Mr *Stewart*—continued.

choose to enter the service will enter it with their eyes open and knowing that whatever their personal expenses or tastes may be, they can only look to this amount for this post and that amount for the other post

4888. How many Statutory Civilians have you known? You express a very strong opinion in regard to their ability.—I have not personally known them all, but I have certainly known two or three.

4889. How do you say that with the exception of two they are not men of proved merit and ability?—That is the general view. It is generally reported in the papers on authority. I myself have been a writer in the press and I have reason for knowing that they are such as I have described them to be.

The *President*.

4890. You speak about disingenuousness in shutting the doors of the competitive Civil Service to the Natives and you object to Lord Lytton's despatch of 2nd May 1878. You have read that despatch I suppose?—Yes.

4891. You must know it was a very restricted Covenanted Service, the doors of which Lord Lytton proposed to close. It was not the actual Service as it at present exists, but a Civil Service very much reduced?—Still it was Lord Lytton's intention that the Civil Service should be entirely closed against Natives.

4892. That was the competitive service in England largely reduced in numbers?—Exactly but it comes to the same thing, so long as the rules remain as they are up to the present day, the Natives will be shut out.

4893 Lord Lytton intended to make a small number of appointments open to the competitive service and a large number of the higher appointments open to the Uncovenanted Service and to make up a large and honorable service strictly reserved for Natives?—That may be, but we have never understood Lord Lytton's despatch to mean that.

4894 Lord Lytton intended there should be a small competitive service recruited in England and a Native service recruited in India?—Exactly.

4895. So that it is hardly fair to describe Lord Lytton's proposal as a proposal to close the Civil Service against the Natives?—So far as the service recruited in England is concerned, it was

4896. His proposal was to recruit a small proportion of Englishmen from England and to recruit a large proportion of Natives in India?—Not in the same tests and standards. Englishmen would turn round and say they were different tests and therefore they were superior to us.

4897. It is not right to treat Lord Lytton's proposal as if it was intended to exclude Natives from the Civil Service because important appointments now held by the Civil Service were expressly to be held by Natives only under his scheme?—The general impression of the public is the other way. If I may be allowed I will say this, that recent announcements in the papers only go to confirm the opinion that Lord Lytton thought Natives very impatient, that they wanted high appointments, that this was out of the question and that they could not get them.

4898. I want to correct a decided misconception of Lord Lytton's proposal—It shows what was Lord Lytton's idea at the time

Mr *Crosthwaite.*

4899 What do you mean by unjust and unnatural arrangements? You call the examination an unjust and unnatural arrangement?—Natives of India who are to serve in India ought rather to be examined in India than sent 6,000 miles away.

4900 Have you ever heard of such a thing as the British Indian Empire?—That is a matter for future historians, not the historians of to-day You open the Service to Indians and still you ask Natives to go 6,000 miles away to a foreign territory, that is unnatural

The *President.*

4901. Do we not require men of a certain amount of education? It is then a question of opinion how you are to get them, and whether you can get men of the stamp required by having one examination in India?—If Englishmen wanted to compete for the Service they would come to India and there would be an end to the matter

4902 I suppose as a Parsi you have a claim to the service in India?—As a Parsi I consider myself a Native: Parsis have been in India earlier than Mahomedans, we came here about 968

4903. Are there any cases of Parsis serving under the Sikh Rajas or Mogul Emperors?—There may have been some, since I read in Mogul history of Parsis holding appointments, under Akbar The fact is the Mahomedans under Akbar and other Mogul Emperors did not say, as Englishmen say, that Natives should not be admitted to high offices

4904 That is offices for which they have qualified?—Of course.

4905. By acquiring special qualifications to secure the appointments?—Certainly

Mr *Crosthwaite.*

4906 The British Parliament and British power have established an empire in India and the British Queen and Parliament have said to everyone: "If you are qualified we will give you a place in the Service impartially." Do you think your claim rests on that?—Yes

4907 Your claim rests entirely on the British Government and the declaration of the British Sovereign Has not that same power the right to prescribe the qualifications it requires?—It may say that and it may not

4908 After all it is a question more of opinion than of justice?—Natives do not think that justice is given them, there are many obstacles put in their way,—there is the limit of age,—and they are not allowed to be examined in India and no chance therefore is given them of testing their qualifications.

4909. If Government can get good men at seventeen as the best qualifying age, has it not the right to say so, and would there be anything unjust in fixing the age at seventeen?—Parliament may insist on anything, but Natives would still think it unjust from their point of view.

The Hon'ble Mr. *Quinton.*

4910. You say in one of your answers that the present limit of age certainly deters Indian candidates from competing?—In Bombay up to very lately no one could compete for the lower matriculation under sixteen.

4911 I am speaking about competition in England for the Civil Service. I want to know if no Indian students compete and succeed at present?—In exceptional cases only.

The Hon'ble Mr *Quinton*—continued

4912 Must not appointments to the Indian Civil Service always be exceptional as you say there is a very small number of posts compared with the number that want to get in?—Yes

4913 So you must always have exceptional men?—I deny that proposition, we are talking about India at present

4914 Even in India might you not get exceptional men? What did you mean when you said exceptional men?—It is impossible I say for a young Native at seventeen to pass the examination unless he has superior talents.

4915 But for the service you want exceptionally good men?—Men who are able to compete successfully, exceptional men I do not deny may succeed

4916 The present system of competition even with the limit of age has not excluded exceptional men, has it?—It has not excluded exceptional men, but it has prevented many ordinary men from appearing

Mr *Crosthwaite*

4917 Do you know the number of appointments that are given every year?—Yes, about forty

The *President*

4918 You say whatever the strength of the Covenanted Civil Service may be, whether increased or decreased, appointments under it should be absolutely unreserved What do you mean?—If Government eventually decide to increase or decrease the number of appointments in the Covenanted Service, they should not be reserved absolutely for Europeans, they should be open to all competitors Indian and Englsh, that is what I meant

Mr *Ryland*

4919 Do your countrymen go to England exclusively to get into the Government Service?—They go for the Medical service and some to qualify for Engineering

4920 What advantages do they propose to gain by going?—I suppose to better their positions in life and at the same time to make better citizens also, because education in England gives a tone to men as citizens that is not to be found exactly in India

4921. If they expect to gain these advantages on their own behalf, has not Government the right to demand that its servants should possess the same advantages?—Yes

The Hon'ble Mr. *Quinton*

4922 You told us that the English Civilians who come out in the Covenanted Civil Service were not the flower of the English intellect?—Yes

4623. Do you think it desirable to get the best men from England you can?—No doubt it is

4924 If you cut down salaries 30 per cent all round will you not get less of the flower of English intellect than at present?—That depends upon the law of supply and demand, at one time we get ability at a high price, at another at a low price.

4625. Have you travelled in India?—I have travelled over India, but I have never resided anywhere except at Bombay

The *President*

4926 Have you anything you wish to add?—No.

PROCEEDINGS

OF THE

PUBLIC SERVICE COMMISSION.

VOLUME IV.—PROCEEDINGS RELATING TO THE BOMBAY PRESIDENCY.

SECTION III.—SUB-SECTION A.—Replies received from Societies and Associations.

No. I.

THE LOKA HITTECHU SABHA, BROACH.

The Statutory Civil Service.—The Sabha thinks that the prevailing feeling, with regard to the system of selection for the Statutory Civil Service, is one of dissatisfaction. It is confined, it believes, to the educated classes, as well as to the officials and the gentry. The chief reasons are, that it does not exact an adequate test of intellectual fitness and is calculated to encourage favoritism. But the Sabha does not think that it is necessary to abolish it. In its opinion it would be well, if half the number of posts, at present given over to Natives under the Statutory Civil Service system, were reserved for the University graduates, who pass in the first class, and if the other half were given over to men of proved merit and tried ability from the Subordinate Judicial and Executive Services; so that men, fit by intelligence and experience, could be secured to the service.

The Covenanted Civil Service.—The dissatisfaction with regard to the Covenanted Civil Service is general, and is a source of deep discontent, as it practically excludes Natives of India from its benefits The exclusion is due to the low age limit, at which candidates are required to pass a hard examination, and that in a foreign and difficult language; to the great risk of pecuniary loss, attending a possible failure; the risk of social loss even in case of success, such as excommunication from caste, and to the residence in a country, the climate of which is liable to prove injurious to the candidates' health, and where young men are liable to be led astray, without that parental care which is necessary for persons of their age.

In order to overcome, or at any rate to minimise, these disadvantages, the Sabha suggests the following changes in the existing system of recruitment for the Covenanted Civil Service:—

(a) The limits of age should be raised from seventeen to nineteen, to from nineteen to twenty-three. At present a Gujarati boy finishes his vernacular studies, entitling him to admission into an English school, when he is about ten years old. He has then to undergo English education for seven years up to the matriculation, and at least for three years more for graduation in Arts. Then he will require time for his preparation for the Civil Service examination. The age limit, at present, is too low, and unless a youth undergoes a process of severe cramming, it is impossible for him to pass the examination. Such a proceeding is undesirable in the interests of the candidate, as well as of the public service

(b) Open competition should be allowed by holding simultaneous and identical examinations in India and England

(c) The Indian vernaculars, or at least the chief of them, Hindi and Tamil, and Persian and the History of India, should be added to the subjects of the examination; and the marks for Sanskrit and Arabic should be placed on an equality with those allotted to Greek and Latin The candidates should take at least one of the vernaculars and one of the classical languages.

(d) It should be optional with the passed candidates to receive probationary training either in India or in England. To compel them to go to England, is equivalent to closing the doors to genuine Hindus, as it involves loss of caste, and it is against the traditions of their forefathers and the religious belief of the people of the country. Besides, it is equivalent to going against the wisdom of the Indian Government and the British Parliament, which, after long experience and mature thought, decided that Natives of India were by their civilization quite fit to enter the Covenanted Service of the Government, without undergoing a hazardous journey and an unnecessary stay in England, as is clearly implied by the creation and existence of the present Statutory Civil Service, and by the

fact that Native High Court Judges and Deputy Collectors and Statutory Civilians, who are required to do the same kind of duties as the European High Court Judges and the Assistant Collectors, discharge them as efficiently as their European colleagues. It is true that the Statutory Service is disapproved of at present. This is, however, not owing to the unfitness of the Natives of India on account of their not being trained in England, but in consequence of the possible encouragement it is liable to give to favoritism and undeserving patronage

(*e*) But the Sabha would advocate the creation of scholarships for those Native candidates who may be desirous of undergoing probationary training in England, so that they may not be placed in a position of pecuniary disadvantage, as compared with those who may remain in the country Again, such an arrangement would, in the opinion of the Sabha, prove highly beneficial to the interests of the public service, for it would, in that case, be able to derive benefits from three sorts of administrators, *viz* ;—

Firstly, Europeans, who have undergone education in England only, and who bring with them genuine English social, political and moral impressions.

Secondly, genuine and orthodox Hindus, who carry with them the deep touch with the people, the high moral tone of the Hindu religion, as well as great respect for the national traditions and sincere love for the national institutions, acquired through a critical knowledge of the work done by both Moreover, having received a good English education in addition, they command a very fair knowledge of the political and social necessities of the public administration and the country, gained, not during boyhood, but at a time when their reasoning powers are mature to receive it

Thirdly, those Indians who have some experience of the institutions of both the countries

By compelling all Indians to spend their probation in England the public service would miss the benefit of administrators of the second of the classes above mentioned The assumption that Natives, who have not visited England, will not be free from prejudices of caste and creed, will not command respect, and will possess the moral courage necessary for the efficient discharge of their duties, is, in the opinion of the Sabha, more sentimental than real, and is a silent rebuke to the system of education established and nourished so successfully during the last half a century by the British Government in India—a sentiment to which the Sabha would by no means subscribe There has been no lack of efficient administrators in India, and even in present times the administration of men like Sir Madhava Rao, Sir Dinkar Rao and Gavarishunker, who had not undergone training in England, would give a complete contradiction to such an assumption.

(*f*) The *viva voce* examination which has a great element of chance in it should be abolished It is not required in the higher examinations of the University, such as the M A. We learn that the practice had obtained some years ago at Cambridge, but, having been found impracticable, was abandoned.

(*g*) The Civil Service Commission should be composed of both Natives and Europeans.

(*h*) In the case of this service, too, the Sabha would advocate a proportion of all kinds of posts at present given over to Covenanted Civil servants, to be reserved for the Natives of India. The proportion might be fixed at, say, one-third.

The system of competition would, for a time, give an advantage to the better educated communities in India. In order to allow all people equal admission into all the branches of the public service, it would be well if Government encouraged the education of the backward classes by scholarships and such other means as may suggest themselves to their approval.

The Uncovenanted Civil Service.—The Uncovenanted Service should be recruited only from the Natives of India, as described in the Statute 33 Vic, Chapter 3, Section 6.

The recruitment should be made by free and open competition for first appointments, after candidates, who ought to be residents of the respective provinces of British India, have passed University examinations or other equal tests. In the beginning in the backward provinces, outsiders might be appointed till there was a fair number of candidates able to compete for the same The residents of a province are, generally speaking, more fit for Government service in their own province than outsiders, as they are naturally more conversant with the institutions and requirements of their province, and have always a better knowledge of their mother tongue—a circumstance so very essential for the efficient discharge of the duties entrusted to them.

No. II.

The Sind Sabha.

I.—Working of the existing Statutory System

1. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—It may be said that there is no feeling in this Province regarding the Statutory system, only one nomination having been made from this Province.

2 What amendments do you advocate in Section 6 of the Statute?—We advocate no amendment in the Section referred to

3. Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide? If not, can you suggest any more complete or more satisfactory definition?—The definition, as it stands, is sufficiently accurate and full.

4 Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—The rules should be amended in such a manner that the nomination system may be confined, as far as possible, to members of the Uncovenanted Service and the professional classes As a rule these nominations should be made to some grade higher than the lowest grade. Appointments in the lowest grade should be thrown open to competition.

5 Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel? If such a feeling exists, on what grounds is it based?—Yes, on the best grounds Not only are the rules of pay, leave and pension different in the case of Statutory Civilians, but the system of nomination leaves the public in doubt, whether the nominees are intellectually as well equipped as those who enter the service through the channel of the competitive examination.

6 Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers? If so, on what grounds?—Yes, because, although the starting salary and the salaries of several grades of the Statutory Service correspond with those of the Uncovenanted Service, Statutory Civilians occupy a position distinctly higher than that of Uncovenanted officers Appointments, particularly in the Revenue Department, which are held only by Covenanted Civilians, but never or very seldom by Uncovenanted officers, are given to Statutory Civilians, who are known by official designations belonging only to Covenanted Civilians.

II—Mode of Selection of Statutory Civilians

7. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—Everything depends upon the manner in which nominations are to be made It is more likely than not that a system of nomination, pure and simple, will fail to secure well-qualified persons.

8 Has experience actually shown such a system to secure well-qualified officers?—We have not had sufficient experience in this Province.

9. Do you consider that nominations should be confined to persons of proved merit and ability?—Certainly

10. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—Either by previous meritorious service or distinction in professional paths of life.

11. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—With more favor than a system of nomination

12. In preference to either of the above systems (nomination and limited competition) would a system of open competition pure and simple for the Statutory Service commend itself to the Native community?—Yes

13 If competition (whether limited or open) is preferred, should there be one competition for all India, or separate competitions in each Province?—Separate competition in each Province.

14. If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several Provinces?—By conferring appointments on Natives of each Province

15. Having regard to the varying educational standards reached in the several Provinces, and the varying conditions

prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some Provinces being more or less excluded from a due share of appointments ?—No.

16. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social and physical fitness ? If so, what should be the tests under each of the heads specified ?—(1)No limitation as to age under the nomination system. (2) Either meritorious service or professional qualifications (3) The same tests as obtaining at present in other services. Under a system of limited competition : (*a*) thirty years ; (*b*) matriculation examination ; (*c*) the same as now. Under a system of open competition : (*a*) Twenty-five years ; (*b*) a University degree, (*c*) the usual test.

17 Do you consider, that (after selection, whether by nomination or competition) there should be a period of probation ? If so, what should be the duration of the probationary period ?—Two years in cases of selection by competition, but no probation in cases of nominations from the Uncovenanted Service and the professional classes.

18 Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner ?—In the ranks of the Covenanted Service.

19 Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training ? If so, should the special training be carried out in India or in England ?—Yes, only in the case of selections by competition. It should be carried out in India

20 If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England ?—Yes, it would be both possible and advisable.

21. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service ? If so, what form should such encouragement take ?—Yes, special scholarships and payment of passage money there and back.

22 Should it be offered before, or during, or after, the probationary period, if any, through which nominees or selected candidates may be required to pass ?—During the probationary period.

23. Should it be offered before or after the nominees or selected candidates enter on their duties ?—Before they enter on their duties

24. Are you in favor of the establishment of scholarships, tenable by Natives in England, for the purpose of enabling them to qualify for the Civil or Statutory Service ? If so, how would you connect such a scheme with the selection of Natives for employment in the higher administrative posts in India ?—Yes, by giving the holders of such scholarships preference over other candidates in such appointments.

25 Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England, or have gone to England to add to their qualifications, and those who have not ?—Yes

26. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent ?—To a considerable, if not to a great, extent.

27. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system ? If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose ?—No, in the event of such facilities being offered as would induce the Natives of India to attempt to enter the Covenanted Civil Service in considerable numbers, it would not be necessary to retain the Statutory system.

III.—Competition in England for the Indian Civil Service.

28 Is competition of Natives in the examination in England favorably looked upon by large and important classes in India ?—Yes, the principle is looked upon with favor, but the present restrictions imposed upon the competitive examination in England are viewed with great dissatisfaction, as their effect is virtually to debar Natives of India from entering the Covenanted Civil Service

29. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition ? If so, what form or forms should such facilities take ?—Certainly. (1) By establishing special scholarships tenable by Natives of India in England. (2) By raising the maximum age to twenty-three years and by fixing the minimum at nineteen. (3) By raising the maxima marks of Asiatic classics, so as to place them on the same level as European classics, and adding more optional subjects to the present prescribed subjects for examinations.

30. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a

placé amongst the successful candidates, have shown merit in the English competition?—We are opposed to the principle, that would hold any candidate not sufficiently qualified for one service, as qualified for another. The examination list of each service should be independent of the other.

31 Can you say what number of Natives belonging to your Province have presented themselves annually at the competitive examination in England, and what degree of success they attained?—Not one up to the present time.

32. What class or classes of Natives in your Province readily go to England?—One Mahomedan gentleman has lately returned from England, after having completed a course of studies in medicine. Parsis readily go to England for professional or other purposes.

33. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Religious, domestic and social objections are entertained by Hindus in particular. The pecuniary difficulty is also considerable.

34. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—On no account should the examination be distinct. There should be only one examination in which all the candidates, European and Native, should compete on equal terms.

35. Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates? If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—Under the present rules Native candidates are undoubtedly placed at a disadvantage. See reply to 29.

36. If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be? If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—The maximum limit of age should be raised to twenty-three years for all classes without distinction of race. The European candidates would have every reason for complaint, if the maximum of age in their case were lower than in that of Native candidates

37 What is the average age at which Natives at the Indian Universities pass the examinations for F. A, B A., and M. A., respectively?—About eighteen, twenty, and twenty-two, respectively. A reference to University Calendars would elicit the most satisfactory and certain reply to the question

38. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province?—From the middle classes.

IV.—Competition in India for the Indian Civil Service.

39. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question-papers being used at both examinations?—Yes.

40. How would this method of selection be regarded by the Native community generally?—With very general satisfaction.

41. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination? If Native candidates were admitted to the competition in England, while English candidates were excluded from the competition in India, on what grounds could this distinction be justified?—We would admit both classes freely to either examination.

42. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system, as introduced in 1855, to secure?—Up to the present time it has not been the object of Indian educational institutions to give this kind of education, but there is no ground for the inference, that these institutions are constitutionally incapable of imparting the very high class education required for the Covenanted Civil Service.

43. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others? Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Probably for some time

44. Do you think there are any objections on political or administrative grounds to open competition in India?—None that we can think of.

45. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—On, the contrary it would be an inducement to cadets of high families.

46. Under such a system how would it be possible to provide against the Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province?—It

will be impossible to devise any means for an equal distribution of appointments for which qualifications of a very high order are essential. So long as a Province remains backward, the inhabitants of that Province are necessarily excluded from appointments in their own Province. In Sind, for example, appointments in the Uncovenanted Service, such as the Educational, Judicial, and Revenue Departments, were often held and are still held by foreigners But with the progress of education the Sindhis have been enabled to put a stop to the influx of foreigners for appointments in this Province, and the graduates of Sind are now quite able to hold their own. In the Covenanted Service its efficiency must be the first consideration, to which provincial and all other considerations must be subordinated.

47. Would a system of provincial examinations be preferable to one examination for the whole of India?—No, not for the Covenanted Civil Service.

48 Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—Not, if they are placed on the same footing as regards pay, pension, &c.

49. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—Without favor

50 If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age? and in regard to minimum educational attainments?—The limitation of age having been raised to twenty-three, it will not be necessary to require any other qualification as to educational attainments. The competitive examination will be a sufficiently severe and searching test of educational attainments. Candidates may be specially trained up for this examination and may not obtain a University degree. They cannot be on that account disqualified for the competitive examination.

51. Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different? If different, what should they be?—See reply to 34.

52 Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c, should not also be different?—Yes, because circumstances in the case of persons who enter through the examination in England, and of persons who enter through the examination in India, will not be so markedly different as to justify different rules being made regarding pay, pension and leave The principle having been established that the status of all Civilians should be the same, whether they enter the service in India or in England, there is no reason why any distinction should be made, which would necessarily give one class of Civilians a status higher than that of another.

53. Should successful candidates go through a period of special study in India, like the English candidates who spend two years in special preparation? Would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there?—Successful candidates should be required to go to England. This condition should be obligatory.

54 Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment? If so, what should be the duration of the probationary period? How should it be passed—in the ranks of the Uncovenanted Service, or otherwise?—As the period of special training will have to be passed in England, a period of probation before final appointment will be no more necessary in the case of successful candidates at the Indian competition, than in the case of successful candidates at the English competition.

V.—Promotion from the Uncovenanted Service.

55 What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service?—Exceptionally brilliant or meritorious service as an Uncovenanted officer should be the provision for appointment to Covenanted posts.

56. If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service; and, if so, what classes?—To no particular classes of appointments.

57. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—No.

58. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the higher Covenanted offices without requiring them to pass through the lower grades?—Yes.

59. If certain appointments in the Cove-

nanted grades are set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service?—Yes; this would be the best justification of the nomination system in the Statutory Service.

60. Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service? Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India"?—No; merit alone and not the accident of nationality or race can justify any claims to promotion.

61 Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed? If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of 1st November, 1858, is this to be justified?—By all means, subject only to the condition, that the Covenanted Service should cease to be an exclusive service.

VI—General.

62. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—As a matter of fact every department of the public service, except the Covenanted Civil Service and some higher departments, are recruited from the Indian schools and colleges These officers are industrious, capable and thoroughly efficient as a class. The existing educational institutions are well adapted for training young men to the public service

63 In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—See reply to 42.

64. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—The contrary has not been demonstrated. Indian schools, or, for the matter of that, English schools, cannot collectively and generally develop the force of character required for a very select administration. Every schoolboy in India, or every schoolboy in England, cannot hope to compete successfully for the Civil Service examination; neither can every school equip young men for the competitive examination. If certain Indian schools or colleges are adapted to qualify young men for the competitive examination, they will be certainly able to develop the force of character requisite for English administration.

65. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country?—Socially, perhaps a more mixed class of men; but as public servants perhaps a better, and certainly more honest, class of men.

66. If not, where must we look for representatives of these classes, and how do you consider that their services could be best obtained?—It is not necessary that the administration should be hereditarily carried on by the same classes The scale of society is an ever-shifting scale. The best talent and not the best social position ensures the success of the administration

67. How far would any system of appointment which involves a journey to, and residence in, England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—The objection would be scarcely great, at least among the classes who are most likely to benefit by such a system. The more mischievous restrictions of caste in this direction are being more or less disregarded.

68 How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to, and residence in, England?—Such an objection would not hold water, because it would not only be the wealthier, but the more advanced classes, who would go to England. Some of the wealthiest classes of the Native community are notoriously unprogressive, and would never dream of crossing the sea.

69 Does a voyage to, or residence in, England involve the loss of social position or other unfavorable consequences in the case of any section of the Native community?—Yes, but not in the case of every section of the community.

70. Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—Not necessarily.

71. Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—The exclusion of a very large, perhaps the largest, section of

the community will be inevitable, even if a temporary residence in England be not made compulsory. But in the case of the very limited section of the community which will feed the Covenanted Service the obligatory condition of a temporary residence in England would not be an appreciable deterrent

72 If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to, and residence in England? If so, what provision should be made for this purpose?—None, except for members of the Uncovenanted Service and the professional classes.

73. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes? If so, what provision should be made for this purpose?—Exceptional professional ability, generally recognised merit, or considerable experience may qualify a member of the professional classes for appointment to a Covenanted post.

74. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—It would probably be more conducive to the interests of the service if such power were not reserved.

75. Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—Yes.

76. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection, in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—We believe not. Able officers who do not know English are now but to be rarely met with in the public service, and in the nature of things will become rarer in future

77. Should provision be made for the occasional appointment, in very special and exceptional cases, to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—In very special and exceptional cases, yes.

78. Would it be desirable to rule that the proportion of persons being Mahomedans and Hindus respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any Province, should bear a certain relation to the number of the two classes composing the population of the Province concerned? What classes, ranks or professions of the Native community should be included among Mahomedans and Hindus respectively for the purpose of ascertaining the proportion of the population of each of those classes in the several Provinces?—No, it would be most undesirable and would be seriously incompatible with the efficiency of the administration. No test save and except the test of capacity will be able to maintain the character of the service.

79. How far should appointments in each Province to Covenanted posts be restricted to Natives of the Province concerned?—It will be impossible to lay down any definite proposition or any fast rule. See reply to 46, concluding sentence.

80. How would the following scheme be regarded by the Native community?—

(1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only;

(2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible.

How would you regard such a scheme?—With dissatisfaction.

81. How would the Native community regard the following?—

(1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England, to which Natives and Europeans alike would be admitted;

(2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible.

How would you regard such a scheme?—With favor.

82. If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India? How would you view such a proposal?—Such a proposal looks like a makeshift on the face of it, and is certain to be viewed unfavorably.

83. How would the Native community regard the following scheme?—

(1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives;

(2) a certain proportion of that number to be filled by competition or by some other system in India;

(3) the remainder to be filled by competition in England.

How would you regard such a scheme?—A scheme of this nature will be regarded unfavorably.

84. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favor of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order, to—

(*a*) members of families of tried loyalty and distinguished service;

(*b*) persons of good social status and influence in the country; and

(*c*) persons of superior educational attainments, such as persons who have taken the degree of M.A.?

What is your opinion as to giving such preference?—Native opinion would object to such a system altogether, and the preference would be tantamount to a choice between some specified evils. Preference should be undoubtedly given to persons of superior educational attainments.

85. How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates? How would you regard such a system?—As a corollary to the standing competitive examination this scheme would commend itself to the Native community and to ourselves, but it would be a bad alternative to the simultaneous competitive examination.

86. If the Statutory system were maintained, and if a probationary period were required from nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases, *e.g.*, in the case of a person who has done good service in the Uncovenanted ranks?—No, not in such a case as the one given as an illustration.

87. In the case of persons nominated from the professional classes, is it desirable that a probationary period should be prescribed? If so, is it necessary that the incidents of such period as to duration and pay should be the same as those attached thereto in the case of Statutory Civilians appointed on probation to the lowest grade of the Covenanted Service?—No

88 On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of the competition in England be regulated?—On the same principles as in the case of other Covenanted officers. The appointment of an outsider to a Covenanted post implies that, by distinction or merit of another kind, he is regarded as the equal of those who have entered the service through the channel of competition. If the principles of promotion, pay, pension, &c., are not identical, it will be equal to holding that an outsider is never really appointed to a Covenanted post, and is admitted only on sufferance.

89. Would you regulate such promotion only by considerations of fitness and approved personal merit?—No We would not do anything to remind him at every opportunity, that he is on trial and is likely to be superseded by his juniors. We would regulate his promotion precisely in the same way as that of ordinary Covenanted officers.

90 Should subjects of Native States be eligible for appointment to Covenanted posts in British India? If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—It would be both just and graceful to do so Natives of British India hold the highest appointments in Native States, and in accordance with the golden rule, the inhabitants of Feudatory India should not be disqualified by Statute for appointment to the Covenanted Service. This just concession can be extended only to States, which are in subordinate alliance with the Crown.

91. What system, if any, is at present adopted in your Province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship? Does the system work well, and what improvements can you suggest?—One or two instances of appointing scions of high families to mukhtiarships have occurred, but there is nothing like a system as yet.

VII.—Composition, Recruitment, &c., of the Subordinate Executive and Subordinate Judicial Services.

92. How is the present system of regulating appointments to the Subordinate* Executive and Subordinate Judicial Services respectively regarded by influential

* NOTE.—For the purposes of these questions the terms "Subordinate Executive Service" and "Subordinate Judicial Service" may be held to include respectively all Subordinate Executive and Judicial offices down to and including the office of Tahsildar or Munsif, or other office corresponding to that of Tahsildar or Munsif, which are not reserved for, or not ordinarily held by, members of the Covenanted Civil Service.

sections of the Native community?—On the whole with favor.

93. To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judicial Services respectively?—To the middle classes generally.

94. To what extent do Natives of good family and education in your Province offer themselves as candidates for Subordinate Judicial and Executive appointments?—To a small extent, now slightly on the increase.

95. Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—No

96. How far are the professional classes represented in the Subordinate Executive and Subordinate Judicial Services respectively in your Province?—Very meagrely.

97 Do members of the professional classes in your Province readily accept employment in those services?—Appointments in the Subordinate Executive Service are not open to the professional classes Appointments in the Subordinate Judicial Service are rarely offered to members of the professional classes, and would not be accepted by the higher class of pleaders on account of the low scale of salary, the lowest grade salary being Rs 150 a month, and the first grade salary having been only recently raised to Rs 400 per mensem. Members of the professional classes would enter the Subordinate Executive Service willingly, if it were thrown open to them.

98. Whatever system or systems may at present be adopted for the purpose of regulating appointments to the Subordinate Executive and Subordinate Judicial Services respectively, are any class or classes of persons expressly or practically excluded from such appointments? If so, how is such exclusion justified?—The illiterate and the unprogressive classes; their exclusion is sufficiently justified on the ground, that those who will not run must submit to be left behind in the race.

99 Are you in favor of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions? If so, what test would you apply?—Yes, but not a hard and fast rule. A University degree may be considered a sufficient educational test for first appointments by competition, but in nominations from the professional classes this rule may be dispensed with.

100. Do you think that the test should vary according to the character of the office to be filled?—No. There should be only one unvarying test for admission into the service Every office, whatever its character, will be filled either by nomination, competition or promotion. As nominations must be confined only to the professional classes a distinct test for distinct offices will be undesirable and unwise.

101. Generally what system do you advocate for filling appointments in the Subordinate Executive and Subordinate Judicial Services as above defined?—A system of competitive examinations in every Province, confined to the inhabitants of that Province, and of nominations from the professional classes, the test varying for the two services, and members of the professional classes being eligible for nomination in both services.

102. What preliminary qualifications would you require on the part of candidates for those appointments in regard to age and in other respects?—A University degree and other qualifications as usual. These tests would apply only in the case of candidates offering to compete at the service examinations.

103. Is it possible to devise any one system which would be equally applicable to all Provinces having regard to the varying educational standards reached in the several Provinces and the varying conditions prevalent therein?—No. For some considerable time to come at least, educational standards must vary in the different Provinces.

104 Do you advocate the requirement of a probationary period; and, if so, what should be the incidents of such period as to duration, pay and in other respects? Would you require a probationary period in all cases, or would you dispense with it in certain, and if so in what, cases?—No; a period of probation would be altogether unnecessary. Experience has already shown that the members of the Uncovenanted Service are generally well selected.

105. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—Whatever may be the result of such an experiment it would be decidedly bad in principle and would cast an unintentional, but not the less marked, slur on the Uncovenanted Service There would be very general objection against filling one service with what may be regarded as the refuse of another. See reply to 30.

PROCEEDINGS

OF THE

PUBLIC SERVICE COMMISSION.

VOLUME IV—PROCEEDINGS RELATING TO THE BOMBAY PRESIDENCY.

SECTION III—SUB-SECTION B.—Replies received from persons who were invited but were unable to attend the sittings of the Commission.

No. I.

THE HON'BLE J JARDINE, C S, JUDGE, HIGH COURT, BOMBAY.

1 In dealing with the definite questions, stated as Proposed Issues, on which the Public Service Commissioners have invited my opinion, I feel constrained to discuss a wider field of considerations, as the problems affect the whole civil administration Admitting that the aspirations of the educated classes of Natives are a principal factor, and that our true policy lies in securing, by all inducements at our command, the cordial co-operation of the ablest and most influential among them, our foresight of the future should be guided by our experience of the past, and by the light of facts. We should avoid the mathematical kind of reasoning censured by M Taine in his "Ancien Regime," as prevalent and disastrous before and during the French Revolution, which, premising, that all men are naturally equal, concludes that all have equal rights to offices of public duty. We must remember the differences in national types of character and thought. We cannot shut our eyes to the manifest conditions of Indian Government.

2. I would start with the principle, admitted by many of my Native friends, that the British rule is essential, as a safeguard against the contentions of European powers, as well as a protection against internal strife and anarchy. For the purposes of this rule, a large proportion of European officers is required, especially in the higher places of direction, not only to insure a harmony with Her Majesty's Government at home, but also for the control of the European population here, of the great Army whose presence differentiates India from the Colonies, and of the Native States It follows from the same principle that every large department of the Government should be under the same sort of direction. As the wishes and institutions of the people must be respected, the endeavour should be to supply it with practical experience of the Natives, their languages, customs and ways of thinking Hitherto the Government has tried to secure both kinds of qualifications by means of trained men, selected for ability and gradually promoted to higher place, as in the Covenanted Civil Service of India and the other services more or less approximating to the same type. These services being the basis of the local management of the country, any violent change in their constitution is a matter of serious concern. The Government has tried to satisfy the new conditions of the time, by appointing a definite proportion of Native gentlemen to the Covenanted Service as Statutory Civilians, over and above the number who may succeed at the open competition in London. There appears to be no serious or general complaint against the present management of the districts or the capitals—a fact of the greatest importance in minimising the present question. I would therefore maintain the principle of proportion, giving power however to the responsible Local Governments to alter it, with the sanction of the Supreme Government, if future circumstances shall render alteration necessary.

3. I have mentioned the existence of the Army, which must, of course, be under European command, civil as well as military. The civil European community, though small in numbers, feels the prestige of its political position, its force of character, its command of captial and control of commerce. It is sure to increase as the traffic and industries of India are developed and many Eurasians, Parsis, Armenians and others are likely to identify their interests with it. It already supplies thousands of riflemen and artillery as Volunteers for the Military Defence. In the time of the East India Company, this European element was not much encouraged in the mufasal: it remained more or less irresponsible to the Country Courts, and resisted the measures devised to bring it under their jurisdiction. But, of late years, under a more liberal policy,

independent Europeans have been admitted to a share in the Government, notably as Additional Members of the Council for making laws, and also as Honorary Magistrates, and Members of Corporations, Local Boards and Port Trusts. It is hardly to be expected that the English in India should feel any warmth of fondness for a bureaucratic kind of Government, so contrary to the traditions of their history. But, as a race, they understand division of labor and special training; they are content to leave the Natives to the service which makes the Natives its study; they know that the strong, impartial Government protects the public order and individual liberty, leaves trade free and encourages capital One of the most remarkable features of the Ilbert Bill agitation was the general avowal of confidence in the European district officers, an approval which I believe had never been vouchsafed before. I think then that the *rapprochement* between the Civil Service and the European population has at length become nearly what it ought to be. I would recognize this state of things and avoid reducing the number of European officers to such an extent as would alarm or enrage John Bull.

4. This cautious treatment is, I think, required in the interests of the Natives themselves. Race, caste and class divide them in sympathies, and public opinion is not aided by representative institutions. The Civil Service has hitherto afforded protection to the weak by enforcing the laws against Europeans, by mediating between planter and cooly, by regulating emigration and pilgrim traffic, by intervening with Native Chiefs, and in a hundred other ways. The same independent and experienced protection is still required.

5 The Government is bound to keep a reserve of men, competent to act in times of great difficulty and danger, when all its resources or those in the particular locality come under a strain. This truth was present to the mind of Lord Lawrence who, in one of his early Minutes against a forward policy in Afghanistan, expressed his apprehension that a serious disaster beyond the frontier might shake the empire to its foundations. In the recent disturbances in Burma, and even in the great famine in the Madras Presidency and Mysore, the Government of India found itself obliged to employ Europeans, even many who had had no civil training and had not served in those countries. In Burma, Mr. Phayre, Mr. St. Barbe and Mr. Gleeson have been killed, and Mr. Gladstone wounded: all these being Covenanted Civil Servants The suppression of the late formidable riot at Etawa, caused by fighting between Mussalman and Hindus, was due to the coolness and pluck of the European Magistrates, after the Native police had shown cowardice or incapacity. A Magistrate has often to dominate a crowd or to lead the chase of a dacoit or murderer. Sometimes, as in Lord Canning's days, there may be occasion to allay the passion or panic of the Europeans. The lessons of the Indian Mutiny are too fresh to be forgotten; but in his little book called "Fifty-seven," Mr. Keene, the historian of the Mughal Empire and late of the Bengal Civil Service, records some achievements of the Collectors in the North-West Provinces, which are worthy of study. One of the lessons he draws from them he states as follows:—

"One is that, whatever posts are hereafter to be made available to Asiatics,* there is one which—save in the most peaceful and orderly of neighbourhoods, perhaps—should always be reserved to men of European birth and training. I mean, of course, that of district officer. It is sufficient to reflect what might have been the consequences had districts like Saharanpore, Meerut, or Etawa been in the hands of Asiatics during the time that is here treated of. With the greatest loyalty and good will, Asiatic officers would be always likely to fall into one of two temptations—either they would show weakness or they would act with undue severity. Nothing but the combination of impartial humanity with an unimpressionable firmness could possibly have nerved Spankie, Dunlop, Hume and their contemporary district officers, with the will and power to make head against all the troubles of their position, and to restore order and confidence at the earliest available moment. The careers of DeBoigne, Thomas, Perron, and other adventurers of the last century—no less than that of Avitabile under Ranjit Singh—show how much this truth was appreciated even by the comparatively uncivilized rulers to whom India was subject then. And it would be a deplorable error if this lesson were to be ignored or neglected now by a Government which, in a much greater degree, has undertaken to regenerate a region so long demoralised by anarchy as Hindustan. If the Native powers had to employ European administrators, how much more must Britain."

6. I would make no rule nor practice to exclude from Collectorships, Native Civilians regularly appointed to the service; when his time comes, each man should, as among us, be judged by the Government on his merits, and as among us be rejected if his career did not justify such promotion. Such a rule of exclusion resembles one which the Government were once pressed to make, *viz*, that Barristers, not Civil Servants, should be appointed to the District Judgeships. But from experience of the remarkable success of the best Native graduates in the legal pro-

* "They are specially fit for judicial functions, much more so than for executive or administrative functions" —Lord Hartington in the House of Commons, 23rd August 1883.

fession, I would, as a rule, continue to reserve District Judgeships to the Covenanted Service, not only to preserve the useful harmony between the Judicial and other departments, but also as appropriate places for the Native Civilians, many of whom would, I believe, select them. From the same desire for equal treatment, and to avoid all irritating distinction, I would retain the office of Sessions Judge joined as at present to that of District Judge. The officer, European or Native, fit for the one duty ought to be fit for the other. If the department of Civil Justice passed altogether out of European hands, it would be rather discredited and less sought by the best Native officers; and we should thus lose the breadth of mind useful in disposing of suits against Government about hereditary offices and other points of contact with the general administration A District Judge has a good deal of administrative work and control: the High Court enjoins him to devote one month of the year to tours of inspection; until 1862 the early Bombay Regulations required the Sudder Adawlat itself to appoint its own Judges for similar purposes as Judicial Commissioners of the various provinces In Burma the administration could hardly go on without frequent tours, and in this Presidency occasional circuits of High Court Judges would in my opinion be valuable both for administration and for renewing contact with the districts, the people and their wants

7. In this as in other matters I would deprecate violent changes, as not called for by any large section of the people, as disturbing to Oriental quiet, and as interference with a system which the absence of complaint shows to have worked well. What the ablest and best Natives desire is association with the Europeans in the highest service, not seclusion in departments labelled "For Natives only" I would not thwart so laudable an ambition, nor go out of the way to satisfy the innumerable crowd of seekers after place. The contract with the Native Civilians ought to be fulfilled, their number being limited, it is easy of fulfilment. The Natives outside would doubtless try to get the reservation of appointments abolished, an attempt made from time to time by the Europeans, until the agitation was quieted by the Secretary of State in Council forbidding any general recruitment among the Europeans in India. I for one do not rejoice in proposals to reduce to the very lowest possible point the employment of Covenanted Civilians. That reduction would spoil the charm of the service in the eyes of the Natives Economy is a small consideration in the question of how to attract to our system the highest minds among them: it is a matter about which I

> 'Would reject the lore
> "Of nicely calculated less or more."

The services and influence of men of the stamp of Gavriashankar Udayshankar, late Joint Administrator of Bhavnagar, are worth the prices in the Civil List. The ordinary men in the ordinary service ought to rest contented with the ordinary pay. But in all these agitations, it is difficult to make those outside understand the principle of recruitment in regular services, whereby the persons selected are willing to serve on low emoluments for years during which they are qualifying by work and experience for the greater positions. I believe the Covenanted Civil Service has, through years of successful, patient and sympathising government of the people, shown its value as a powerful, varied and adaptive instrument; and as *esprit de corps* is very useful where military discipline is impossible, I regret the tendency to speak of its work in tones of slight I have laid stress on the approval of the European community, and would draw the same inference from the silence of the Native capitalists, the classes with whom I come in contact on the Original Side of the High Court—I mean the Parsis, Banias, Bhattias, Khojas, Memons, and Boras. These have helped to make the wealth of Bombay If the shoe pinched them, they would speak: their silence is important I do not believe they would wish to see the proportion of European servants greatly reduced, if, in the result, any one class of Natives obtained a predominance. *Quieta non movere* The money-making classes are as entitled to consideration as the literary classes.

> These, active in their little parts,
> Whose work is all their prize,
> Without them how could laws and arts,
> And towered cities rise?

8 Looking at the administration, as a whole, I do not think the Natives have just cause for complaint, that the spirit of Her Majesty's proclamation on Her assuming the direct government of India has not been acted up to The Civil List shows them to hold a great number of paid offices; the salaries in many instances would be considered very high in Italy, France or Germany and, I believe, in England too. Nearly all the Courts of original judicature have Natives as Judges: and they hold all sorts of Revenue and Magisterial offices. But a survey of political life, if confined to paid places, would be of little value, and we must look at other means of activity. First of all come the Native Chiefs, managing their own States Then we find Native gentlemen, joined with the Government, as members of Council for making laws: and a growing desire to concede to them the power of interpellation Again I meet them in the Syndicate, as well as the Senate of the University, and in the Board of Education for Burma. They take part in public business everywhere, as members of Corporations, Port Trusts and Local Boards, Visitors of Jails and Honorary Magistrates: and in

the honorable duties of Public Commissions. Besides, every caste is left, with little interference, to manage its own affairs, its power being greater, I think, than under Native rule: the extreme paucity of reported decisions of our Courts about marriage disputes shows the magnitude of these functions. The village communities in the same way settle village affairs. The great business of the Government is to enable the people to do, what seems right in their own eyes, so long as they do not injure each other: the difficulty is greatest in protecting them from the worry and *zulm* of petty subordinates of their own race What Sir G. Campbell wrote in his "Modern India" in 1852 is still true substantially :—

"The police in India is simply a police for suppressing crime, and is used for no political purpose whatsoever; indeed, the Natives enjoy a remarkable degree of personal independence. They are under no surveillance whatever, subjected to no rules, irritated by no restraints. They do what they like, go where they like, and say what they like, provided they do not violate the laws. Those laws are of the fairest and mildest description. In fact the Code is almost entirely composed of the ordinary revenue, judicial, and police regulations, and of enactments for the establishment, distribution, and powers of the different offices, and relating to a variety of local matters Nothing of a severe or arbitrary kind is to be found in the whole list of laws and regulations, and political prosecutions of any kind very rarely occur, even more rarely than in England By the laws, not only individuals, but the Government itself, and its officers are most strictly bound, and all their acts can be called in question in Courts of Justice, which have at least the credit of independence and freedom from improper influence. The Government permits its acts to be questioned in the Courts on an equality of footing to which I believe that no other Government in the world descends England is one of the most free countries in Europe, yet in England Government can only be sued with the permission of the Attorney-General, and in a particular form; and it is not, as to costs, &c, on an equality with a private suitor. In India, on the other hand, any one dissatisfied with the proceedings of the agents of Government may try the matter, even in the lowest Court, and on perfectly equal terms, or rather on unequal terms, for the Government officer has nothing to gain and much to lose by a suit of this kind."

9. The above considerations somewhat minimise the problem: and those, who rely on the Queen's proclamation, ought to be told that it cuts both ways It opens the door to the employment of the Europeans in the country, more than in the Company's time: and if the Government is justified in restricting their employment as Uncovenanted Servants, it has equal right to be guided by expediency in fixing the proportions of the Covenanted or directing service, especially as the rules of the latter about pay, furlough and pension are made to attract Europeans. If at any time the majority, or even a large proportion, were Natives, whose circumstances were substantially the same with their Uncovenanted brethren, it would be just, as well as economical, to adjust the emoluments and advantages in future enlistment to the local supply of qualified men offering, *i.e.*, to make it a superior Uncovenanted Corps. Thus the existence of the Covenanted Service depends on its not including a large proportion of Natives—a result reached also from the expediency of having in the direction of affairs, Englishmen and such Natives only as are largely ruled by English ideas.

10. It seems to me a function, inherent in Executive Government, to fix the ratios and to vary them for sufficient cause. So far as the present system of competition in England secures the ratios so deemed fit, it is in my opinion free from objection. It is so far self-acting: the ordeal of going to England is a sort of test of character, and the residence there supplies some qualifications. So far, however, as the full ratio of Natives is not secured, they have reason to seek alteration of the system. To avoid change as much as possible in a tentative measure, I am inclined to advise, that the maximum age for the open competition should be raised to twenty-one or twenty-two. This is the general wish of the educated Natives: and I think one result would be, that Europeans as well as Natives would be enlisted with a more finished education and broader culture than can usually be got at the present age These endowments are the more valuable, as the sphere of the Covenanted Service is more and more confined to direction of others

11 But the Natives, even when they assent to the principle of proportions, still urge that the competition in London is not a fair system, as it excludes the poor and unenterprising. A similar, but still weightier, objection is advanced to the Statutory Civilian system, *viz.*, that it gives nobody a fair field, the appointments of individuals, depending on chance, notoriety and solicitation, paternal merits being sometimes preferred to the individual possession of high University distinction. On the first point, the competition in England, I think any concession on the part of the Government would be of grace, not of right. With the views already expressed of the necessity of a British administration under British principles, I infer that the responsible Government has the right and duty to do what it considers expedient; anxious and in duty bound to be just, I think that expediency and justice are in this matter the same thing, on the maxim *Salus*

populi, suprema lex. Besides, with the age increased, the Natives would have a fair opportunity: if the capitalists feel strongly on the point, they can subscribe funds for scholarships; rules as well as laws should subserve *vigilantibus, non dormientibus:* they, not the tax-payers, should find the money. The other objection, I mean, to the Statutory Civilian system, seems to me well founded. For one man so selected, there must be ten discontented. It is hard to see, either why the Statutory Civilian should supersede a meritorious Uncovenanted man, or why he should get a Civilian's pay or rank. The supersession and the lower pay must be causes of discontent and heart-burning, which are political evils. I am inclined to abolish the Statutory system in its present form at least. But I must add, that I have only known one Statutory Civilian: he was an Assistant Commissioner in Burma, who resigned after a highly unsatisfactory career.

12 I do not think there is sufficient reason for having simultaneous competition in India At the same time, in order to avoid taking away what has been already given, I would advise that the results of the future competition under the increased age should be watched. If during a period of years it does not supply the Covenanted Service with the ratio of Natives which the Executive Government may settle as proper, I would give the Local Government power to appoint Natives up to that ratio to offices reserved by law to Covenanted Civilians, and to other offices of similar importance not usually given to Natives The selections might, and in many instances would, be of men of proved merit in the Uncovenanted Service, Native Judges and Deputy Collectors. In others they might be men of rare ability as Advocates of the High Court or Government Pleaders or College Professors; or who had won their spurs as Ministers of Native States. Thus varied ability would be introduced; and the difficulty of satisfying the ambitions of influential men, Mussalmans and Parsis outside the service, as well as Hindus, would be partly got over. There would be no reason to adhere always to European scales of pay: the result would be economical: and the Governments would have a valuable power of securing special services and rewarding deserving men. They might at discretion, or occasionally, offer some places to competition, modified by nomination, or as with Fellowships at Cambridge or with Subordinate Judgeships here, to persons who had already obtained a departmental or learned qualification. If on an average the men, so appointed, stayed longer in the service than the Covenanted Civilians, a smaller recruitment of the latter would suffice, or at least the ratio of Natives required would be smaller. While on this point, I would draw attention to the qualifications for Subordinate Judgeships defined in Section 22 of Act XIV of 1869:—

"No person shall be appointed a Subordinate Judge, unless he be a subject of the Queen, who has practised five years as an Advocate of a High Court in India or as a Vakil in the High Court of Judicature in Bombay, or who has qualified for the duties of a Subordinate Judge according to such tests as may for the time being be prescribed by such High Court, or who has taken the degree of Bachelor of Laws in the University of Bombay"

14. This provision allows of various kinds of ability being secured, and imposes no restrictions of religion or race upon the Queen's subjects. The Executive Government could, doubtless, devise some similar provision as regards many of its other higher Uncovenanted appointments, giving a desirable value to the degrees of the University and the passing of the higher departmental examinations I do not think there is sufficient reason for requiring men of mature years, some of whom have left the student's habits far behind, while engaged in active life, to compete among themselves, at an examination for such posts I would define the qualifications and leave the Local Governments, which have much more serious responsibilities of all kinds, to select the fittest men.

15 I believe, that in most departments; appointments to places, above the menial, depend, *inter alia*, on the production of a certificate of passing either Matriculation or some Public Service examination If these systems have worked well and without inconvenience, I would not be disposed to change them. The rule made to encourage graduates, qualifying to be Mamlatdars, was based on a right principle, and if the results have not yet been very successful, they may be better in the future. I would leave it to the Local Governments to apportion between the class of graduates and that of old servants The law about Subordinate Judges allows this, by making success at the High Court's examination and the degree of L L B equal qualification. I would not exclude Eurasians nor Europeans, really domiciled in the country, who happen to satisfy such conditions as Government, in its discretion, may lay down. But this class ought not to be allowed to swamp the Natives: the principle should be limited in practice by expediency, and some general rules might be framed by the Governor-General in Council, to prevent abuse of patronage, but still consistent with the Queen's proclamation, which used language encouraging the wholesome ambition of the European and Eurasian, as well as the other communities. The abuse of patronage in respect both of the first appointment and later promotion of the sons of influential Europeans, trained to no profession nor calling, is a real danger. The same tendencies lead to increases of salaries on the ground that a

European cannot live on the ordinary salary for which a competent Native can be found. This appears to me a bad argument, invariably contested by the Natives I would not lightly abandon the restrictions, which the wisdom of experience has framed; and in order to get rid of the importunity of the men who cannot get a living in the ordinary walks of life, I would insist on competition among this class or on the possession of learned qualification or both. The larger employment afforded to Natives in the Uncovenanted Service, the greater the compensation for their smaller number in the service of selected men, paid at English rates. I would not, as a rule, make distinctions about furlough or pension between people of different nationalities in the Uncovenanted Service; though in some departments, *e g*, the Educational, this may be advisable.

16. There is a cry that the Hindus are ousting the Mussalmans from employment; but under the Government of the last Peshwa, Baji Rao, I believe the service was generally Hindu. In a report of Captain Pottinger, Collector of Ahmednagar, dated 1822, I find it stated, that when that Prince came to Nasik the Mussalmans had to keep in their own quarter; even the Kazi shut himself up with his family. In other parts of India the opposite conditions seem to have existed in 1852, the year in which an Act was passed to allow Uncovenanted Deputy Collectors to be employed in the Presidency of Bombay. In Chapter 7, page 291, of "Modern India," Sir G. Campbell writes:—

"There are many highly respectable Mahomedan families whose only profession is service, and who are very willing to serve us; and as they are the most educated Natives, and the most gentlemanly and well-mannered according to our ideas, they have in the first instance been most frequently employed. But, on the other hand, there is a very rising class of Hindus, principally of the writer and mercantile classes, who have sprung from the lowest grades in our offices, have acquired great official talent and skill, have no reminiscences of former greatness, and are exclusively devoted to our service. They are not such respectable, gentlemanly-looking men as the Mahomedans, but are in fact very often the best men of business, when there is serious hard work to be done; and if they conduct themselves well in their prosperity, they may in the end have the best of it."

17. In conclusion I would add, that the more the Uncovenanted Service is reserved to Natives, the more important it becomes to secure that the proportion of Europeans in the Covenanted Service is not reduced, and that the latter service itself is not cut down to such a small number, as to leave the Government no reserve for times of danger. When panics occur, the European community makes the Government hear its voice, and there is some danger of an untrained and unsympathising class of men being appointed for the emergency.

No. II.

THE HON'BLE M. MELVILL, C S, C S I., MEMBER OF COUNCIL, BOMBAY.

1. The observations which I shall make have special reference to the Bombay Presidency: but I believe that they will be found applicable, *mutatis mutandis*, to other parts of India.

Extent to which Natives are at present employed in the administration.

2. I will commence by observing that the complaints commonly made in the Native newspapers and by Native speakers in England, that Natives are excluded from all but the lowest posts in the administration, are far from representing the truth. Looking to the departments, which lie outside the Covenanted Civil Service, I gather from the Civil List the following facts. The subordinate judicial service is entirely filled by Natives, and there are 117 Subordinate Judges, receiving salaries rising from Rs 150 to Rs. 800 per mensem. Three out of the four Small Cause Courts in the Mufasal are presided over by Natives, receiving salaries of Rs. 800, Rs. 1,000, and Rs. 1,200, respectively There is one Native Judge in the Presidency Small Cause Court, who receives Rs. 1,000. Two out of three Presidency Magistrates are Natives, and receive Rs. 1,200 and Rs. 1,000. There is a Native Judge of the High Court on Rs. 3,750, and a Native gentleman is acting as Special Judge under the Dekhan Agriculturists' Relief Act on a salary of Rs 1,733 Turning to the Revenue Department, I find that almost all the Deputy Collectors and Magistrates and Head Accountants are Natives. There are 54 of these officers drawing salaries rising from Rs. 300 to Rs 700 A Native is acting as Talukdari Settlement Officer with a salary of Rs 966 All the Mamlatdars are Natives, and there are 171 of them, receiving from Rs 150 to Rs. 250. In the Forest Department there are a fair number of Natives with salaries and allowances rising to Rs 400 In the small department of Salt and Customs there is one Native on Rs 465 and another on Rs. 650. In the Post Office there are a fair number of Natives drawing from Rs. 200 to Rs. 500. In the Registration Department all, but the Registrar General, are Natives, and five of them receive from Rs 200 to Rs. 500. There are 38 Police Inspectors receiving from Rs. 150 to Rs 250. In the Educational Department there are 42 Natives on salaries between Rs 200 and Rs. 750. In the Secretariat and in Political Agencies there are a good many other offices, which the Civil List does not enable me to specify, which are filled by Natives, receiving salaries between Rs. 300 and Rs. 600 I do not think that these allowances compare unfavourably with the salaries paid for similar service in England A young Englishman who has taken his degree at the University is thankful to enter a Government office by competition on a salary of £100 a year, and thinks himself lucky, if he gets £500 a year by the time he is forty A Native graduate turns up his nose at an appointment of Rs 100 a month, and quite expects to have Rs 500 before he is thirty. And yet an English gentleman can hardly marry and bring up a family on £500 a year, while the same salary is more than enough for all, the wants of a Native gentleman

4 There is one department, the Political, from which Natives are practically excluded, and I think that this exclusion must continue We consider it best to entrust to English officers the conduct of our relations with Native Princes, and I am certain that the Chiefs themselves would resent any change in this particular In the Police, the higher appointments are held by Europeans, and I think that this is generally desirable, although I do not say that no Native is fit to be a Superintendent of Police In other departments the Natives should have, as indeed they already have, a large share of the appointments I will not say that they should be absolutely contented with what they have: but I cannot think that they have cause to be so discontented as they are, or profess to be

5 Again, the Covenanted Civil Service is open to all British subjects; so that the Natives may aspire to any appointment, even the highest They complain that this is so only in theory, and that in practice they are excluded, because the limit of age is fixed too low This can hardly be the sole reason why so few Natives enter the Civil Service, because, when the limit of age was higher than at present, there were not, I think, a greater number of successful Native candidates, than there are now. But it may well be, that, in order that the Natives may have fair play, some change in this particular is desirable; and I should certainly not object to see the limit of age raised by one or two years.

Covenanted Civil Service to be maintained.

6. I take it for granted, that the holders of the higher administrative appointments will continue to form a distinct service, into which the entry will ordinarily be by some form or other of competition. I am not enamoured of the system of competition. I doubt whether it has given us on the whole

The Hon'ble *M Melvill*

a better class of Civilians than the old Haileybury College sent us: but then I am one of the old school myself, and may be prejudiced. At any rate, I recognize the fact that we cannot go back to the old system Accepting then, as I do, the principle of competition, it seems to me to be of the very essence of that system, that all the appointments in the Covenanted Civil Service should be exclusively reserved for the successful competitors The Statutory Civil Service, as it is called, is a real injury and grievance to those who have entered the Civil Service by competition. It is nothing to the latter, that the Statutory Civilians receive lower pay than themselves The grievance is that they block promotion. A candidate, who has succeeded in the competitive examination, may come out to India at the end of his two years' course of study in England, and find that a Native, who failed in the examination, has been put into the service over his head as a Statutory Civilian This is an extreme instance, but it nearly occurred in Bombay last year. The competitive Civilians of the present day must often feel inclined to preach upon the text, "He that entereth not by the door into the sheepfold, but climbeth up some other way, the same is a thief and a robber."

What appointments are to be reserved to the Covenanted Service.

7. Assuming, then, that the Covenanted Civil Service is to be maintained, and that certain appointments are to be exclusively reserved for the members of it, the next question is, what are the appointments, which should be so reserved? Bearing in mind that the service is open to Natives equally with Europeans, it can be no injustice to the Natives to say, that all the higher administrative appointments must be reserved, and also a number of the lower appointments, sufficient to afford an adequate training ground, for those who will ultimately be promoted to the higher offices. Thus the posts of Commissioners of Divisions and Collectors must be reserved; but among the Assistant Collectors there need not be more Covenanted Civilians, than it is necessary to train for the office of a Collector. The present class of Deputy Collectors performs the same duties as that of Assistant Collectors, and there is no reason why the former should not be increased, and the latter diminished. There are 14 First Assistant Collectors, and 14 Second Assistants, in this Presidency, and perhaps about 40 junior Civilians, employed in other duties, which could be efficiently performed by Deputy Collectors. I think that a quarter, or 17 of these appointments, might be taken from the Covenanted, and given to the Uncovenanted Service. But it is in the Judicial Department, that I would open to the Natives the largest field for lucrative employment. In Bombay, we have always endeavoured to train Civilians for the performance of judicial duties, and in this respect we think that we are in advance of some of the other provinces; but still it must be admitted that our present system is very far from satisfactory. A Civilian of four years' standing is appointed an Assistant Judge, and he then almost immediately begins to hear appeals from Native Subordinate Judges. There is surely no guarantee, that justice is done, when a young Englishman, with a very imperfect knowledge of the language or customs of the people, and who only has the depositions in a case read out to him, reverses the decision on a question of fact of an experienced Native Judge, who has had the advantage of hearing the witnesses give their evidence. No doubt the Civilian, in time, acquires experience, and many Civilians become able District Judges; but the experience has been acquired at the expense of unfortunate suitors. On the other hand, our Native Subordinate Judges discharge their duties with very great efficiency, and we have in them and in the Native Bar the best material for the formation of Appellate Courts. I would take away from the Covenanted Civil Service, the administration of civil, (not criminal), justice Civilians selected from among the best of the District Magistrates should be retained as Sessions Judges. They would go on circuit within defined divisions; and probably four, certainly five, would be sufficient for this Presidency, including Sind. The District Courts, on the other hand, should be presided over by selected Subordinate Judges, or members of the Native Bar There are at present 16 District Judges and six Assistant Judges, two of whom really perform the duties of a District Judge. I believe that a single Native District Judge in each district could do all the civil work without an Assistant. I would therefore appoint 18 Native District Judges on a salary of (say) Rs. 1,000 per mensem. This would mean a transfer of 17 appointments from the Covenanted to the Uncovenanted Service, or a total reduction of 34 in the number of appointments, at present reserved for the Covenanted Service, and an addition of 35 to the number of appointments held by the Uncovenanted Service. Add to these all the Mufasal Small Cause Court Judgeships, two out of the three Presidency Small Cause Court Judgeships, and two out of the three posts of Presidency Magistrates, together with such advantages, as are already secured to Natives by the existing rule, that no Uncovenanted European may be appointed to any office in several other departments, of which the salary exceeds Rs. 200, without the special sanction of the Secretary of State; and I think that the Natives, (by which I mean Statutory Natives, as defined in Section 6 of 32 Vic, Chap III), will have no reason to complain that they are excluded from pro-

fitable employment in the Uncovenanted Service.

Admission of Natives into the Covenanted Civil Service.

8. There remains the question of their admission into the Covenanted Service. What the educated Natives demand is, that there should be a competitive examination in India, simultaneously with that in England, and that the best men, (by which they mean those who obtain most marks in either examination) should win. It is highly probable that, if such a system were introduced, the Natives would beat the Europeans. There is not, to my mind, anything humiliating to an Englishman in this confession. The Native intellect is precocious. Like everything in a tropical climate, it matures more quickly, and perhaps decays more quickly. The Hindu boy too is naturally more studious than the English boy, and has none of the distractions which the English boy finds in manly games. It may be said that the Native has the disadvantage of being examined in a foreign language; but he learns English from his early years, and by the time his education is completed, he knows it almost as well as an Englishman. I do not think that, on the whole, a Hindu youth of twenty is at any disadvantage in competing with an English youth of the same age Is it then desirable to introduce a system under which, in a few years, three-fourths of the appointments in the Covenanted Civil Service would be held by Bengali and Dekhani Brahmans? For Mahomedans would certainly be excluded, and Parsis would probably hardly hold their own. I cannot think that it is desirable. The faculty of answering examination questions is not the only, nor indeed the principal, thing necessary to make a ruler of men. If it were, the English would not always have been a ruling race, nor the Hindus always a subject race. So long as we govern India, we must govern it according to our own ideas, and the officers on whom we most depend must be men of our own race It should be certainly our policy, as I think it is our right, to retain in our own hands the greater share of the highest administrative appointments. I should be opposed to any system which would be likely to produce an opposite result. Let the Natives by all means be admitted into the Covenanted Service, and when they have entered it, let them have the same advantages as the European Civilian; the same pay, the same promotion, and the same opportunities of rising to the highest posts. But let us not introduce any system which will so increase the number of Natives in the service that the Europeans will cease to have a strong preponderance in the administration. If it be necessary to fix a proportion, I should say that the Natives ought not to hold more than one-fourth of the appointments reserved to the Civil Service, after the judicial appointments have been excluded, as I propose: and the system of competition in England should be so adjusted, as to give them a fair chance of obtaining one in every four appointments but no more. Probably, if the limit of age be raised from nineteen to twenty-one, this alone will, in a few years, be sufficient to produce such a result. It is true that hitherto the number of Natives who have entered the service by competition has been insignificant. But I have little doubt that it will every year increase. Natives have daily greater and greater inducements to send their sons to England to be educated, and they are not slow to take advantage of those inducements. Educational institutions have been started in England at which caste rules can be observed Teachers compete for the privilege of offering a home to Indian boys. Associations are formed for the purpose of protecting them from temptation, and of promoting their moral and intellectual advancement. An excellent club is placed at their disposal in London. Ex-Viceroys take them by the hand, and English society opens its arms to them. They do not seem to suffer from the climate. but, on the contrary, those whom I meet on their return to India, generally tell me, that they enjoyed the cold. It will be strange indeed, if, under these circumstances, we do not see every year an increasing number of Native boys going to England to be educated, and to compete for the Civil Service. On the other hand, the competition on the part of English boys is likely to become less keen. It is one thing to come out as a member of an exclusive service, composed entirely of the ruling race: it is another to have to struggle for promotion against Natives, and to have to serve under Natives. I do not say that such a feeling ought to exist; but there is no doubt that it does, and will, exist in the minds of young Englishmen choosing a career. Then, again, there must, of late years, have been much disappointment among the members of the Civil Service, owing to slow promotion and the depreciated rupee, and the knowledge must have gone abroad in England, that the Indian Civil Service is not the splendid career which it was once supposed to be. A diminution in the eagerness for competition among the best educated English youths will of course tend to clear the field for Native competitors. For the present, therefore, I do not think that it is necessary to do more than to fix the proportion in which it is desired that Natives should enter the Civil Service; to raise the limit of age, so as to give them more time to complete their education; and to leave it to the operation of this change, and of the other circumstances to which I have referred, to bring about the desired proportion between the number of Europeans and Natives admitted into the service. If, after a few years, it should be found that the

The Hon'ble *M Melvill*

Natives are still not able to hold their own in the competition, it will not be difficult to adapt the examination to the circumstances by giving more marks for Oriental languages.

9. I fully believe, however, that the Natives will, in a few years, more than hold their own I see no reason, therefore, for giving them the advantage of being allowed to compete at a later age than Europeans. On the contrary, as I have said, I think that at the age of twenty or twenty-one a highly educated Hindu has an intellectual superiority, for examination purposes, over an English youth of the same age. Nor do I think that it is at all necessary that Government should, by a system of scholarships, induce Hindu or Parsi youths to go to England to be educated There are plenty of Hindu and Parsi fathers, who are both able and willing to send their sons to England at their own expense • and I regard it as no disadvantage, but the reverse, that only youths of a certain *status* in society, and not mere pauper students, should be able to enter a service like the Indian Civil Service The case of the Mahomedans is somewhat different. I attach great importance to their obtaining a fair share in the administration of the country: and as their poverty has rendered it necessary for Government to give them special educational grants, so I should be glad to see scholarships for Mahomedan students in England, which might be conferred by Government on selected Mahomedan youths, who might appear likely to succeed either in the Civil Service competition or in other learned professions.

Compensation to present members of the Civil Service.

10. It may be objected to my proposal to take away a considerable number of appointments from the Covenanted Civil Service, that this will injuriously affect the present members of that service. No doubt this would be the case if my proposal were carried into effect immediately, and no compensating advantage were offered to those affected by it. If a Native Subordinate Judge were appointed a District Judge to-morrow, every Civilian Assistant Judge, who is now looking forward to promotion, would be a sufferer. I should earnestly deprecate any measure which would have this effect. The number of reserved appointments is at present only just sufficient for the existing number of Civilians and therefore, if a certain number of these appointments is to be transferred to the Uncovenanted Service, one of two courses must be adopted Either the transfer must be effected gradually, recruiting being stopped for a year or two, and Natives being introduced into the lower appointments; or Civilians of the higher grades must be induced to retire. I think that both courses might be tried simultaneously. I have proposed that 17 Deputy Collectors should be substituted for 17 Civilian Assistant Collectors. If no young Civilians are sent out for three years, we shall be able to appoint 17 Deputy Collectors, chosen mostly from among the best and most experienced Mamlatdars. It is not so easy to effect, immediately, the change which I have proposed in the judicial service. There are at present 16 District and Sessions Judges, and 6 Assistant Judges; and I propose to substitute for these 5 Civilian Sessions Judges and 18 Native District Judges. Before, therefore, the measure can be carried out, we must get rid of 11 Judges and 6 Assistant Judges. I think that a pension of £40 a year, for every year of service, might be offered to every one of these officers who is willing to go at once. Some of the Judges would certainly go, and some of the Assistant Judges would be promoted in their place, and as a temporary measure, Natives could be introduced into the vacant Assistant Judgeships, until the District Judgeships were available for them The pensions would not really involve increased expenditure • for the accelerated promotion of the Assistant Judges would cause a decrease in the personal allowances now granted on account of deferred promotion: and there would be a considerable saving, as the substitution of Natives for Civilians as District Judges took effect.

Future of the High Court.

11. The proposed substitution of Natives for Civilians, as District Judges, will involve, in the future, a change in the constitution of the High Court. When the substitution is complete, there will be five Civilian Sessions Judges instead of 16 District and Sessions Judges; and of the five none will, presumably, have any special knowledge of civil judicial work. I should say, therefore, that instead of three Civilian Judges of the High Court, as at present, there must be (in the far future) only one Civilian Judge, who will sit in Appellate Criminal Cases, hold the Sessions, and perhaps preside in the Insolvency Court. The Civil Service will not suffer, because the prospect of one High Court Judgeship, when there are only five Sessions Judges, will be as good as the prospect of three High Court Judgeships when there are, as at present, 16 aspirants. When that time comes, the proper constitution of the High Court will probably be a Barrister Chief Justice, and two Barrister Judges, one Civilian, and three Natives, who might fairly receive only two-thirds of the present salary, or Rs. 2,500 a month. But it is not necessary to discuss this question further, because, so long as any of the present Civilian Judges or Assistant Judges remains in the service, and is fit for promotion to the High Court, he ought to have the same prospect of promotion to it, as at present; and therefore some years must elapse

before any change will become necessary in the constitution of the High Court on account of the want of Civilians qualified to sit in it.

Proposals summarised.

Briefly stated, the proposals which I desire to make are the following:—

1. The Statutory Civil Service to be abolished.

2. Two services only to be maintained, *viz.*, the Uncovenanted Civil Service and the Covenanted Civil Service.

3. The Uncovenanted Service to include all appointments outside the Covenanted Service.

4. The present restriction upon the employment of Europeans in the Uncovenanted Service to be maintained.

5. A large number of appointments (in this Presidency, about 35) to be transferred from the Covenanted to the Uncovenanted Service.

6. Admission to the Covenanted Service to be exclusively by competition in England.

7. The limit of age to be raised to twenty-one, so as to make it easier for Natives to compete.

8. No special inducements to be offered to Natives, except in the form of a few scholarships for Mahomedans.

9. Native members of the Covenanted Service to be on the same footing as Europeans, in regard to pay and promotion.

10. All appointments not transferred, (as proposed), to the Uncovenanted Service, to be held exclusively by members of the Covenanted Service.

11. The higher judicial appointments, appropriated to the Uncovenanted Service, and including all District Judgeships, (but not Sessions Judgeships), to be filled by promotion from the Subordinate Judicial Service, (which will be recruited as at present), or by selection from the Native Bar.

12. The class of Deputy Collectors to be increased to the extent of the number of Assistant Collectorships, transferred from the Covenanted Service. The Deputy Collectors to be ordinarily selected, as at present, from the ranks of the Subordinate Revenue Establishment.

No. III.

THE HON'BLE H. M. BIRDWOOD, C S, M.A., LL.M., JUDGE, HIGH COURT, BOMBAY.

I—Statutory Civil Service.

Vol. IV. Sec III. Sub-Sec B. *Bombay.*

The Hon'ble *H. M. Birdwood.*

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—I do not approve of the existing system.

2. If it is not, what are the grounds of disapprobation?—A doubt has been suggested by Mr Justice West, as to whether the existing system is in accordance with the intention of the Legislature. Under 33 Vic, Cap 3, Sec 6, "the authorities in India by whom appointments are, or may be, made to offices, places and employments in the Civil Service," can, subject to Rules prescribed by the Government of India and sanctioned by the Secretary of State in Council, appoint any Native of India "to any such office, place or employment, although such Native shall not have been admitted" to the Service under section 32 of 21 and 22 Vic, Cap 106 The appointment of Statutory Civilians to particular offices, ordinarily held by Covenanted Civil Servants, seems alone to be contemplated by the Statute But the Rules prescribed under it provide, not for appointments to particular offices, but for the admission of Statutory Civilians, generally, to a Civil Service, which, since the promulgation of the rules, has consisted of Covenanted and Statutory Civilians, whose names are now arranged in a seniority list, in the order of the dates of their admission to the new amalgamated service The Rules do not, therefore, seem to be quite consistent with the Statute The existing system is objectionable, not only on this account, but also, because it provides no sufficient guarantee for the intellectual fitness of the young men on whose behalf the Rules have been made, such as is provided in the case of Covenanted Civilians, by the system of open competition This latter objection is, to my mind, absolutely fatal to the present system, as worked under the Rules of the 22nd August 1879, published with the Government of India's Notification No. 1534 of that date (See *Bombay Government Gazette* for 1879, page 747).

3. Are the defects of the existing system (if any) susceptible of remedy: *(a)* by an amendment of the Rules; *(b)* by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—The defects of the present system are susceptible of remedy by an amendment of the Rules which would bring them into conformity with the presumed intention of the Legislature. I would not amend or repeal the Statute itself.

4. If the provisions of the Statute 33 Vic, Sec 6, are not repealed, nor substantially amended so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—The Statute is based on the assumption, which is a perfectly reasonable one, that there are, or will be, Natives of India, not members of the Covenanted Civil Service, who may properly be appointed, from time to time, to certain offices hitherto filled by Covenanted Civil Servants It was enacted apparently for the benefit of officers, whose merit has been established by approved service in India. If that is its right construction, no amendment of it is necessary in respect of the description of persons on whose behalf the powers conferred by it on the Local Administrations may be exercised. Its repeal is not called for, because those powers can probably be exercised, sometimes, with advantage to the public interest. All appointments under it should be subject to the sanction of the Government of India and the Secretary of State in Council

5 If the Statutory Service is retained should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—If the present system is continued, then, no doubt, the selected candidates ought to be sent to England for such training as selected candidates at the open competition receive before they join the service in India But, as I am of opinion that the present Rules should be amended in the sense above indicated, I do not think that those Uncovenanted officers, of proved worth, who may be appointed to particular offices, under amended Rules, should be sent to England for training; for the very fact of their appointment, under such Rules, to offices hitherto held by Covenanted Civil Servants, must be taken as showing that they have satisfied a test, presumably equivalent to the competitive examination, and all or much that that examination implies. Otherwise, the appointments could not well be justified under the Statute.

II.—Covenanted Civil Service.

The Hon'ble
H M. Birdwood

1. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Very great dissatisfaction is felt with the existing system.

2. Should any, and if any what, change be made in that system?—For the present, the only change that I would advocate would be the raising of the limit of age of candidates to twenty-three years

3. Do Natives of India labour under any, and, if any, what disadvantages in competing for employment in this branch of the service?—They labour under a great disadvantage, due mainly to the lowering of the limit of age, but partly also to the unwillingness or inability of Indian parents to send their children at an early age to England for education. If Indian boys were sent to English Public Schools at the age of ten or earlier, they could, after eight or ten years, compete generally on equal terms with English boys. But comparatively few Indian parents are willing or able to give their sons this advantage; though, if the limit of age were increased to twenty-three years, there would probably be greater readiness to send boys to England at the age of seventeen, or even earlier, so as to enable them to enter an English, Scotch or Irish University and graduate at it, before competing for the Civil Service. The object in view would be promoted if scholarships were founded at English Schools and Universities by the wealthier members of the community for the benefit of Indian candidates. I do not think that the Government is called upon to establish such scholarships.

4 By what changes may those disadvantages be minimised or removed, *e g* : (*a*) by the establishment of scholarships and allowance of passage money to Native candidates, (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India?—The disadvantages will be minimised by an alteration of the limit of age and the establishment of scholarships, as above suggested. I would not add to the subjects of examination, or alter the maxima marks obtainable in certain subjects, nor would I hold examinations simultaneously in England and India. The main object of Government should be to strengthen the Covenanted Civil Service in every possible way; for it is to that service that we must look, not only for capable men to fill the highest Executive and Judicial Offices, but also for capable District Officers, Judicial and Executive, of the class on whom the real burden of Indian administration rests, throughout the country. The Government and the people of India are best served by a body of officers trained in the best schools of the Empire, and imbued, as thoroughly as may be, with the ideas and principles, and subject to the influences which have moulded the characters of the best public men of England. It is not safe, and may hereafter be dangerous, to be satisfied with any lower ideal. A weak Collector, who hesitates to represent truly to the Government, at all times, the popular sentiment of his district, regarding any unpopular public measure, or to act on his own responsibility on any grave emergency, may, at any time, involve the Government in serious difficulty. A subservient Judge may, by an unjust decision in a case, in which private rights have been invaded by the acts of Executive Officers, shake the confidence of the whole countryside in the administration of justice, and so grievously undermine the loyalty of the people. It has been the chief glory of the Civil Service that its Executive Officers could always be relied on for an honest expression of opinion and advice, however distasteful, and for prompt and decisive action, whenever necessary, and its Judicial Officers for independence. That has been so, not only because of the excellent training to which Civil Servants have been subjected from their earliest years, but, also, because of the protection afforded them by their covenants. And any degradation of the service either by the employment, in responsible posts, of officers whose qualifications are in any marked degree of an inferior order, or by the removal of existing safeguards for the honest and independent discharge of public duty, would be most disastrous to the public interests The retention, therefore, of a Covenanted Service is most necessary; and it is most important also that the Covenanted Service should be recruited with men of the highest qualifications available I am quite sure that, at present, and for many years yet, men with the requisite qualifications will be most readily obtained from the class who have passed creditably through a Public School or University course at home, and that qualified men of the same high type are not likely to be so readily found here, even though, as regards mere intellectual ability and acquirements, candidates trained in India may reach the same level as those trained in England If the limit of age is increased, Indian candidates will be given a fair opportunity—and that is what they really and rightly seek—of competing on equal terms with other subjects of Her Majesty: and as their chances of success and their future usefulness will depend to a great extent on their taking advantage of opportunities for study at British Schools and Universities, it is in every way desirable, in my opinion, that the competitive examination should be held only in England,

The Hon'ble *T M Bràdnood.*

and that its rules should be framed with special reference to the established course of study in those institutions. As that is my decided opinion, I do not discuss any of the practical difficulties, which might attend the holding of examinations in India.

5. If an examination is held in India: (1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3). If such an apportionment is made, on what principle is it to be regulated? (4). Should there be an apportionment between the residents in the territories of the several Administrations respectively, or between the members of the principal religious sects?—I do not reply to this question in detail, as I am strongly opposed, for the reasons above given, to an examination held anywhere out of England.

6. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—If it should indeed be ultimately decided that examinations should be held simultaneously in India and England, then there can be no question as to the necessity of Indian candidates completing their training in England.

7. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—It is difficult to answer this question, as so few Natives of India have entered the service by open competition. If the limit of age were increased to twenty-three years, and if Indian boys were sent to England by their parents at an early age—(just as Anglo-Indian children are habitually sent home by their parents, at an early age, for their good),—to prepare for the competitive examination or any liberal profession, by a proper course of study at the Public Schools and Universities, the men who ultimately succeeded at the competition might reasonably be expected to be good men, as a rule, as regards character and capacity.

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap 3, Sec. 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service should undoubtedly be recruited from all natural-born subjects of Her Majesty. It is, in my opinion, unjust and, therefore, impolitic to exclude European British subjects, residing in India, as a class, from public employment of any kind in India.

2. Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—I am unwilling to answer this question, except as regards the Uncovenanted Judicial Service. The rules for recruiting that service have worked admirably in this Presidency, and have been modified from time to time, as circumstances required. No further modification of them seems at present necessary. The Commission is, I believe, already in possession of the rules I refer to.

3. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—I would recruit the Uncovenanted Service of this Presidency only from persons, European and Native, resident in the Presidency.

4. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—No such assignment is, in my opinion, necessary. There are only a certain number of offices in the public service. No larger number of members should be appointed to the Covenanted and Uncovenanted Services, than are sufficient to fill those offices. If a vacancy occurs in the Covenanted Service to which a member of the Uncovenanted Service is appointed under the Statute 33 Vic., Cap. 3, Sec. 6, there will be a vacancy in the Uncovenanted Service, which can be filled in accordance with the rules applicable to it.

IV.—Pay and Furlough Rules.

1. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—As the salaries of Covenanted Civil Servants have been settled with reference to considerations which do not apply to Natives of India, who have not been trained for the public service at a great cost in England, and have no remittances to make for the education of their children in England, I am of opinion that Natives of India appointed under amended rules, as above proposed, under the Statute 33 Vic., Cap. 3, Sec. 6

to offices in the Covenanted Civil Service, should not receive the same salaries as Civil Servants, whether European or Native, who have been trained for the service in England and have entered it by open competition. The two-third's rule should apply to them. I would make no distinction, as regards pay and pension, between Covenanted European and Covenanted Native Civil Servants.

I offer no opinion on the other points raised under Part IV. of the "Proposed Issues."

The Hon'ble *H. M Birdwood.*

No. IV.

THE HON'BLE L. H. BAYLEY, JUDGE, HIGH COURT, BOMBAY.

Vol IV Sec III. Sub Sec B. *Bombay*

The Hon'ble *L H Bayley.*

My residence and duties having been almost exclusively confined to the Town and Island of Bombay, although I have visited most parts of British India, I feel that I have not sufficient information or experience to justify my stating any opinion on the greater number of the questions forwarded to me by the Secretary to the Public Service Commission's letter, dated Bombay Secretariat, 8th January 1887. Very many of such questions relate to matters quite beyond the sphere of my observations and upon which I have formed no opinion. Such questions as I can answer satisfactorily to my own mind, I answer as follows :—

I.—Statutory Civil Service.

5. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—If the Statutory Civil Service is retained, I certainly think that the selected candidates should be required to proceed to England for training It should be recollected that British India now is, and must be, governed as part and parcel of the Imperial Realm of the United Kingdom of Great Britain and Ireland, and not solely for the Indians, as contended for by the recently sprung-up radical agitators, and many of the writers in the Native journals, persons as full of discontent at the British rule in its present form, as they are of professed belief in their own powers of administration and in those of their fellow-countrymen. That the elements of active discontent and dislike to the existing administration of the country exist in but too many parts of British India is to my mind quite clear, and not the least strongly among young men recently educated at little cost to themselves or their parents, and who, having the power of the pen and of the tongue, are constantly spreading disaffection. Much of the Native Press in Bengal and in the Bombay Presidency bears ample testimony to this Some of the Native newspapers have even lately gone so far as to ask for the recall of the Viceroy As was said several years ago by one in very high authority, constant and unceasing watchfulness is necessary.

Violent seditious views may sooner or later at any moment circulate, as did the Chupatties in 1857, with great rapidity. It should not be forgotten that the outbreak and spread of the Mutiny among the Native Army were unexpected and unforeseen by the most experienced members of the Anglo-Indian community, though warnings had from time to time been given, that a rising might take place sooner or later A weak man or two weak men in charge of one or two districts might, for want of nerve and self-reliance, allow a danger to increase, which stronger men might stamp out before its proportions become dangerously large. The undergraduates in Indian Universities receive no real moral training, as they do in England. A Hindu's belief in the religion of his ancestors is sapped by the education he now receives, and nothing else is offered to him for acceptance. Now I accept, as perfectly true, that, as a rule, home-keeping youths have ever homely wits. A residence of two years in England, must have a wholesome and bracing effect on the moral fibre of a young Native of this country. If it has not, it must be from the bad quality of the raw material of the individual, and such a person, though he might pass out first in a competitive examination, ought not in my opinion to be appointed to any responsible executive post The Natives, it should be remembered, are now clamouring for appointments to all but a very few of the highest administrative posts in this country.

II.—Covenanted Civil Service.

3 & 4. Do Natives of India labour under any, and, if any, what disadvantages in competing for employment in this branch of the service? By what changes may those disadvantages be minimised or removed?—Natives of India labour under great disavantage from the age being so low as nineteen. I wrote strongly against such limit several years ago, when consulted by the Government of India. The limit of age should be altered to at least twenty-three. A person of only nineteen may vastly improve or deteriorate, and often does so, in the course of the next few years. What a young man is at nineteen, affords in my opinion no certain or reliable test, as to what he will be a few years after. Some men develop much later than others.

5 & 6. If an examination is held in India—(1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several Administrations respectively, or between the members of the principal religious sects? If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—The successful candidates should be required, as a condition obligatory, to proceed to England, to complete their training. (See my above remarks on 5).

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Cap. 3, Sec. 6, or from all natural-born subjects of Her Majesty?—It should be recruited from all natural-born subjects of Her Majesty. The sons of Europeans domiciled in India, Eurasians and Indo-Britons, have just as much right to enter the Uncovenanted Service as Natives of India.

3. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administration respectively, or with a preference for such residents?—The recruitment should be made by the several Administrations either from persons resident in the territories under such Administrations or with a decided preference for such residents.

The educated young men of a province like Lower Bengal, or Bombay, may be, and probably are, far in advance, in mere book knowledge, of the young men in the Punjab, or say, the Central Provinces or Sind. What I think should be carefully guarded against, is to prevent the hard-working and intelligent youth of a comparatively backward province being ousted by some clever, but superficial, Calcutta or Bombay graduate, who, though such person may get higher marks in an examination, would not really be a better servant of the Crown, than the provincial, who may not secure so high a place in a competition.

University honors are not, even an University degree in England is not always, the preface to success in after life, and speaking of my own profession, it is well known that very able Judges have been, and several are, now on the Bench in England, who never were at any University.

I may here remark that Mr. G. W. Hemming, Q C, who joined the Northern Circuit in England when I was on it, had been the Senior Wrangler of his year at Cambridge He has not, however, yet reached the English Bench, though called to the Bar on the same day that I was (3rd May, 1850) and is, now, and has for many years been, the Editor of the Chancery Division portion of the authorised English Law Reports.

I knew well, when I was at the Bar in England, the late Mr. John Cowling, also Senior Wrangler of his year at Cambridge, and called to the Bar in November, 1827. Although he had a certain amount of practice in London and on the Northern Circuit, and argued many heavy and difficult cases before the Courts in Banc at Westminster, he never even attained the position of Queen's Counsel, being from his somewhat timid and retiring disposition, not adapted to the somewhat boisterous duties of an advocate in civil cases, tried before juries. I do not think he ever held a brief in a Criminal Court in his life

According to the theory that the highest posts ought to be given to those who take the highest honors at the University, the two gentlemen I have just referred to ought to have taken a much higher rank, than they did in their profession, where competition is unceasing, and as a rule the best men succeed.

No. V.

THE HON'BLE W. E. HART, B A., JUDGE, HIGH COURT, BOMBAY.

I.—Statutory Civil Service.

Vol. IV. Sec III Sub-Sec B. *Bombay.*

The Hon'ble *W E. Hart.*

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved ?—I am not aware, that the existing system of appointing Natives, as Statutory Civilians, to posts reserved for the Covenanted Civil Service is approved by any one, except perhaps the Natives so appointed, and their immediate friends.

2. If it is not, what are the grounds of disapprobation ?—The grounds for such disapprobation seem, speaking generally, to be, that the selections are apt to be made with a view rather to the social position and wealth of the candidates, or perhaps their relationship to some deserving servant of Government, than to their satisfying any strict moral, intellectual, or physical test in themselves; that the youth with the best interest, rather than the best qualifications, obtains the appointment, and that by his unfitness for the post, he gives much unnecessary trouble to his superiors and other members of the same service, and causes dissatisfaction to the public Among those eligible for selection the system does not appear to be popular, partly on account of the paucity of appointments, which makes the chance of success of each individual candidate very small; but more, and especially among men of such character as would make them the most valuable public servants, because they see something unworthy in this admission to the public service, by favor and through a back door, which virtually constitutes for the majority, their only means of access to a position to which they claim equal rights with all Her Majesty's subjects Even among the successful candidates, the system is apt to be unpopular on this ground, as a make-shift expedient, which by a partial concession is made the excuse for keeping them out of what they conceive to be their full rights.

3 Are the defects of the existing system (if any) susceptible of remedy—(*a*) by an amendment of the Rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed ?—I am not familiar with the provisions of the Rules or Statutes, but assuming the present system not to be of divine origin, I presume it has defects; and that these, like the defects of any merely human institution, can possibly be remedied by amendment of the Rules and Statutory provisions, regulating that institution. The question seems to me one of expediency, rather than of possibility. Is it worth while to expend time, labour, and expense, in tinkering the regulations which govern the system ? That depends on whether the system itself ought to be retained. And this again, on the question, whether the system is sound in principle and the best obtainable under the circumstances.

4 If the provisions of the Statute 33 Vic, Sec. 6, are not repealed nor substantially amended so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder ?—I do not see that amendment in respect of the requisite sanction would effect any change for the better. It looks to me like putting the saddle on the other horse, without knowing whether he is a better one. Amendment in respect of the description of persons to be appointed, by requiring them to satisfy such a selective educational test, as is afforded by a strict competitive examination, probably would be of advantage in improving the intellectual quality of the candidate selected. But I much doubt, if Native gentlemen of the highest rank, in their present state of enlightenment, would submit themselves to such a test. By applying it, therefore, while gaining in the working value of our Native public servants, we should lose in their social position and influence, whatever that may be worth; and possibly cause discontent in the rank to which those, who withdraw themselves from competition, belong, whatever that may signify.

5. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so ?—Personally I am of opinion, that the existing system ought to be abolished, and with it the regulations which govern it. But that, if it be retained, those regulations should be so amended, as to ensure the public getting the best value obtainable for their money To this end, I would recommend such amendment as would extend the field for selection so as to include every competent person, but impose such tests, as would limit the selection to those best qualified for the discharge of the duties they will have to undertake. And I would certainly require the candidates so selected, as part of the necessary qualification, to proceed to Eng-

land to complete their training for a period of at least two or even three years. So long as Englishmen are the rulers of this country, they must govern it on English lines. I do not mean without regard to or sympathy for Native ideas and habits of thought, but on broad principles of English policy which, properly understood, include such regard and sympathy. No Native can properly learn or appreciate these principles without cutting himself off entirely from Native associations and living entirely with Englishmen. If we are merely to admit the Native to share in our rule, and not abdicate in his favor, we must insist that he governs on our principles, not on his. I do not say this is the best system of Government, but it is the only one possible, so long as we claim to remain here as the rulers of the country We must govern it on English principles, not on Native, if our rule is to be efficient. That is the necessary consequence of foreign conquest and the introduction of foreign rule. The foreign conqueror, however great the allowances and concessions he may make to the conquered Native in matters of detail, can conduct the Government on those principles only with which he is himself familiar. You can no more expect him to govern efficiently and retain his position, as ruler of the country, if he applies the Native principles of government, as the basis of his rule, than you can expect a carpenter, because he is making a table for a blacksmith, to make it of iron and with a blacksmith's tools, rather than of wood and with the tools of a carpenter And just as, if the carpenter allows the blacksmith to lend a hand in the construction of his own table, he will yet insist, that his work must be done, according to the rules of carpentry and not of smithery; so we, as long as we insist on conducting the work of governing this country, must also insist on the application, both by ourselves and by those whom we admit to our assistance, of the principles with which we are familiar. And that we may be sure that these principles are thoroughly mastered by those whom we admit to a share in our privileges and responsibilities, I think we should insist on their being trained where those principles can best be learnt.

Vol I
Sec. I
Sub-Sec
Bomb

The Ho
W. E J

II.—Covenanted Civil Service.

1. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—By the existing system of recruitment the Covenanted Civil Service is virtually confined to Englishmen of the upper middle class These are the men who form the great bulk of the professional and mercantile rank, and may in fact be said to constitute the backbone of the nation, as representing the workers of highest intelligence and most advanced education, enjoying the advantages of a respectable social standing, which enables them to hold their own in any society, and of moderate means, which, while lifting them above actual want, oblige the cultivation of such virtues as industry and thrift So far as Englishmen themselves are concerned, I do not see that any grave dissatisfaction can be reasonably felt regarding a system which obtains men of this type as recruits for the public service. Certain details in the mode of selection or method of training may no doubt be said to be capable of improvement. But I think the general principles, on which the system is based, may be taken as approved by Englishmen. I think it is otherwise with Natives, at least with those Natives who are capable of forming and expressing an opinion on the subject. They naturally object to a system, which, while it ensures the selection of Englishmen of a certain type for the public service, yet practically excludes Natives of the same type.

2. Should any, and if any what, change be made in that system?—Whether any change should be made in the system is a question which depends on whether the wish of Natives, of the class abovementioned, to be admitted to share in the government of their own country should be regarded or not. Personally I see no objection, and their admission would no doubt be a benefit to themselves, and consequently a convenience to us in assuaging, at least for a time, a certain amount of discontent among the class, who are most likely and most able to make their discontent heard. The class of Natives who most nearly approach the professional class among Englishmen have not the same outlets for their ambition, nor the same scope for their abilities. There is open to them no Army, no Navy, no Church, and virtually no Civil Service They are confined almost entirely to Law and Medicine When these professions are over-crowded, men of education and ability naturally clamour for admission into the service to which Englishmen of the same class are freely admitted. If that admission were granted, there would be a field, other than that of the over-crowded professions, for their employment, and so that clamour would be silenced at least for a time But however great might be the benefit of this to them and the convenience to us, I do not think there is any actual necessity for it, so far as the country at large is concerned The upper middle class here does not occupy the position it does in England. Numerically it is very far inferior to the industrial and labouring classes. The last census shows, that in the Presidency of Bombay about 17 per cent. of the entire community make up the working urban population. Of this, we find about 4 per cent. only belong to the professional class, and 13

Vol IV.
Sec III.
Sub Sec B,
Bombay.

The Hon'ble
W E Hart

to the commercial, whereas 23 per cent. belong to the industrial, (artisans, mechanics, &c.), and 48 to the labouring. On the other hand, of the entire community, 65 per cent. belong to the agricultural class. Of these, 55 per cent. are small cultivators, and 32 per cent. field labourers. So that the backbone of the country, here, is not the upper middle class, but the lower. Among them there is no desire expressed, nor even felt, for admission into the Civil Service, nor even among the commercial class But a desire, however loudly it may be expressed, which is felt only by the 4 per cent. of the urban population in an agricultural country, which constitute its professional class, can hardly be said to be one, so materially affecting the entire community, as to create any actual necessity for its gratification. I would, however, certainly gratify this desire, however small the minority by whom it is expressed first, because it is indicative of a laudable ambition, which should be encouraged; secondly, because it relieves the over-crowded professions in giving employment to men of education and ability; thirdly, because it is only just to the Natives themselves, (as well the governed as the governing classes), that Natives should be freely admitted to take part in the administration of their own country, provided it be in such numbers and in such positions, as shall ensure that the general administration of the country be still conducted on those principles of English policy which I have endeavoured to show are necessary to the stability of our rule; fourthly, because it will probably be a convenience to the English to have in the administration of the country the assistance of Natives, who will be in closer touch with the bulk of the Native population, than the English themselves can be; and, fifthly, because it will certainly be convenient to be rid for a time of the clamorous discontent evinced by those who desire employment in the Civil Service and cannot obtain it The change, therefore, which I would advocate in the system of recruitment for the Covenanted Civil Service would be one that should open its doors to the admission of Natives of the same class and qualifications, as those Englishmen from whom it is now principally recruited. But they should be Natives, educated in the principles of English government, which they should be obliged to apply in practice Nor should they be admitted in numbers, sufficient to swamp the English element in the government of the country. And I would not, at least for the present, open to them the highest executive or administrative posts, though I see no objection to their being admitted to the highest judicial appointments. Because, as I have pointed out, it is essential to the existence of English rule in this country that the principles of English government should be applied, and there would be a danger of departure from them if Natives were employed in positions where they could act without control. But this is a danger, which in my opinion affects rather the Executive, than the Judicial functions. There would thus have to be a change in the present system of recruitment, which should, on the one hand, extend the number of Natives eligible, and, on the other hand, restrict the number appointed. This could be done by increasing the limit of age, so as to offer greater facilities to young Native gentlemen of education to present themselves for the competitive examination. All properly qualified should be allowed to compete, but, if of the successful candidates more than a certain proportion, (say 4 per cent. as that is the proportion, which the class to which Native candidates belong, bears to the entire community in the cities, where they chiefly reside), proved to be Natives, the appointments in excess of that proportion should be filled up from the English candidates next on the list.

3. *Do Natives of India labour under any, and, if any, what disadvantages in competing for employment in this branch of the Service?*—The disadvantages which Natives of India labour under in competing for employment in the Covenanted Civil Service, would still be so great, if due regard were had to the requirements of the service, that I do not think that the successful Native candidates ever would exceed the proportion I have mentioned. The principal disadvantages under which they lie at present are:—

(1) That they have to be educated and examined in a foreign tongue and unfamiliar subjects. This is unavoidable, so long as we continue to govern the country. For, as I have pointed out, we must do so on English principles.

(2) That they have to undertake a long and expensive journey to a foreign country and uncongenial climate, in order to submit themselves to the competitive examination and undergo the probationary term. This I think is also unavoidable, for the reasons I have explained, in order to ensure their familiarity with English lines of thought and principles of government.

(3) That the limit of age at which they are required to undergo the test of a severe competitive examinaton is so low as virtually to exclude Native candidates. This, I think, might be entirely removed by increasing the limit of age, to which I see no objection, but rather an advantage in the case of English as well as Indian candidates.

4. *By what changes may those disadvantages be minimised or removed, e g: (a)* By the establishment of scholarships and allowance of passage money to Native candidates? *(b)* By altering the limit of age? *(c)* By adding to the subjects

of examination, or by altering the maxima marks obtainable in certain subjects? (*d*) By holding simultaneously examinations in England and in India?—The disadvantage (2), noticed above, might be minimised, and (3) wholly removed, by adopting the expedients (*a*) and (*b*), suggested in this question. I am not sufficiently familiar with the details of the competitive examination to be able to form an opinion on the suggestions contained in (*c*). But I think the changes already indicated, would be sufficient to remove any just ground of complaint on the part of Native candidates, regarding the disadvantages under which they labour in presenting themselves for the competitive examination. I would certainly disapprove entirely of any such suggestion as that contained in (*d*). There is nothing to recommend it, except the convenience of the examinee, and it consults that far beyond what appears to me to be reasonable.

5. If an examination is held in India—(1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India; should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be any apportionment between the residents in the territories of the several Administrations respectively, or between the members of the principal religious sects?—If the examination were held in India, it should, of course, be identical with that held in England in every respect and the marks be assessed by the same examiners. Otherwise you have no test common to all the candidates. But without this you cannot judge between them The inconvenience and delay of such a proceeding would in itself be enough to condemn the suggestion. If you once admit the principle of consulting the convenience of the candidates, to the extent of examining one set in one place, and another in another, there is no reason, that I can see in principle against extending it to every Presidency, Collectorate, and village in India, and holding a separate examination wherever a candidate can be found The candidates should all compete with one another and be selected in order of merit, otherwise you miss the very purpose for which competitive examination exists, *viz.*, as a test for the selection of the best men. I am unable to see on what principle, compatible with the principle of selection by competitive examination, any principle of apportionment can exist.

6 If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—For the reasons, already given in the answer to the fifth question of Part I, I am of opinion that successful candidates in India should certainly be required, as a condition obligatory, to proceed to England to complete their training

7 Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—To answer this question in the affirmative would be to claim for the existing system a divine origin, which I do not think is justified by the character and capacity of some of the young Natives obtained. The successful candidates among the young Natives under the present system, are men who have enjoyed some exceptional advantage in wealth or precocity, or early training If such exceptional advantages were removed, and general competition increased, I think the result would be a general improvement in the class of Native obtained.

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Sec 6, or from all natural-born subjects of Her Majesty?—I think there should be no restrictive limit. As a fact, the majority of candidates and majority of selections would be from the Statutory Natives But, if a good man be obtainable from another class, I do not see why the Government should be debarred from availing themselves of his services.

2 Should the recruitment be by competition or by nomination, or by both systems combined? And if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—I think the ultimate selection should be by competition. The competitors might be nominated, but, if so, the rules of nomination should be so wide, that all qualified persons should be admitted, not selected. Or we should then be in danger of incurring the personal obligations, shown to exist in regard to the appointment of Statutory Civilians, in the answer to the second question in Part I. I would appoint the same system to all classes of office for entrance into Government service.

3. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—To ensure as wide a field for selection as possible, I would impose no restriction on the selectors.

Vol. IV. Sec III. Sub Sec B. *Bombay.*

The Hon'ble *W. E. Hart.*

4. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I do not see that it would make any material difference. If it does, I do not see why the Statutory Service Offices should be allotted to the Uncovenanted Service, unless originally taken from it. For I presume that if the Statutory Service be abolished, the changes will be adopted, which result in a freer admission of Natives to the Covenanted Service.

IV.—Pay and Furlough Rules.

1. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—I do not understand how posts reserved for the Covenanted Civil Service, can be held by members of any other branch of the service. If they can, I should certainly make a distinction in the salary, as I would in the payment of the price for any other article of a special quality for which something else was substituted

2. If such distinction should be made, on what principle should it be regulated?—The principle of the distinction is the same in both cases, *viz*, the superior cost or value of an article of peculiar quality specially procured for a particular purpose over one found ready at hand. The latter may do as well in use, but you cannot be expected to pay as much for it. The members of the Covenanted Civil Service are men of particular qualifications, who have undergone a special training and passed a special test. To induce such men to forego the chances of a career in England, and submit to all the inconveniences of expatriation in a tropical country, special terms have to be made with them which are not applicable to others. If you require the services of the former, you must pay the price necessary to obtain them. But because you pay that price for that article, you must also pay the same price for another article, albeit you employ it for the same purpose, *non sequitur*. The reasons for the inducement, which enhances the price in the one case, do not exist in the other.

3 Should any distinction be made in the Furlough Rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other, and what ground?—For the same reasons, I think members of the Statutory and Uncovenanted Services might be granted less advantageous terms in the matter of Furlough Rules, than are granted to English members of the Covenanted Civil Service But as between the English and Native members of the same branch of the Service I should not be inclined to make any distinction. In the Covenanted Service, because the proportion of Native members would be so small, as not to make it worth while to discredit them, by the introduction of what might be regarded as an invidious distinction; and in the other branches, because, there is no reason, that I am aware of, to prefer in them the employment of Englishmen to Natives, and therefore no reason to offer special inducements to the former

4. Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory Rules?—I should say certainly not. As I have already pointed out, the special privileges offered to the Covenanted Service are an inducement to them to leave their homes and spend the best years of their lives in a long foreign service in a trying climate. The conditions under which Natives obtain office under the Statutory Rules are entirely different.

No. VI.

W. H. Propert, Esq., C S, Commissioner, Southern Division.

Being unable without very considerable nconvenience to appear personally before the Public Service Commission, I deem it right to ecord my opinions regarding the points aised in the paper headed "Proposed Issues," n order that the Commission may be made equainted with my views in a more succinct nd intelligible form than it is possible to dopt when answering a long series of sepa-ate questions.

2. The replies to such portions of the Commission's queries, as I was called upon to nswer in paragraphs 2 and 3 of Government Resolution No. 8997 of 23rd December, 1886, Revenue Department, have already been ubmitted to the Secretary of the Com-nission through the Chief Secretary to Government; these should of course be con-idered in connection with my present nemorandum.

3. This memorandum will, I hope, either e read aloud by the Secretary, before the Commission, so that it may be considered as n some respects equivalent to an oral exami-nation, or, after being printed, attached to hat portion of the Commission's proceed-ngs, which includes the evidence given rally by the various witnesses. I ask this, nasmuch as I was most anxious to appear ersonally as a witness, but could not do so without serious detriment to my official duties.

4. Before proceeding further, I may state, for the information of the Public Service Commission, that my Indian service, extend-ing over nearly thirty-one years, has been entirely passed in the mufasal; for some years amongst wild tribes, (in the Panch Mahals), and during other periods in the more flourish-ing and civilized districts of Ahmedabad, Kaira, and the province of Khandeish. I have ever been in the habit of mixing freely with all classes of Natives entrusted to my charge; and for twelve years, when residing in the Panch Mahals, I personally exercised all the powers of Criminal and Civil Judge, District Magistrate, Collector, Registrar, Head of the Police, &c, the Panch Mahals being at the time a non-regulation district. I may safely assert, therefore, that during the period of my service, I have not only had constant opportunities of observing and ascertaining the condition and ideas of the people of the country, but I may also say that the experi-ence, gained during so long a period, has con-vinced me of the necessity that exists for the exercise of extreme caution in attempting to transfer anything like a large share of responsibility and power from European to Native officials.

I—The Statutory Civil Service.

5. The present system, as far as the Bombay Presidency is concerned, (I know nothing about the appointments made in other parts of India), is, to my mind, a griev-ous failure. I say this, not from any personal objection to the various gentlemen selected, but because their selection, as utterly untried youths, is in itself opposed to the wording of the Statute; and further, because certain young men, not as a rule belonging to power-ful or ancient families, have been placed in positions of considerable dignity and honor, without being called upon to show them-selves fitted for the same *in any way*, the sole demand upon their ability being, that they should, after nomination, pass two or-dinary examinations, such as are constantly passed by ordinary karkuns on a Collector's or Mamlatdar's establishment.

6. The object with which the Statute was enacted was, in some ways, a worthy one, but I submit that the very men or classes, which it is generally supposed were to be taken by the hand have, as far as I am aware, never been looked for or selected; and further argue, that the scions of the old aristocratic families are, *as a rule*, at the present day, just the very people not likely to prove able administrators, unless, as I have stated in my written answers to the Commission's queries, the said scions be caught and sent off to England at a comparatively early age, in order to be educated, morally, physically and mentally, on English principles.

7. Looking to the almost universal con-demnation of the Statutory system, express-ed by the various witnesses, European and Native, who have appeared before the Com-mission, it is most unlikely that that system will be retained in any shape whatever, and, therefore, it is, perhaps, needless for me to write very fully on the subject, besides, as will be seen from my future remarks on the Covenanted Civil Service, if the well-being and political security of the country are to be regarded, the very greatest caution ought in my opinion to be exercised in admitting Natives into that service at all; even under the strictest rules that can possibly be framed.

8. In my opinion it would be simply im-possible to work a Statutory Civil Service system satisfactorily *under any circumstances*

and under any rules. If young men are chosen, even after the fullest inquiries regarding moral character and general ability, (such enquiries practically amounting to nothing), they become permanent members of one of the most important services in the world, without either Government in any one case having the slightest idea as to how they are likely to turn out. A few may possibly prove to be shining lights, but I trust I shall be forgiven for saying and thinking, that, in a vast majority of cases, the Statutory men, either in Bombay or elsewhere, will, in all probability, from their previous training or rather want of training, prove just about equal to our *ordinary* Deputy Collectors, and officers of a similar position in other departments, who have risen gradually from the lower ranks of the service, the consequence being, that in a few years the various Governments will have a considerable number of mediocre officials on their hands, to whom they are pledged to give good pay and high appointments, as long as the said servants do not actually render themselves liable to supersession by misconduct.

9. Again, as I have stated in my written answers, it will be next to impossible to draft men of experience and tried merit from the Uncovenanted ranks into the Civil Service itself on the Statutory system, inasmuch as the determination of their position in the Civil Service will give rise to almost insurmountable difficulties. Surely men, be they Europeans or Natives, who joined the Civil Service through competition of the keenest description in England, and who possess solemn assurances, as set forth in their covenants, will have fair and just grounds for complaint on seeing middle-aged officials calmly placed over their heads at the pleasure of the Head of the Presidency.

10. Besides, it must be remembered, that, as regards Uncovenanted Officers, (and Covenanted Officers as well for that matter), opinions may differ very considerably, and it will frequently be found that mufasal officers of experience, who have spent their lives amongst the people of the country and watched the career of many a Native official, entertain opinions regarding some of those Native officials, of a very different nature from those held on the subject by the great officers of State, who, although in a position to dispense patronage, really at times *know* but little of the men selected for favor and advancement.

11. The Statutory system, as applied to the Covenanted Civil Service of India, is a mistake and a very serious one, and cannot, in my opinion, ever prove otherwise, even though the Statute itself and the rules appertaining to it were to be altered and reconstructed by the cleverest men of the day.

II.—Covenanted Civil Service.

12. I may commence this portion of my memorandum by stating that, in my opinion, the present system, (minus of course the Statutory appointments), is, generally speaking, about the best that can be devised for administering the affairs of the country firmly and successfully. It is true that the service contains but few Native members, certainly very few who have succeeded in entering it by the door of competition, but I, for one, am quite convinced that, looking to the peculiar political conditions on which we hold India, there is not as much scope for the safe employment of Natives, as agitators assert, in (at any rate) those branches of the public service which deal with the direct administration of the country, *e g*, Land Revenue, Law and Justice and Police.

13. I do not deny the possibility, and perhaps the expediency, of finding employment, and that of a highly-paid description, for greater numbers of Natives than at present. This I will notice later on. At present I would only urge upon our Governments, present and future, that the executive supervision and management of the various sub-divisions of the country, be they called Collectorates or by any other name, should invariably and permanently be entrusted to Covenanted European officers of tried experience, and that the Chief Assistant or Assistants, (according to the size of the charge), should also belong to the same service. A similar remark applies to the Superintendent and Assistant Superintendent of Police in each district, both of whom should invariably be European officers, and, in my opinion, military men for choice, as men with some regimental experience are far more competent to deal with disciplined bodies of men than the present Uncovenanted officers who are drafted into the force, they having no special qualifications.

14 In saying, as I did in the last paragraph, that the present system is, to my mind, about the best that can be devised, I do not lose sight of the fact that the Covenanted Civil Service is at this moment open to the admission of Natives, who are obliged to qualify themselves by passing the required tests in *England*, just as in the case of Europeans. I am also well aware that the dissatisfaction felt by *certain classes* amongst our educated Native brethren at the rules now in force regarding their fellow-countrymen, is one of the chief grounds for the appointment of the Public Service Commission.

15. Under the present rules, the number of Natives admitted by competition is so small, that it is an easy matter for Government to provide for them in the *Judicial* branch of the service, without weakening the executive administration of the country by placing them in false positions. Should, however, the present agitation result in the

substitution of more favourable terms as regards age, local examinations, freedom from previous English residence and training, &c., we may confidently expect to see just as many Natives as Government may permit to compete, (chiefly, on this side of India, Dekhan Brahmans and a few other castes), passing for the service every year.

16. Such a condition of things I should, I readily confess, view with doubt and fear, and why? Because, first, although being myself a friend of the people, (as I think my old friends throughout Guzerat, the Panch Mahals and Khandeish will testify); second, although knowing and appreciating the good services performed and assistance rendered by our Native assistants and subordinates, since our rule in India commenced; third, although being anxious to further the *just* aspirations of our Native brethren, *still*, I say, and say with confidence, that the habits, ideas and opinions of the people of India, especially, I regret to say, of the more educated, have not since the year of grace 1857, a year still remembered by many, changed and improved to such a degree, as to warrant their employment in those high executive and administrative appointments, which, for the safety of the Empire, have hitherto been, and for the future should be, held only by Europeans and the best Europeans procurable.

17. In advancing the above opinion, I question not the *loyalty* and *general* ability of some of our Native brethren, but in appointing men to the charge of large and important districts, we must remember that clouds and storms may arise, and on the firmness, readiness of resource, coolness, moral strength and courage of one man, the safety of hundreds may depend, as well as the preservation of the whole district from loss and political chaos.

18. Such qualities as the above I do not look for in my Native brethren, and I can truly affirm, that very frequently during my service Native officials themselves, men of experience and merit, (though perhaps of the old school), have freely expressed the same opinions as those recorded above.

19. My own opinion is that if it should unfortunately be decided that the time has now arrived for altering the conditions of the Covenanted Civil Service in order to admit Natives on a more extended scale or easier terms, the cause of good Government and the safety of the Empire will be best ensured by the formation of a separate European service, to the members of which should be entrusted certain appointments and duties in connection with the executive administration of the country. The service need not be large and the number of appointments secured to the members might be fewer than at present. For instance, I quite concur with some of the witnesses already examined, in the view, that some Natives of good education show themselves good Judges *in civil*, (though not in criminal), *cases*. Again, the Salt and Customs, Registration, Survey, Post Office and (to a certain extent only) the Telegraph Department might provide for a greater number of Natives than at present.

20. It will thus be seen that I am opposed to affording greater facilities to Natives to enter the Covenanted Civil Service. I know that, at present, it is difficult for a Native youth to gain admission through the competitive system, and difficult it ought to be, considering that the work devolving upon Civilians in India demands the services of the best men obtainable.

21. According to my own views, the best and wisest arrangement would be the constitution of a select European Covenanted Service, whose members should invariably hold the appointments which cannot with safety and should not be given to Natives, supplemented by another service open to all classes, Native and European, the appointments in which would embrace those now ordinarily held by the Uncovenanted Service, plus *some* of the posts at present filled by Covenanted Civilians, and which it might be found possible to withdraw from the close European Covenanted Service in future; to this service men should, I think, be nominated in the first place, confirmation being of course subject to the passing of qualifying examinations.

22. I prefer nomination to competition in a service of this kind, as we have tried the former for many many years, and I, for one, believe that good and useful servants have been the rule rather than the exception. If we attempt to introduce a competitive system alone into any branch of the service in this country, the majority of appointments will fall into the hands of one or two classes.

23 I may add that the service I have just been describing should be provincial, *i.e.*, confined to its own presidency.

24. If, on the other hand, it be finally decided to retain the Covenanted Civil Service, still giving Natives the right of competing, all I have to say is, that on no account should the present rules be relaxed one jot, except, perhaps, that the maximum age might be extended. If Natives are to be admitted at all, I certainly think that, as regards age, they should not be placed in a worse position than their European brethren, and it certainly appears from evidence produced that the nineteen years' limit does actually affect a Native more injuriously than a European.

25. I strongly object to the proposed holding of competitive examinations for the Covenanted Civil Service in India, and I also object to the grant by Government of scholarships founded for the purpose of enabling needy Natives to go to England and

compete As regards my objections to the examinations in India, I think that a few years' training in England *before* the examination, with of course the addition of the period which a successful candidate is bound to pass there, before being finally appointed to the service, would be far more useful and effective in every way, than two or three years spent in England after the examination in India had been successfully negociated. A youth going home for the first time, having just cut a creditable figure at the Indian examination, would probably spend the two years in looking about and enjoying himself, considering, (and perhaps rightly so), that the fact of his having just passed a stiff examination rendered further hard work unnecessary, and that the time for play had arrived. If a Native of India does not consider it worth his while to go to England in order to strive for such a grand position as the Covenanted Service provides, that man, in my opinion, does not deserve success. Besides, I rather think that the obligation to proceed to England for the purpose of study, examination, &c., is more likely to keep the appointments out of the hands of that small class of needy, but talented, men who would probably obtain the lion's share at any examination held in India.

26. Further than this, I see technical objections to dividing (so to speak) an examination of so important a nature. Examination papers have, ere this, become known to the public in India before their time, even when in charge of a very limited number of officials belonging to a single institution. Would not the danger be even greater, when the questions would have to be transmitted several thousands of miles with various lines of telegraph constantly at work? Again, I consider, that it would be most difficult to render the *vivâ voce* portion of the examination as uniform as it should be, if one set of men were asking questions in London, and perhaps three or four other sets in various parts of India.

27. I object to the grant of scholarships by Government to candidates in order to enable them to compete in England, because, looking to the fact that appointments in the Covenanted Civil Service are far more valuable to a Native than a European, I see no reason why Government should pay the former to enable him to obtain high office, when the latter gets nothing, except of course the allowance after passing the chief examination, and this would be awarded to all candidates, be they Europeans or Natives.

28. If it be argued, (and I see the point has been raised), that under Her Majesty's Proclamation of 1858 and certain other State documents, appointments should be given "without regard to creed or color," I would answer, that neither the framers of the Proclamation nor Her Most Gracious Majesty herself, could for a moment have intended that appointments of a responsible nature should be wildly given away to men unfitted to hold them. We surely must not forget our actual position in this country and the constant watchfulness we have to maintain. I refrain from describing our tenure in so many words, as it might perhaps give offence, but will merely point to the army we find it necessary to maintain, in order to illustrate my meaning in an inoffensive manner.

29. I must mention one point, before quitting the subject of the Covenanted Civil Service, *viz.*, the assertion on the part of certain witnesses on the other side of India, that the "people" of the country actually would rather be looked after and ruled by Native officials than Europeans *My own experience leads me to deny the truth of this statement in toto*, and I am quite sure that all, or nearly all, district officers will bear me out when I say that petitions are frequently presented by the ryots, begging that a "Saheb" may be placed in charge of the talukas in which they reside. I have myself frequently asked the people, when passing through the districts, "who is in charge of your part of the country?" (I myself knowing of course full well all the time.) Reply: "Oh some Brahmans! I wish you would give us a Saheb; we have not had one to look after us for years." When I use the word "people," I of course mean the general mufasal population whom our system of Government chiefly affects, and I am quite convinced that if the vote of the "people" could be taken by disinterested and independent officers, not the representatives of Sabhas and Associations, who have their own ends to serve, the general verdict of the bulk of the population, be they Sikhs, Pathans, Marathas, Gujarathis, &c., &c., would be in favor of European district officials in place of Natives. The reasons, to *my* mind, are obvious, though I do not care to go into detail on the subject.

30. Much has been said, I believe, about "friction" between officials and between classes in the public service. Under the present system, there is little or none, except occasionally between a young Civilian Judge, who is terribly anxious to uphold "the dignity of the Bench," and a hoary-headed District Magistrate, who probably knows more about the country and people than the Judicial officer is ever likely to know. I foresee, however, the very serious friction likely to arise and permanently exist, if ever it be found necessary to appoint Native Collectors and Magistrates with European Assistants. This unpleasant subject I think it right to mention, but I will not dwell upon it.

31. If Natives enter the Covenanted Civil Service *freely*, as appears to be the desire of some classes, they will of course have to be

appointed equally with their European brethren to all the departments ordinarily manned by Civil Servants of the present day, as it would be manifestly wrong to admit a man to a service, and then tell him he is not fitted for certain positions in that service. I beg, however, to express a doubt whether a Hindu or Parsi of the ordinary official standard is a fit man to be placed at the head of society, in a station containing, perhaps, large bodies of troops, besides civil officers of various ranks. If a Native so placed were to retain his original Native habits and customs, he would not care to identify himself with Europeans as a member of their society. He would consequently surround himself with his fellow-Brahmans, fellow-Babus or fellow-Parsis, and the prestige of "government," as represented by the leading official of the district, would undoubtedly suffer in the eyes of all, both black and white. If, on the other hand, the Native Commissioner or Collector were to adopt a semi-European style in dress, living and manners, he would probably be respected by neither race. Dwellers in cities, of whatever race they may be, can easily associate together, whatever be the mode of living of each particular man. Should, however, some Native officer attempt to become, (as his official position might entitle him to do), head and leader of society, as well as patron and instructor of the young officers confided to his care in an up-country station, the result would, in my opinion, be, (to use a mild expression), unsatisfactory.

III.—Uncovenanted Service.

32. It is difficult to write much about the Uncovenanted Service of the future, thinking as I do, (*vide* this present Memorandum), that if the Covenanted Civil Service in days to come be made a purely European service, it would be necessary and desirable to create a new service of an extensive description in which the existing Uncovenanted Service would in a great measure be absorbed. If such a service were to be constituted, I have already stated, that I would admit both Europeans and Natives, and that recruitment should, as a rule, be made by nomination. I say "Europeans and Natives," because I fail to see why Europeans should be altogether kept out of employment. It is true that domiciled Europeans are classed as "Natives of India," but I am not alone in thinking that Europeans of this description are frequently inferior in many ways to the imported article. Besides this, it must and will be always necessary to leaven the Native ranks with Europeans, if only to provide men to fill certain appointments.

The Government of the country is British, why, therefore, exclude British men from its official ranks? No other Governments would ever think of imposing such restrictions upon their own countrymen. There is to my mind room enough for all in this vast country, and a mixture of races amongst our officials of itself tends to political safety.

33 The present Uncovenanted Service, than the members of which a more useful body of men does not exist in any country, is to my mind satisfactorily constituted, and even if it be extended, so as to embrace a higher class of appointments, as I have already proposed, I would, as before stated, still adhere in most cases to the nomination system; and (again returning for a moment to the subject of "Natives of India"), I would remark that the employment of fresh Europeans from home cannot under any circumstances be avoided. Whence are our scientifically-trained Forest officers to be obtained, whence our Engineers, whence our Police officers, whence our Telegraph Superintendents? All or many of these are now members of the Uncovenanted Service, and surely even the most red-hot reformer can hardly urge that all these departments and appointments should be entirely filled by "Natives of India."

IV.—Pay and Furlough Rules.

34. Having answered these and similar queries in regular order in the papers submitted to the Secretary of the Public Service Commission with my No. 131 of 21st instant, it is not necessary for me again to record any lengthy rules on the subject. I must, however, state that, in my opinion, the leave rules in the case of European members of the Uncovenanted Service are not sufficiently liberal. I quite agree with Mr. Lee-Warner in thinking that every effort should be made to keep the Europeans healthy, contented and efficient, and to this end liberal leave rules are necessary. A European requires furlough at fairly frequent intervals, the Native employé does not, as he serves amongst his own people. The European has greater expenses than the Native, and therefore must be paid higher for work done. There is no hardship in this arrangement. The difference in surrounding conditions eventually equalizes the arrangement. As regards the Covenanted Civil Service, the case is different, inasmuch as if a Native competes with the European in England and beats him, no change can of course be made in the rules, which apply generally to the entire Covenanted Service.

V. 1 IV
Sec. III.
Sub-Sec B.
Bombay.

W. H. Propert, Esq

Concluding Remarks.

35. The present Memorandum has, I fear, assumed undue proportions, but the subject on which I have written is of the utmost importance and not easily disposed of in a brief space. It may be said, that on some points I have written too strongly; but entertaining, as I do, the very strongest opinions on those points, founded, I can honestly say, on experience, I could not conscientiously write otherwise. I do not attempt to deny, that there are Native gentlemen, (I will not mention names), who are probably fit for any post in the administration of this great country, but I assert at the same time, that the fact of a few such existing should in no case lead our rulers blindly and heedlessly to open to Native employés posts and positions, which, especially in time of trouble, a European alone is qualified to fill.

36. I have said but little about educational tests, changes in the subjects of examinations, &c., &c., as those appear to me mere matters of detail. The chief information, now required by Government, is, I take it, as to whether the dissatisfaction, stated to be felt, regarding our Public Service System is really "national," (or as nearly "national" as any movement can be in this country of mixed races), and, if so, what changes should be made in the *principles* which govern that system. General dissatisfaction, that is, dissatisfaction on the part of the Hindu and Mussalman masses, I do not believe in. As to the Parsis, I take no account of them, for although, in many cases, men of ability and honorable position, they are to my mind, as much aliens as the European himself, and as such should rest and be thankful for the very great improvement effected in their social and political position since the British Government became paramount in India.

37. If changes in the "Public Service System" are declared necessary after earnest deliberation, let them be made by all means; but let due regard be had to the efficient government of the country in years to come, and let us not, by gratifying the desires of the few, who hunger after place and power, weaken our hold upon the many, *i.e*, the masses, who, if left to themselves, would probably remain perfectly satisfied with present arrangements.

No. VII.

E. CANDY, ESQ., C.S., ACTING JUDICIAL COMMISSIONER, SIND.

I.—Working of the existing Statutory System.

1 to 6. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community? What are the grounds upon which any such feeling is based? Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Chapter 3, Section 6), or is it directed against the rules framed thereunder? If the Statute itself is objected to, is it because its provisions admit persons to specific appointments only and not to membership in an organized "Service"? Are the objections based on other and, if so, what grounds? If a desire is felt for enrolment in a general service, what are the reasons for this desire?—As far as I can judge, there is no prevalent feeling in this Province, (Sind), regarding the Statutory System.

7 to 12. What amendments do you advocate in Section 6 of the Statute? Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India," as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts, it is desirable to provide? If not, can you suggest any more complete or more satisfactory definition? If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted? Do they relate to the general conditions, in regard to pay, promotion, and retiring annuity under which Statutory Civilians hold their offices? Assuming the Statutory System to be retained, what amendments would you suggest in the Rules with a view to remove any reasonable objections, which may be felt to them?—I object to Section 6 of the Statute altogether, and do not think that it, or the Rules, can be amended. I hope that they will be abolished altogether.

13. How do Statutory Civilians compare in regard to their work as public servants, with Native Civilians, who have passed in by the channel of the English competition?—A Statutory Civilian, who has had no training in England, cannot compare in regard to his work as a public servant with a Native Civilian, who has passed in by the channel of the English competition.

14 to 16. How do Statutory Civilians nominated or selected by competition compare in regard to their work with Statutory Civilians, selected on the ground of merit, and ability previously proved in the Uncovenanted Service, or other branches of the Government Service, if any such selections have been made? Do Statutory Civilians regard themselves as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel? Are they so regarded by the general public?—I have had no opportunities of judging of these matters.

17 & 18 Or by their *confreres* in the Service, who have entered through the competitive channel? If such a feeling exists, on what grounds is it based?—By their Native *confreres* in the service, who have entered through the competitive channel, Statutory Civilians must be regarded as inferior. The one has by a struggle obtained that which the other obtains by comparative chance.

20. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted Officers?—The Statutory Service is so young, that I doubt whether the general public have formed any view as to differences between Statutory Civilians and Uncovenanted Officers.

22 Do competitive Civilians, English and Native, and members of the Uncovenanted Service, respectively, stand on a footing of cordiality with Statutory Civilians, or is there any friction between them?—I never heard of any friction between Statutory Civilians and other Government officials of any class

23. Has the Statutory system had the effect of securing men, who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—As yet the men appointed by the Statutory system are not in point of natural ability superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service. As to general education I am not sure. There are some men, who have risen to the higher ranks of the Uncovenanted Service, who have not had the advantages of a good general education.

25 to 29. Do young men among the landed aristocracy or of good family display unwillingness to accept employment under the Statutory Rules? If so, what are the reasons for this unwillingness? Do young men among the landed aristocracy or of

good family display unwillingness to accept posts in the Uncovenanted Service, and a willingness to accept employment under the Statutory Rules? If so, on what grounds? Has experience shown that the Statutory Civilians of aristocratic family are as punctual and regular in the discharge of their duties as those selected from other classes?—I should say that in this Province, (Sind), there are no men among the landed *aristocracy*, who could ever be appointed Statutory Civilians. Going a little lower, to the zemindars, the same thing is true. Then we come to the Amils, some of whom own land. They are willing to accept posts in the Uncovenanted Service and in the Statutory Service, and many of them are good officers.

II—Mode of Selection of Statutory Civilians.

57 to 62. Are you in favor of the establishment of scholarships, tenable by Natives in England, for the purpose of enabling them to qualify for the Civil or Statutory Service? If so, how would you connect such a scheme with the selection of Natives for employment in the higher administrative posts in India? Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not? If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent? If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system? If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—I am in favor of some plan, whether scholarships or otherwise, by which Natives could go to England and there obtain the training to qualify them for the higher Civil Service. If it is clearly laid down that residence in England is necessary for an appointment in the higher Civil Service, I believe that there would be no lack of candidates. I would make no difference in the emoluments of those who gain the appointments, and I would abolish the Statutory Service. To the objection that at present Natives can go to England and compete for the higher Civil Service, I would answer that by the present system Natives are too heavily weighted.

III—Competition in England for the Indian Civil Service.

63 to 65. What has been the experience in your Province, in regard to their work as public servants, of Natives who have entered the Covenanted Civil Service through the competitive channel in England? To what classes of society do such Natives belong? Is there reason to believe that the Natives obtained by this system are the best, as regards character and capacity, who could be procured under any system?—As yet the Natives who have entered the Bombay Covenanted Civil Service, are too few to enable us to form any opinion as to the classes of society to which they belong, but, as regards character and capacity, they are, I think, superior to the Statutory Civilians

66 & 75 Is competition of Natives in the examination in England favourably looked upon by large and important classes in India? Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—The objections held by educated classes of Natives to the competition of Natives in England are fast disappearing. Everything is tending to draw the countries together. I think that even the increasing number of visitors, every year, from England to India, encourages this tendency, and draws visitors from India to England. In the course of time, it will be most natural for those who want to know about India, to come to India, and for those who want to know about England, to go to England.

67. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—I strongly advocate additional facilities being given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition

68 & 69 If so, what form or forms should such facilities take? What conditions, if any, should be attached to them?—The question, as to what form or forms such facilities should take, and what conditions should be attached to them, is a very wide one, and pages could be written about this portion of the subject. At present, I think, competition in India with grants-in-aid by Government, directly or indirectly, to the candidates selected in that competition, should be the starting point. "Competition" has its faults; no system of selection is perfect, but, after years of experience, competition is, on the whole, found to be the best. Some of us Englishmen, (in which term I, of course, include Scotchmen and Irishmen), who have entered the service by competition, fail to become good

officers But the "bad bargains" do not prove that any other system would be better. Is it within the range of probability, that the mode of selection for the higher Civil Services of Great Britain and her dependencies will be changed from competition to any other mode? If not, and if we are in earnest in doing all we can to allow Natives of India to obtain appointments in the higher Civil Service in India, then I submit, that we must go to work in the direction of giving them *reasonable* opportunities of joining in that competition

70 to 72 What is your opinion as to giving Statutory appointments to Natives, who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition? Assuming it to be advisable to appoint to the Statutory Service in India, Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England, and be subject to the same final examination? Should they, on appointment to the Statutory Service in India, be subject to the same incidents as apply to other persons appointed under the Statutory Rules?—To those Natives who, though selected in the competition in India, fail to obtain places in the competition in England, I would offer reasonable hopes of obtaining employment in the lower Civil Service in India. Their training in England cannot fail to make them useful members of the Uncovenanted or, as I would term it, the lower Civil Service. Of course, I am speaking of those, who are reported well of during their residence in England. I would offer these hopes both to Englishmen and Natives It is well known, that, at present, some useful members of the Uncovenanted Service in India unfortunately failed to secure places in the competitive examination in England. But that fact has not debarred them from coming to India and obtaining posts in the Uncovenanted Service Some may say that such men are sometimes as good as the Covenanted Civilians. Some may be; and this may be an argument for abolishing competitive examinations altogether. But I submit, that the selection of Englishmen for the higher Civil Service by competition is on the whole the best, and cannot now be changed. Let it then be applied to Natives, and to the good men, who fail let the Uncovenanted Service be open.

76 to 85. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all? If the standards and conditions were different, how would it be possible to compare the results in the two examinations, so as to bring out one list in order of merit? Would it, under such circumstances, be desirable to allot a fixed proportion of appointments to each of the two examinations? If a fixed proportion of appointments were allotted for a Native examination in England, do you consider, that in view of the objections against a voyage to England and life there, the cost thereof and the chances of failure, a sufficient number of suitable candidates from your Province would be available to make the competition a real competition? If the examinations were distinct, what should be the limits of age for the Native examination? What should be the conditions, nature, and subjects of the separate Native examination? Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates? If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage? If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be? If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—I would have one and the same examination in England for English and Natives If the standards and conditions, (except as to age), were different, I do not see how it would be possible to compare the results in the two examinations, so as to bring out one list in order of merit Nor do I like the idea of allotting a fixed proportion of appointments to each of the two examinations. Our object should be to fuse Englishmen and Natives together in one service, and to do away, as much as possible, with the idea of separateness. Let the educated Native learn, not to be "stuck-up," but to have an honorable rivalry with the Englishmen. And to give the Natives a fair chance, I would raise the age for them to twenty-three and give increased importance to subjects which are specially suited for them I do not see how the European candidates could fairly complain of these proposals. The object is not to place the Europeans at a disadvantage, but to make things equal. If the age limit is found to give the Natives a more than fair chance, then let it be reduced. If the Europeans complain, it will be at the field, from which candidates are taken, being so enlarged. But that is not a fair complaint, because we start with the assumption, that some method must be devised for

admitting Natives into the higher Civil Service. If, for this object, a Statutory Service is formed, or a certain proportion of appointments is reserved for Natives, the result is the same; the chances of the English candidates are decreased If you admit Natives, you must have fewer Englishmen, and so the prizes for the Englishmen are less I would, therefore, fix the age at such a limit, that the Native, selected in India as fit to go to England, should, prior to his two or three years' training in England, start on fairly equal terms with the average English lad of say fifteen, who intends to try for the Indian Civil Service. As to subjects, little or no alteration would be necessary from the present system, which admits the widest range of subjects A public schoolboy at home, relying chiefly on its Latin, Greek and Mathematics, does not complain, that he has to meet a boy who has been educated mostly on the Continent and may be his superior in French, German, Italian, and Philosophy. So, too, good marks might be awarded for Sanskrit, Persian and Arabic.

IV—Competition in India for the Indian Civil Service.

89 to 92. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations? How would this method of selection be regarded by the Native community generally? If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination? If Native candidates were admitted to the competition in England, while English candidates were excluded from the competition in India, on what grounds could this distinction be justified?—I do not advocate simultaneous competitions in India and England for the higher Civil Service, the same question papers being used at both examinations; not because the Native community might not like it. They probably would like it, those, at least, who have not yet recognized, that their aim should be to gain true touch with English life and thought This, I maintain, can only be obtained by *training in England*

93 Do you consider that the educational institutions available in India are, at present, capable of giving the very high class education, which it was the object of the competitive system, as introduced in 1855, to secure?—The educational institutions in India may give a high class book education, but more than that is wanted to make a Native a reliable officer in the higher Civil Service

94 & 95 Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others? Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—I would have an open competition in India for the candidates who should go to England. I would insist on a thorough medical examination of the candidates, and physical tests might perhaps be made—athletics, &c. But the main competition must be in the usual educational subjects, that has been found in the long run to be the best test. And I do not think that it would be found to give undue preponderance of any one class or caste more than the competition in England is said to obtain the majority of candidates from the large middle class at home.

96 & 97 Do you think there are any objections on political or administrative grounds to open competition in India? Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—Nor do I see any objections on political or administrative grounds to such open competition, or that cadets of leading families would be deterred from aspiring to enter the ranks of the service, if they are not to enter by the door of education, then nomination, apart from intellectual capacity, must be introduced, and that I submit is a retrograde movement.

98 Under such a system, how would it be possible to provide against Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province?—So, too, if in any Province education is backward, it should be encouraged, just as in Sind the newly-formed Arts College and Madrissa are helped by Government

99. Would a system of provincial examinations be preferable to one examination for the whole of India?—The competition, which I advocate, should be for each Presidency

100 to 113. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England? Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed? If an open competition were

established in India, what should be the preliminary qualifications required on the part of candidates in regard to age? And in regard to minimum educational attainments? And in regard to moral, social and physical fitness? And in other respects, (if any)? Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different? If different, what should they be? Should successful candidates go through a period of special study in India like the English candidates, who spend two years in special preparation? Or would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there? Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment? If so, what should be the duration of the probationary period? How should it be passed—in the ranks of the Uncovenanted Service, or otherwise?—I dislike the idea of an open competition in India, the successful candidates going straight into the higher service I have explained above the open competition which I advocate. I think that in educational attainments the range should be very wide, so as to include all classes of scholars, a good knowledge of English being indispensable, and that as to moral, social and physical fitness the tests should be very strict. Selected candidates should go to England: that should be compulsory, if they are to obtain the assistance of any Government grant-in-aid. I would encourage the formation of Native Boards of education, whose business it would be to bring forward candidates for the Indian competitive examinations, and with pecuniary assistance from Government arrange for the candidates proceeding to England. There seems no doubt that, for the future, higher education in India must depend less on direct Government establishment and control, and more on local Self-Government and grants-in-aid. The different classes of the Native community should be encouraged to combine in this way for the purpose of bringing forward fit aspirants for the higher Civil Service.

V.—Promotion from the Uncovenanted Service.

114 to 126 To what extent does the Uncovenanted Service in your Province include in its ranks persons eligible, on the ground of proved merit and ability, for appointment to offices ordinarily reserved for members of the Covenanted Civil Service? If there are such persons in the Uncovenanted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay? Under existing rules as to pay, &c., how would such appointment be regarded by Uncovenanted Officers? Do you think they would be willing to forego pay for the sake of the advantages which admission to the Civil Service might afterwards bring? What special provision, if any, do you think should be made for the appointments to Covenanted posts of deserving members of the Uncovenanted Service? If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service, and if so, what classes? Should persons, so appointed, be appointed provisionally and be required to pass through a period of probation before final confirmation? Should provision be made for the appointment of qualified members of the Uncovenanted Service to the *higher* Covenanted offices without requiring them to pass through the lower grades? If certain appointments in the Covenanted grades were set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service? Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service? Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service, who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India"? If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of 1st November, 1858, is this to be justified?—It follows that the system thus advocated does not admit the idea of the Covenanted Civil Service being recruited from the Uncovenanted Service There are two principles on which I base my system. One, that Natives must be admitted to the higher Civil Service; the other that a higher Civil Service must be a closed service, except by the door of competition If you have competition at all, you must give competitors the full assurance that the prizes, for which they are striving, are not open to any but the successful competitors; otherwise the class of competitors must deteriorate. It is said, (I am not able to judge whether with perfect accuracy), that already at home the Indian Civil Service is not regarded as such a prize as it used to be, because it has ceased to be a really close service. Natives are so eager to gain a footing in the higher service that I suppose they do not think much on this point. But, if able Englishmen are still to be attracted to the Service, (as every one, who cares for India, really

hopes), the attractions must be real. I know several men in the Uncovenanted Service, English and Native, who would fill with ability certain posts in the Covenanted Service. But I submit that if we start with two distinct services, we must, to avoid failure, keep them distinct. I would offer an illustration No one can be made a Subordinate Judge in this Province, who has not passed the Pleaders' Examination or taken the degree of L.L. B, &c. One of the conditions of appearing at the Pleaders' examination is, that the candidate must have passed the matriculation examination. The object of such a rule is, probably, to obtain young men, who have a fair general education. The other day the head clerk of a District Court applied for special exemption from this test, on the ground that, if he was not allowed to appear for the Pleaders' examination, he had no chance of *promotion* to a Sub-Judgeship He is a man who has risen to his present post by good work, but I maintain, that he was not justified in regarding *promotion* to a Sub-Judgeship as a right. So, too, having once fixed the appointments which should be reserved for the higher Civil Service, Government should, I think, keep them reserved. Every opportunity should be given to every man of entering that service by competition; but, if once any other door is left open, the system must break down, and numerous difficulties arise. If Natives of proved merit and ability are admitted, then why not Englishmen also? Then there are the various notorious objections to nomination And are the nominees to enter at the bottom of the higher service? If not, will not the younger men, English and Natives, who entered by competition, have good ground for complaint?

125. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty, who possess the qualifications that may be from time to time prescribed?—I think that the Uncovenanted Service should be open to *all* natural-born subjects of Her Majesty, English and Natives; but I would not allow promotion from the Uncovenanted to the higher service simply, because there are at present men in the Uncovenanted who could well fill posts in the higher service. That may be their misfortune, possibly owing to the fact that they had formerly no fair chance of getting into the higher service. We must look not only to the present, but to the future.

VII.—General.

148. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—I do not think that Indian schools for many years to come will be able to develop the force of character and other qualities required for English administration.

151. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country?—I believe that in Sind the Native officials are of the same classes as those who carried on the administration under Native rule. They are nearly all "Amils."

153 & 154 How far would any system of appointment, which involves a journey to, and residence in, England, be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service? How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to, and residence in, England?—I believe that in course of time the objections to Hindus going to England will disappear. It is only necessary to look back twenty or thirty years to see the truth of this. As to expense, Government assistance in some shape will be necessary.

160. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to, and residence in England?—If once the plea of "religious or other sufficient reasons" is admitted, there will be found plenty who will raise it; and thus the basis of the system, which I advocate, training in England, will fail.

162. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes?—I would not appoint to posts in the higher service members of any classes, professional or others, unless they enter by competition.

164. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family, subject to such antecedent guarantees of fitness, as may be considered sufficient in each case?—If it is right to appoint "candidates of high family," then I do not see why it should not be equally right to do so in England.

165. Ought similar power to be reserved to Government, to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—If power is to

be reserved Government, to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition, then Englishmen should have this chance as well as Natives, and then there will be the old cry of jobbery. I doubt whether a barrister of the first rank would accept a District Judgeship. In any case the effect of such appointments on men, who have entered the service by competition, must be disheartening. I doubt whether this aspect of the question has been sufficiently noticed. But it is very important. Men cannot work with zeal, if they constantly see appointments filled by "outsiders," and the effect on the standard of candidates in England will be unmistakable. I do not use the term "outsiders" invidiously. I admit that there are many officials, outside the Covenanted Service, as good as those that are in it; but, if these outsiders are admitted into the service, because they are able, then the result will be, that the able outsiders will be more numerous than those who entered by competition. A man of ability naturally would prefer working independently at first. Then he can accept or refuse a Covenanted post, as he chooses.

166. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection, in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—I think that a thorough knowledge of English is indispensable for the holder of any Covenanted post.

175 to 186. How would the following scheme be regarded by the Native community: (1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England, confined to European candidates only. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible. How would you regard such a scheme? How would the Native community regard the following: (1) The Covenanted Civil Service to be reduced to a fixed number of appointments, to be filled by competition in England to which Natives and Europeans alike would be admitted. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible. How would you regard such a scheme? If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India? How would you view such a proposal? How would the Native community regard the following scheme: (1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives. (2) A certain proportion of that number to be filled by competition or by some other system in India. (3) The remainder to be filled by competition in England. How would you regard such a scheme? Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favor of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order to—(*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M.A.? What is your opinion as to giving such preference? How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates? How would you regard such a system?—I am unable to say with certainty how the Native community would regard these various schemes. I dislike them, because they do not start from the principles which, I think, are essentially necessary, *viz*, a higher Civil Service, (termed now Covenanted), and admission into that service by competition. If other systems are joined with competition, the latter breaks down.

194. Should Natives appointed to Covenanted posts be required to pass the departmental examinations?—I think, that all persons appointed to Covenanted posts, (by whatever system), should be required to pass the departmental examinations. If the examinations are of any use at all, I do not see the benefit of exempting any class from passing them. The rules as to periods for passing these examinations, should be the same for all members of the higher Civil Service.

199 & 200. Should subjects of Native States be eligible for appointment to Covenanted posts in British India? If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—I think the subjects of Native States in subordinate alliance with the Crown should be eligible to enter the Civil Service. Kanwar Harbhamji, younger brother of the Thakor of Morvi, is an illustration. I do not think that he would have objected to appear at the competitive examination in England, and I think that he would probably have been successful.

VIII.—Composition, Recruitment, &c., of the Subordinate Executive and Subordinate Judicial Service.

204. Has the existing system the effect of securing for the Subordinate Executive and Subordinate Judicial Services, respectively, persons who are found to be thoroughly qualified for the performance of their duties?—The existing system in Sind, with regard to the Subordinate Judicial Service, is that the Subordinate Judges are taken from those who are qualified to be pleaders. I have no fault to find with the system generally, but in Sind the pay of the Subordinate Judges is lower than in the Presidency Proper. The result is that there is a great danger of the Bar being stronger than the Bench. A first class pleader will not accept a Subordinate Judgeship.

205. To what sections of Native society do the persons belong, who accept under existing conditions appointments in the Subordinate Executive and Subordinate Judicial Services, respectively?—In Sind Subordinate Judges and Pleaders are nearly all Amils, with a few Mahomedans.

No. VIII.

CHESTER MACNAGHTEN, ESQ., PRINCIPAL, RAJKUMAR COLLEGE, KATHIAWAR.

I—The Statutory Civil Service.

1. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—My opinion, formed from personal experience and from the judgments of Native friends, well qualified to judge, is that the existing Statutory system is generally regarded in this Province, (Kathiawar), with dissatisfaction. And I think that dissatisfaction extends to all sections of the community.

2. What are the grounds upon which any such feeling is based?—It is considered that the system does not, on the one hand, satisfy the just claims of the Natives of India, and that, on the other, it has not resulted, so far as it has gone, in the selection of such officers as, in the opinion of Natives or Europeans, most ably and fitly represent the Native community in the governing service.

3. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Chapter 3, Section 6), or is it directed against the rules framed thereunder?—Of course the principle of the Act is approved by all Native members of the community, but they are not satisfied with the limited extent to which the principle is carried.

4. If the Statute itself is objected to, is it because its provisions admit persons to specific appointments only and not to membership in an organised "Service"?—Yes; I think that members of the Native community object, that Statutory Civilians have an isolated and uninfluential position and that they are too few in number. And in general, I believe, it is considered that the Statutory Civil Service is unsatisfactory, as being neither one thing nor the other—neither the Covenanted Civil Service nor the Uncovenanted—having only a shadowy semblance of the former, and being in reality less authoritative than the latter.

5 & 6. Are the objections based on other, and if so what, grounds? If a desire is felt for enrolment in a general service, what are the reasons for this desire?—The Native community also feel—I do not say rightly or reasonably, but naturally—that, if admitted to a share in the Government, they ought to be admitted on an equal footing with the highest governing officers of the country,—that is, with the Covenanted Civil Service—and to share the power and prestige of that influential and honorable body. I suppose their reasons for this desire are the love of power and pride of place, which are common to all humanity, and also I may add a patriotic wish to be of substantial service to their country.

7 & 8. What amendments do you advocate in Section 6 of the Statute? Do you consider, that Section 6 of the Statute supplies such a definition of the words "Natives of India," as describes with sufficient clearness, fulness and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—I understand that the words "Natives of India" in Section 6 of the Statute have been held to be applicable only to Natives of British India, and not to Natives of Foreign, but Tributary, States. I do not see why this distinction should be observed, considering how the interests of British India are mingled with those of the Native Governments, and how powerfully—I may almost say equally—the British influence extends throughout all. I may mention an instance, which has come under my personal notice. In 1884, Sir James Fergusson, then Governor of Bombay, selected, as a suitable nominee for the Statutory Civil Service, Kanwar Shri Harbhamji of Morvi, younger brother of the Thakor Saheb of Morvi, a small Tributary State in Kathiawar. This young Kanwar was then studying at Cambridge, where he obtained a B.A. degree in Mathematics, and subsequently in Law. He was also called to the Bar. The appointment was offered to the Kanwar, and accepted by him; but afterwards he was disqualified to his great disappointment as not being a British subject. I submit that, if the Statutory Service is to be maintained, and suitably officered, such persons as Kanwar Shri Harbhamji are those who should be preferred for it, and I further submit that—at any rate in the Bombay Presidency—such persons are more likely to be found in the protected States than in the British districts. I may add, that the Government of India have recently conferred on the Kanwar a political appointment as *Attaché* to the Resident at Hyderabad, Dekhan.

9 to 12. If not, can you suggest any more complete or more satisfactory definition? If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted? Do they relate to the general conditions, in regard to pay, promotion, and retiring annuity, under which Statutory Civilians hold their offices? Assuming the Statutory system to be retained, what amendments would you suggest in

Chester Macnaghten, Esq

the rules with a view to remove any reasonable objections, which may be felt to them?—I think, if the Statute is to be retained, that after the words "born and domiciled within the dominions of Her Majesty in India" should be added "or within the protected States of India." I have no other suggestion to make in regard to the Statute itself, for I consider that the Statutory system has been a failure and should be abolished. But I think that, if any other system be substituted for it, the line between Natives of British India and Natives of protected Indian States should not be so exclusively drawn.

17. Has the Statutory system had the effect of securing men who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—I do not think that the Statutory system has secured any men of education or ability, who could not have been secured for the Uncovenanted Service; nor do I think that, in the two points specified, the best of those selected for the Statutory Civil Service are as good as the best of the Uncovenanted Service.

18. Has the result of the Statutory system been to secure the services of men of better social position and better family than those who usually accept posts in the Uncovenanted Service?—Yes, the Statutory Service, having a respectable appearance of equality with the Covenanted Civil Service, did certainly at first attract the services of some men of better social position and family than those who usually accept posts in the Uncovenanted Service. But it has failed, I think, to retain them. I can give two instances very different in respect of locality and circumstances: The case of Raja Rameswara Singh, younger brother of the Maharaja of Durbhanga, and the case of Shekh Jehangir Mia of Mangrol, brother of the Shekh of Mangrol (in Kathiawar). Both these, after a few years' trial, resigned their appointments under Government; and I am of opinion that the Indian aristocracy have never very greatly cared, and will care less and less, (especially if all Native States be excluded), to accept appointments in the Statutory Service.

I am very strongly of opinion that, for the welfare and safety of India, the head Government of India must be an English one, and must be administered by Englishmen. This is the only method by which, for many years to come, we can hope to preserve in India unbroken strength and peace, and this, for the good more of India than of England, is the main consideration of all. Much may be said for the merits of the Native, as well as of the English forms of Government, but, so long as England is responsible for India, she must discharge her responsibilities, benignly and impartially, in her own English manner—that is to say, after the manner not of Natives, but of Englishmen. This is a necessity which is forced upon England, not of her choice, but by circumstances; and it is a necessity which every Native gentleman whom I have met has been willing to admit. I have found among my Native friends a general approval of the British policy, qualified by exception to certain individuals, and in general a preference for the appointment of Englishmen rather than Natives to the highest offices.

This being so, and seeing how admirably the functions of Government are now discharged by the Covenanted English Civil Service, I consider that no considerable change is possible in the constitution of this service without serious loss, and even danger, to the interests of the country.

Provided, however, that the safety of India be firmly secured by a strong British Government, I should advocate an impartial admission of Natives to all possible posts under that Government. I think also, that the special capacities of Natives are far better suited than those of Europeans for the administration of the Native States.

II.—Mode of Selection of Statutory Civilians.

19 to 25. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your Province? How would a system of nomination to be followed by a period of probation be regarded by the same classes? Would a system of nomination, with or without probation, be likely to secure well-qualified persons? Has experience actually shown such a system to secure well-qualified officers? Do you consider that nomination should be confined to persons of proved merit and ability? If so, how do you consider that merit and ability should be held to have been proved for this purpose? How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—I think that a system of limited competition amongst persons nominated by the Local Governments, (who could, of course, consult the Universities), would not be unfavorably regarded by the Native community.

26. In preference to either of the above systems, (nomination and limited competition), would a system of open competition pure and simple for the Statutory Service commend itself to the Native community?—A system of open competition, pure and simple, might commend itself to a certain, I think a small, proportion of the Native community, but I do not think it would secure to Government those whose services are most to be desired.

27 to 29. If competition, (whether limited

or open), is preferred, should there be one competition for all India, or separate competitions in each Province? If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several Provinces? Having regard to the varying educational standards reached in the several Provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India, which would not result in the inhabitants of some Provinces being more or less excluded from a due share of appointments?—In a system of limited competition, I think the nominees might be chosen at the discretion of the Local Governments—a certain number for each Province.

30. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social and physical fitness?—Yes, I think the nominees should be subjected to preliminary tests of qualification in the three points specified.

31 to 36. If so, what should be the tests under each of the heads specified? Do you consider that, (after selection, whether by nomination or competition), there should be a period of probation? If so, what should be the duration of the probationary period? Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner? Do you consider that after selection and before entering on probation, (or on duty), the person selected should undergo special training? If so, should the special training be carried out in India or in England?—I think that, after nomination and successful competition, those selected should undergo a period of special training in India.

37. If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—Yes, I think it would be both feasible and advisable to establish in India for the training of Native Civilians a Government College, or Colleges, similar to that which formerly existed at Haileybury. It cannot be said that the Haileybury system was ever proved to be a failure, and I think that, in the circumstances of India, there is more to be said in favor of a system, combining selection with moderate competition, than could ever be said for such a system in England

38 to 41. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England, with a view to add to their qualifications for the service? If so, what form should such encouragement take? Should it be offered before, or during, or after, the probationary period, if any, through which nominees, or selected candidates, may be required to pass? Should it be offered before or after the nominees or selected candidates enter on their duties?—I do not see that much, if anything, would be gained by selected candidates residing in England.

42. Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—No, I am not

III.—Competition in England for the Indian Civil Service.

55. Can you say what number of Natives belonging to your Province have presented themselves annually at the competitive examination in England, and what degree of success they attained?—I believe that no Native of the Province of Kathiawar has ever presented himself at the competitive examination in England.

56. What class or classes of Natives in your Province readily go to England?—From Kathiawar only those of the highest social rank have, as yet, visited England—young Chiefs or landholders: and these either for educational or political purposes.

58 to 67. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all? If the standards and conditions were different, how would it be possible to compare the results in the two examinations so as to bring out one list in order of merit? Would it under such circumstances be desirable to allot a fixed proportion of appointments to each of the two examinations? If a fixed proportion of appointments were allotted for a Native examination in England, do you consider that, in view of the objections against a voyage to England and life there, the cost thereof and the chances of failure, a sufficient number of suitable candidates from your Province would be available to make the competition a real competition? If the examinations were distinct, what should be the limits of age for the Native examination? What should be the conditions, nature and subjects of the separate Native examination? Assuming only one examination in England for both English and Native candidates, do you consider, that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage, as compared with English candidates? If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage? If there should be

only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be? If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—I am not in favor of the admission of Natives to the Indian Civil Service by examination in England.

68. What is the average age at which Natives at the Indian Universities pass the examinations for F A., B A., and M A., respectively?—I do not think any one from Kathiawar has yet taken an M. A. degree at an Indian University, but the average age of those, who have passed the F. A. examination in the Bombay University, is a little over twenty and of those, who have passed the final B. A, the average age is twenty-two.

69. From what classes of Native society are the persons, who graduate at the Indian Universities usually drawn in your Province?—Mostly from the Brahman and Banya communities.

IV.—Competition in India for the Indian Civil Service.

70. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—No, I do not

71. How would this method of selection be regarded by the Native community generally?—It might be approved, and probably would be, by a large section of the Native community, but, in my opinion, with a short-sighted view to their own best interests.

74. Do you consider that the educational institutions available in India are at present capable of giving the very high class education, which it was the object of the competitive system, as introduced in 1855, to secure?—The success of a few Indian students in the open competition in London shows that in cases of exceptional ability an Indian education has been sufficient; but, of course, an English education in India cannot, in general, be as good as an English education in England.

75. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—Yes, I think it would give a very decided and undesirable advantage to particular classes of the Native community.

76. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Yes, I think it would.

77. Do you think there are any objections on political or administrative grounds to open competition in India?—The objections are that open competition would not give the best men.

78. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—Yes, I think it would.

79. Under such a system how would it be possible to provide against Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province?—Under a system of open competition it would not be possible to prevent such exclusion.

80. Would a system of provincial examinations be preferable to one examination for the whole of India?—Yes I think a system of provincial examinations would be preferable to one examination for the whole of India.

81. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—I cannot certainly say; but I think in the long run they would probably come to be regarded, as occupying a position somewhat inferior.

82. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—I do not believe that in practice such a system would work well.

89. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c, should not also be different?—I consider there is no reason why the rules should not be different. I think that those who entered the service in India would be content to reside in India, and would, therefore, be content with a lower rate of pay and pension, and with different leave rules.

90 to 94. Should successful candidates go through a period of special study in India, like the English candidates, who spend two years in special preparation? Would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there? Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment? If so, what should be the duration of the probationary period? How should it be passed—in the ranks of the Uncovenanted Service, or otherwise?—In accordance with the

opinion which I have expressed, (paragraph 37), in favor of an Indian Civil Service College, (or Colleges), in India, I think that the probationary period should be spent in the College, and that the ordinary College course might extend over two years.

V.—*Promotion from the Uncovenanted Service.*

95. To what extent does the Uncovenanted Service in your Province include in its ranks persons eligible on the ground of proved merit and ability for appointment to offices ordinarily reserved for members of the Covenanted Civil Service?—As I am serving in Kathiawar, where Uncovenanted officers are very few, I am not in a position to give a satisfactory answer to this question.

96 to 98. If there are such persons in the Uncovenanted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay? Under existing rules as to pay, &c, how would such appointment be regarded by Uncovenanted officers? Do you think they would be willing to forego pay for the sake of the advantages which admission to the Civil Service might afterwards bring?—Probably, if transferred to the lowest grade of the Covenanted Service, Uncovenanted officers would at first lose somewhat in point of pay; but nevertheless I believe that good officers, conscious of their own capacity to rise, would often be glad to accept such transference for the sake of the subsequent promotion. Still, if it be plainly understood, that any service is not a close service, I do not see why Uncovenanted, any more than Covenanted, officers should not be transferred to vacancies, elsewhere than at the very bottom.

99 to 105. What special provision, if any, do you think should be made for the appointments to Covenanted posts of deserving members of the Uncovenanted Service? If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service; and, if so, what classes? Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation? Should provision be made for the appointment of qualified members of the Uncovenanted Service to the *higher* Covenanted offices, without requiring them to pass through the lower grades? If certain appointments in the Covenanted grades are set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service? Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service? Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service, who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India"?—I do not consider, that the Covenanted Civil Service should ever be deprived of the special appointments, appropriated to them by Covenanted right; but I think, that there are other appointments, now commonly given to Covenanted officers, which might well and fairly be bestowed on meritorious officers of the Uncovenanted Service It must be, I think, for the good of the country, that vacancies should be filled by the best men: and, without in any way infringing the rights of Covenanted Civilians, I think that the best men might often be found in the ranks of the Uncovenanted Service I see no sound reason, in case of special fitness, why Uncovenanted officers should not be transferred from one department to another, just as Covenanted Civilians are apparently considered to be fit for every department.

I may instance the political department, as I find it here in Kathiawar. This department under the existing rules is closed to all officers, who are not either Native or Military or Covenanted Civilians. But very few Natives have, as yet, been selected as fit for political office; and the lower assistantships, which in work and responsibilities are equal to the highest, do not attract the ambition of any but the youngest Civilians. The consequence is, that not unfrequently inexperienced subalterns, just admitted to the Staff Corps, are appointed to important political charges, which perhaps more than any other office in India demand experience and knowledge and tact. I think, that this is a serious wrong to the Native States, which ought to be redressed. And I think it might be redressed by allowing to the Local Governments a discretionary power of transferring suitable Uncovenanted officers, European or Eurasian as well as Native, to political and other appointments from which they are at present somewhat arbitrarily excluded.

106 & 107. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty, who possess the qualifications that may be from time to time prescribed? If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of 1st November, 1858, is this to be justified?—Yes, I think that all natural-born subjects of Her Majesty ought to be admissible to the Uncovenanted Service.

VI—Pay, Leave and Pension, &c.

108 to 126. Is the rate* of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient? If not, on what grounds do you consider it insufficient, and what rates of pay should, in your opinion, be granted to Statutory Civilians (*a*) while on probation, and (*b*) on final confirmation in their appointments? Would these rates of pay be suitable in the case of persons appointed to Covenanted posts from the Uncovenanted Service? Would they be suitable in the case of persons appointed to Covenanted posts from the professional classes? If not, how would you treat, in regard to pay, persons selected from these two classes, if appointed to the lowest grade of the Covenanted Service? How would you treat in regard to pay such persons, if appointed to any of the *higher* Covenanted posts, without being required to pass through the lower grades? Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians, who enter through the competitive channel in England, and to persons holding Covenanted posts who do not enter through that channel? If so, what would you consider the fair rate of reduction to be made in the case of persons holding Covenanted posts who do not enter through the competitive channel in England? Would you approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the holder, whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England? Can you suggest any other way of providing different rates of pay? If you consider there should be no difference of pay, how do you justify the application of the same rates of pay in the case of Natives who have satisfied the very high tests required by the examination in England and Natives who have not? On the same assumption what are your reasons for holding that the high rate of pay which is considered to be necessary to secure the services of persons of tested qualifications in a country far from their homes, and under various other unfavorable conditions, should be given to persons whose qualifications have not been so tested and who serve in their own native country. Have you any remarks to make on the leave rules embodied in the Civil Leave Code which apply to Statutory Civilians? At what age do you consider that Natives appointed to Covenanted posts otherwise than through the competitive channel in England should be entitled to retire on pension? After what length of service do you consider that such persons should be entitled to retire on pension? At what age should they be obliged to retire on pension? After what length of service should they be obliged to retire on pension? What amount of pension should, in your opinion, be granted to Natives so appointed if they serve the prescribed period for voluntary and compulsory retirement respectively? If before serving the prescribed period for pension they are compelled to retire on medical certificate, what gratuity, if any, would you give them?—I am not qualified to give an opinion on the question of pay, leave and pension rules, but, having read through Appendices A and B, I may say, that such rules would, in my opinion, be generally acceptable to those members of the community who, as residents in India, would enter for the Indian Civil Service, and that I think them sufficiently liberal.

*Two hundred rupees a month on first appointment as probationers Two hundred and fifty rupees a month after passing the departmental examination by the lower standard. After passing the departmental examination by the higher standard (unless specially exempted), and after having been confirmed in their appointments, 64 per cent of what would be the gross pay or salary of the office if it were held by a Covenanted Civil Servant appointed after competitive examination in England.

VII—General.

127. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—I see no objection to the training, now given in the higher schools and colleges of India, as a preparatory training for the public service.

128 In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service Do Indian schools and colleges at present supply an education of so high a standard?—I think the education at present supplied in Indian schools and colleges is sufficiently high, but it differs, of course, in many respects from the most finished education to be procured in England. It is, in fact, intended for Natives rather than for Englishmen

129. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—If force of character is not developed, the fault is, I think, in the scholars and teachers, rather than in the subjects taught in the schools. I have, however, had the pleasure of knowing many educated gentlemen, with much force of character, who in this respect would be very well fitted to share in the administration of their country.

130 & 131. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country? If not, where must we look for representatives of these classes, and how do you consider that their services could be best obtained?—Such men are still to be found in the Native States. They may also be serving under British rule, but under our British regulations their special capacities have not full scope. Our rule is not their rule.

132 & 133. How far would any system of appointment, which involves a journey to, and residence in, England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service? How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to, and residence in, England?—Of course any conditions, involving a journey to England, would be disliked by the Natives of India both as expensive and otherwise inconvenient.

134. Are the Natives, who go to England from your Province for purposes of education, limited to the wealthier classes?—Yes, they are limited to the wealthier classes, and they are very few.

135. Are they limited to any particular section of the community or to any particular creed?—They are mostly Parsis or Rajputs, (who are not very strictly bound by caste).

136. Does a voyage to, or residence in, England involve the loss of social position or other unfavorable consequences in the case of any section of the Native community?—Yes, in the Brahman and Banya castes it does involve social discomfort, if not degradation.

137. Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—Yes, it does.

138. Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—Yes, the requirement of a temporary residence in England certainly would exclude a considerable section of the Native community from even a hope of Government service, and I do not think such a requirement would be useful or wise. I do not consider, that a visit to, or residence in, England is necessarily of any advantage in fitting Natives of India for Indian Government service.

139 to 146. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives, who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to, and residence in, England? If so, what provision should be made for this purpose. If the Statutory system is discontinued, do you consider, that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes? If so, what provision should be made for this purpose? Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case? Ought similar power to be reserved to Government to appoint to Covenanted posts persons, who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition? If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby? If such is likely to be the case, could the difficulty be obviated by requiring proficiency in the English language to be tested by periodical examinations *after* selection, but during a probationary period?—I have said, (paragraph 18), that I think that an Indian Civil Service might be established in India by a system of selection, combined with qualifying examination, and trained in an Indian Government College, (or Colleges), after the method suggested in question 37.

147 Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—Yes, I think that Government ought to have the power of making such exceptional appointments, and that it should make provision for them.

148 to 150. Would it be desirable to rule that the proportion of persons being Hindus and Mahomedans respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any Province, should bear a certain relation to the number of the two classes composing the population of the Province concerned? What classes, ranks or professions of the

Native community should be included among Mahomedans and Hindus, respectively, for the purpose of ascertaining the proportion of the population of each of these classes in the several Provinces? How far should appointments in each Province to Covenanted posts be restricted to Natives of the Province concerned?—I think such questions should be left to the discretion of the Local Governments.

151 & 152. How would the following scheme be regarded by the Native community?—(1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible How would you regard such a scheme?—I think this scheme would be acceptable to the Native community, and, with some modification of the last clause (next para), I should approve it myself. But I do not advise, that the Covenanted Civil Service, as now existing, should be weakened to any considerable extent.

155. How would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service, so as to form an enlarged Civil Service to be recruited in India?—I think that the proposal to combine some appointments taken from the Covenanted Civil Service with the higher appointments of the Uncovenanted Service, so as to form a service recruited in India, would also be acceptable to the Native community. But I do not see why all British subjects, and also subjects of Native States, resident in British India, should not be eligible for this service (paragraph 7). I think that all alike should be nominated by Government, and that, after a probationary course in a Government College, (to be entered by qualifying examination), they should be admitted to the Government service. Their subsequent promotion should depend on merit as well as seniority. The examination for admission to the College should not be so difficult, as to exclude nominees whose general qualifications would make their appointment desirable. There might, I think, be several Colleges: at any rate, one for each Presidency.

159 & 160. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favor of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order, to (*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M. A.? What is your opinion as to giving such preference?—Yes, I consider that all these three points should be kept in view by the Government nominating candidates, and I believe that Native opinion would be in favor of such a selection. I do not believe that Native opinion would approve the appointment of such as would pass highest in an open competitive examination.

173 & 174 Should subjects of Native States be eligible for appointment to Covenanted posts in British India? If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—Yes, I think that the subjects of all Native States of India should be eligible, equally with Natives of British India, to the Indian Civil Service.

175 & 176. What system, if any, is at present adopted in your Province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship? Does the system work well, and what improvements can you suggest?—There is no such system that I know of in Kathiawar.

No. IX.

E. M. H. Fulton, Esq, C S, Acting District and Sessions Judge, Belgaum.

Vol. IV
Sec III
Sub-Sec. B.
Bombay

E M H. Fulton
Esq

I—Working of the Statutory Civil Service.

1. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—I think the majority of educated Natives in this Presidency object to the present system of appointment by nomination to the Statutory Service. When I was in Bombay, it appeared to me that the feeling was not confined exclusively to Brahmans, but was shared by persons of other classes But among some educated gentlemen of other castes in this part of the country there seems to be a strong feeling in favor of nomination, on the ground that open competition would be too favorable to Brahmans and would at present leave no prospect of success to Lingayats or Maráthas

2. What are the grounds upon which any such feeling is based?—The grounds on which the educated Natives generally object to the present system of nomination seem twofold (1) that it does not secure the services of the best men available, and (2) that on principle they prefer the system of competition to that of nomination as more favorable to independence. The latter objection is, I believe, far stronger than the former.

7. What amendments do you advocate in Section 6 of the Statute?—I do not see the use of preserving the Statutory Service at all. So long as the conditions of pay and appointment are unaltered it must, I think, be looked upon as inferior to the Civil Service, and its members cannot have the same position. The conditions of course might be altered, but to me it would appear simpler and more satisfactory to attain the objects intended by Section 6 of Chapter III of 33 Victoria by making a certain number of appointments in India to the Covenanted Service

I think Section 6 of 33 Victoria, Chapter III, should be repealed altogether. It seems objectionable in principle, inasmuch as it embodies in a Statute a distinction of race as a qualification for appointment. It is also, I think, superfluous. The system of admission to the Civil Service, which I suggest would throw it open to as many Natives of India as it was desirable to employ. The repeal of this section would not be an insurmountable bar to the occasional appointment of any specially able member of the Uncovenanted Service or of the legal profession, if there were "special circumstances" to justify it. Section 3 of 23 and 24 Victoria, Chapter 54, admits of such appointments with the sanction of the Secretary of State in Council. If it were found that there was a difficulty about filling up judicial appointments owing to the want of duly qualified men of sufficient standing in the Civil Service, there would, I apprehend, be nothing illegal in the appointment of a barrister or pleader to a Judgeship Or, if it were thought expedient to reward an Uncovenanted officer of eminent ability by conferring on him a reserved appointment, his peculiar qualifications would, I think, be "special circumstances," which, if approved by the Secretary of State, would legalise his appointment. Consequently I think Section 6 of 33 Victoria, Chapter III, is unnecessary Under 23 and 24 Victoria, Chapter 54, Government has, under "special circumstances," the power to appoint any one who has resided seven years in India to any office, and without such "circumstances" no appointment of an outsider to a post, ordinarily reserved to the Civil Service, ought to be made Such appointments must from the nature of the case be very exceptional. It seems impossible to devise any system whereby Uncovenanted Servants can ordinarily be admitted either to the Civil Service or to the reserved appointments To admit them systematically to the latter would occasion great discontent among juniors in the Covenanted Service, and is hardly consistent with its existence; and it is difficult to put them in at the bottom of the service, both on account of their age and because such appointment would usually cause them a loss of pay.

II.—Mode of selection of Statutory Civilians

49. Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—If the Statutory Service is retained, I think the selected candidates should be sent to England for two years to complete their training, and should there go through a course of examinations similar to those prescribed for Civilians. But I recommend the abolition of the present system altogether.

IV.—Competition in India for the Indian Civil Service.

88. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I think a fixed proportion of the appointments to the Civil Service should be made out in India by a system of limited competition.

It is obvious that at present Natives have to contend with great difficulties in competing by reason of the expense of sending boys to England on a very uncertain prospect

Vol. IV. Sec III. Sub-Sec B. *Bombay.*

E M. H. Fulton, Esq.

and the disinclination which parents naturally feel to part with their sons at the early age at which they must be sent, if they are to have any chance of success.

If a fixed proportion of appointments were made in India, I think the best plan, perhaps, would be to confer them according to the result of a competitive examination held among a certain number of nominated candidates. The examination need not be held simultaneously with the English examination, and the papers would not be identical with those set in England, but it should take place about the same season of the year. For the present I would have not more than one-fifth of the appointments made in India in this way, and let the remainder be competed for in England as at present. I would not restrict the English examination to Europeans, but would leave it open, as at present, to all subjects of the Queen, nor would I pass any rule forbidding the appointment of Europeans in this country, but would require a certain length of residence, (say seven years), in India to qualify for nomination. The result would probably be that few Natives would pass in England and few Europeans in India

The system in regard to appointments in India would be somewhat as follows: Before the examination it should be decided how many of the appointments in India were to be allotted to each Presidency, and for each such appointment the authorities of that Presidency should be allowed to nominate three candidates Of the nominations one in every three might be made by the University and two by Government. The candidates from all Presidencies would then compete together at an examination to be held at such place as the Government of India might select. This system would probably not be so well received by the educated classes as one of free competition, but it would give a better chance to Mahomedans and other classes, whose prospects in an open competition might not be good. It may be objected, that the candidates, belonging to the more advanced classes, would still carry off most of the appointments, but I think it would give the others a much better chance than if the examination were open to all. Those who had once obtained a nomination should be allowed to compete a second time unless disqualified by age. The result would, of course, be that there would be a larger number of candidates the second year than the first. If there were six appointments allotted each year to India there would be eighteen candidates the first year; and the following year there would be twelve, who had failed before, (presuming they were all under age), + eighteen new candidates. Of the thirty candidates a large number would probably be from different Presidencies and of different classes, and it is not likely that all the appointments would be secured by one Presidency or class. At the same time I think the competition would be sufficiently severe to ensure the selection of men of ability capable of passing the subsequent examinations in England. The limits of age in India might be from nineteen to twenty-one. The condition of residence in India would prevent candidates who had failed to pass in England from seeking nominations in India, and the reasons which have led the authorities to prescribe nineteen as the maximum age in England do not apply to Indian candidates who would be the better for the extra two years for education. I do not think it would be right at present to allot more than one-fifth of the appointments to India That appears to be about the proportion in which Statutory Civilians have been appointed, and any change of a more revolutionary character might lead to disastrous results. The proportion now established might be maintained for fifteen years, when it could be modified according to the result of the experiment.

110. Would it be preferable (*a*) to require the selected candidates to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there?—The candidates selected in India should, I think, be required to go to England for two years to complete their training along with the successful candidates chosen in England. They should be required to pass the same examinations, and the relative positions of the successful candidates in the Civil List should be determined, as at present, by the result of these periodical examinations. The study of Indian languages would doubtless have to be compulsory, but to prevent Indian candidates having an undue advantage it would be necessary to exclude the marks obtained for them in determining the final order in the List. The study of Sanskrit and Persian might be encouraged by the award of prizes, but should not, I think, affect the result.

I think it is most important, that all successful candidates should be required to reside at least two years in England, in order to become somewhat familiar with English ideas and modes of thought. Without this training they would be at a great disadvantage in their intercourse with the Europeans in their service, and especially with their juniors. To enable them to work harmoniously on terms of anything like equality with Europeans it is, I think, essential, that they should have education of a different kind from what can be obtained in India, and should have a clear perception of the exact relations in which India stands to England. Proper arrangements should be made for their residence and supervision while in England, and an adequate allowance of about £250 per annum should be

given for their support. Probably it would be possible to arrange for their accommodation at Oxford or Cambridge during their period of training.

VI.—Pay, Leave and Pension, &c.

133. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England and to persons holding Covenanted posts who do not enter through that channel?—I think all Covenanted Civilians, whether appointed in England or India, should be on the same footing as regards pay, leave, length of service and pension. The maintenance of distinctions is invidious and leads to dissatisfaction, while the saving in money is trifling. The work done (*i. e.*, the appointment held) should, I think, be the criterion for the regulation of pay and not the nationality of the holder of the appointment.

VII.—General.

162 & 164. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes? Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—It will be observed, that at present Statutory Civilians are entered in the Civil List with the evident intention that they shall be treated as much like Civilians as possible. They seem in this Presidency to be appointed in the ratio of about one to four. My suggestion then simply is, that, in lieu of such appointments, persons resident in India shall be appointed in the same ratio to the Civil Service by a system of limited competition. I should not like to see the number of appointments reserved to the Civil Service simultaneously reduced. The effect would be a further reduction of the number of European officials in India, which at present, I think, would be premature As before pointed out, for exceptional cases, provision is made by 23 and 24 Vic, Chap. 54, and I think appointments from outside to the reserved places should only be made in rare instances.

VIII.—Composition, Recruitment, &c, of the Subordinate Executive and Judicial Services.

203 &c. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—I shall confine my answers to the judicial branch of the Uncovenanted Service with which I have most experience. I would not restrict appointments to Natives, but would throw the service open to all who passed the prescribed tests In this Presidency all subjects of the Queen, who obtain the degree of LL.B. at the Bombay University or who passed the examination prescribed by the High Court are eligible under Act XIV of 1869 for the office of Subordinate Judge. The effect of these tests has, no doubt, been to reserve the appointments to Natives, but there is nothing to prevent Europeans from passing them. The prospects, however, are probably not sufficiently attractive to induce them to qualify. I am not quite sure whether the Secretary of State's Rules debar the appointment to Subordinate Judgeships of Europeans, even if otherwise qualified, but, if so, I think they ought to be modified. The result of these tests is, that we have now a number of Subordinate Judges who have admittedly given general satisfaction both for their ability and their honesty. They are mostly Brahmans, but, though from time to time various accusations have been made against individuals amongst them, I have never heard a complaint of bias towards any particular in favor of any particular caste. Considering how frequently one hears it alleged that Subordinate Government officials cannot divest themselves of caste partiality, I think the above fact should be noted, as it speaks highly in favor of the system under which Subordinate Judges have been appointed. The only alteration I would suggest in the qualifications for the office of Subordinate Judge is the admission of subjects of Native States on the same terms as subjects of the Queen. The restriction on this point in Act XIV of 1869 has always seemed to me vexatious and impolitic The Native States in the Bombay Presidency are interspersed in all directions with British territory. The boys from neighbouring Native and British Provinces go to the same high schools and the same University. They are, I believe, equally eligible for Magistracies and every kind of executive appointment, but for some reasons those who come from Native States are excluded from Subordinate Judgships unless they are naturalised. Whilst I was Registrar in the High Court, I frequently heard complaints on the subject.

Vol IV.
Sec. III
Sub-Sec. B.
Bombay.

E M H Fulton, Esq.

The restriction seems impolitic, as it seems desirable that subjects of Native States should feel themselves members of the Empire, and artificial distinctions of this sort tend to check this feeling.

At present Subordinate Judges are, I believe, appointed mainly by seniority from a list of qualified candidates, but, as the list becomes very long, it may be desirable to fill up vacancies by competition among the qualified candidates. A calculation might be made at the beginning of each year of the number of selected candidates likely to be required during the year, and they might be appointed by competition from among the qualified candidates. This system would secure for appointment the cleverest of the candidates, and the unsuccessful would have to betake themselves to pleaderships or other occupations.

No. X.

G. C. Whitworth, Esq, C.S, Acting Judicial Assistant to the Political Agent, Kathiawar.

Mode of Selection of Statutory Civilians.

36. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—I do not think a system of nomination, either with or without probation, would be satisfactory.

40. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—Nor would the system of limited competition amongst persons, nominated by the Local Governments or the Universities, be satisfactory.

41. In preference to either of the above systems (nomination and limited competition) would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community?—A system of open competition would be preferred to either nomination or limited competition.

42. If competition, (whether limited or open), is preferred, should there be one competition for all India, or separate competitions in each Province?—There should be only one competition for all India.

43 & 44. If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several Provinces? Having regard to the varying educational standards reached in the several Provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some Provinces being more or less excluded from a due share of appointments?—I would declare before each competition the number of appointments that would fall to each Province, and candidates from each Province, reaching a prescribed line of qualification in the examination, should have preference for appointments in that Province. If in any Province the vacancies exceeded the number of qualified candidates, they should be filled by qualified candidates crowded out of their own Provinces.

45. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social and physical fitness?—Under a system of open competition I would prescribe tests of preliminary qualification as to age and moral and physical fitness; not as to intellectual capacity, or as to social fitness. But I would make the demeanour and address of the candidate a branch, and a very important branch, of the competition; that is, I would have each candidate appear before a board of two or three examiners, who, after using their eyes and any test of conversation or argument they liked to employ, should assign marks, according to the opinion they formed of the candidate's presence, manner and address, his quickness and clearness of thought, his readiness of speech and power of expression, and generally his personal fitness to appear as a representative of Government in dealing with that succession of strangers of all classes with which an Indian official has to deal. It is indisputable, that much of a man's character is written in his face, and most men, both in private and in public life, are accustomed to rely upon their power of reading such character. Why selected examiners of high training cannot use the same faculty in choosing servants for Government I cannot conceive.

50. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—I think there should be special training.

51. If so, should the special training be carried out in India or in England?—The special training should ordinarily be carried out in India; that I regard as very important and as due to the Indians. But in case of those selected candidates, who might *prefer* to go to England, certain prescribed educational courses might be accepted in lieu of the special training in India.

52. If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—I think the proposition to establish a college in India for this special training an eminently good one, as the residents would be to a certain, and a beneficial, extent removed from caste precincts without too far losing touch with their countrymen at large.

53. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service?—I would not encourage selected candidates to visit England, but would freely allow those who preferred to study there to do so.

59. Do you think that any distinction

Vol IV.
Sec III.
Sub-Sec B.
Bombay.

G C. Whitworth, Esq.

should be made between the emoluments of nominees or selected candidates, who have been trained in England or have gone to England to add to their qualifications and those who have not?—I would strongly deprecate the making of any such distinction.

60. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—In this Presidency it would, I believe, be largely taken advantage of.

61. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—It would still be necessary to retain the Statutory system or some other means to systematically admit Natives to higher appointments without requiring them to go to England.

Competition in England for the Covenanted Civil Service.

67. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—I think not The method established for selecting English candidates in England, whether good or not for its purpose, is not precisely what would have been devised for selecting Indian candidates, and should not be applied to that other purpose.

70. What is your opinion as to giving Statutory appointments to Natives, who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—I object to the proposition to give Statutory appointments to Natives who have failed in the English competition on two grounds: (1) it is inconsistent with the system of open competition I advocate in India, and (2) it is too great an inducement to Natives to go to England instead of qualifying themselves at home. I may add, it would inconveniently multiply candidates at the English examination, if even those who failed might gain appointments.

Competition in India for the Covenanted Civil Service.

89. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I advocate a competition in India, but it should be different in character to that held in England.

91. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—The more perfect arrangement, if our hands were entirely free, would be to restrict the competition in India to Natives and that in England to English candidates. But I do not think it would be fair now to exclude Natives from the English competition, which has been open to them so long. Under the circumstances I would keep the English competition open to Natives of India; and, to be impartial, I would admit English candidates to the Indian examination. But, on the one hand, I would offer no new inducement or facility to Indians to compete in England; and, on the other, the character of the Indian examination would be such as rately, if ever, to attract an English candidate. So that, while no one is absolutely excluded from either competition, substantially the English competition would be for English and the Indian for Indian candidates.

94. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—An open competition, judiciously framed and conducted, would not, I think, give decided advantages to any particular class. But this result might ensue, if success in the competition were allowed to depend mainly on voluminous reading and on power of memory.

95 Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—I do not think an open competition would lead to the undue preponderance of any one class or caste in the public service. Rather, I think, it would have a contrary tendency, for the question applies only to the higher grades of the public service, and of all the persons, who could possibly under *any* system be appointed to those grades the proportion prepared to qualify themselves by education and examination must be larger than the proportion prepared to work their way up from the lower grades.

97. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—From what I have seen of members of ruling and leading families, I do not think, that they would be reluctant to compete in an open competitive examination I think Natives of India, (when no question of caste is involved), are freer from the kind of prejudice referred to than Englishmen are.

98. Under such a system, how would it be possible to provide against Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province?—I have indicated in my answer to questions 43 and 44, how the difficulty raised in question 98 might be met.

99. Would a system of provincial examinations be preferable to one examination for the whole of India?—I would have only one examination for the whole of India—(1) for the sake of equality; (2) because the labor and care required in conducting the examination, and in providing against corruption would be extreme, and such difficulties should not be multiplied; (3) because the distinction of passing such an examination would be much greater in the eyes of the people, than that obtained by passing any provincial examination.

100. Under a system of open competition in India, would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—Undoubtedly the candidates passing the Indian competition would be regarded, especially at first, as occupying a position to some extent inferior to that of those who enter the service through the English competition, but eventually the measure would be according to the class of appointments obtained by passing the Indian examination.

106. Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different?—They should be very different.

107. If different, what should they be?—The main differences I advocate would be the following four:—

(1) The first is the matter set forth in my answer to question 45, namely, the demeanour and address of the candidate, and his ability to exercise ready influence upon others, as estimated by a board of examiners.

(2) Secondly, partly for its own value, but more as a thing significant of activity and, in its higher degrees, of good nerve also, I would classify candidates according to their skill in riding. Taking, as the criterion of the lowest class, the mere ability to ride a quiet horse, I would define three or four other degrees up to real excellence in horsemanship, and to each of these degrees, as certified by riding masters or the commandants of cavalry regiments, I would assign a certain number of marks to be counted together with the other marks awarded in the competition.

(3) I would allow higher maxima of marks to Sanskrit, Arabic and Persian than to any other language, classical or modern.

(4) I would greatly magnify the subject of essay writing, and in a less degree those of logic and political economy also. And generally throughout the examination I would make the questions, as compared with those of the English competition, to be more a test of independence of thought and of taste, and less a test of memory and of industry.

108. Circumstances being different in case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c., should not also be different?—I should not regard the difference of the mode of *entrance* into the service, but the difference of *domicile*, for it is upon that that the questions of salary, leave, and pension really depend. As I have already suggested to the Bombay Government in reporting on their Resolution No. 1598 of 4th January, 1886, I think the salary of every office should be fixed at the rate deemed suitable for a Native of the country. That being settled, it should be further provided that, when it is deemed expedient to appoint an officer whose domicile is not in India, he should receive a further allowance, not exceeding 50 per cent. of the salary, for his special expenses. This would, in effect, preserve the present "two-thirds rule". But I would not regard as domiciled in England, (for the purpose of this question), any person, who entered the service by competition in India. On the other hand, I would not exclude from their present privileges the very few Indians, (they would be still fewer if my scheme were adopted as a whole), who enter the service by competition in England.

Vol IV
Sec III
Sub-Sec B
Bombay.

G. C. Whitworth, Esq

109 & 110. Should successful candidates go through a period of special study in India like the English candidates, who spend two years in special preparation? Would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there?—The successful candidates should go through two years' special study. They should not be required to go to England, but those who preferred to do so should be allowed. These should not receive special allowances, but only the amounts allowed to those remaining in India.

111 to 113. Should successful candidates at the Indian competition be required to pass through a probationary period, before final appointment? If so, what should be the duration of the probationary period? How should it be passed—in the ranks of the Uncovenanted Service, or otherwise?—I should not do more than declare that the first year's service will be probationary, and confirmation will depend upon reports received at the end of that period.

Promotion from the Uncovenanted Service.

118 & 119. What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service? If such appointments are made,

Vol IV. Sec III. Sub-Sec. B, *Bombay.*

G. C. Whitworth, Esq.

should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service; and, if so, what classes?—I am not prepared to define any special provision, as asked for in question 118, for the appointment to Covenanted posts of deserving members of the Uncovenanted Service; but if such appointments are to be made, the only department in which I think they could be well made is the Judicial.

120. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—The qualifications of Judges must be so well known to superior Courts, (and through those Courts they can be known to Government), that no period of probation would be necessary.

121. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the *higher* Covenanted offices without requiring them to pass through the lower grades?—For the same reason, and from the nature of the work, they might be appointed at once to the higher Covenanted posts without being required to pass through the lower grades.

122. If certain appointments in the Covenanted grades were set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service?—It would be an error, I think, to reserve a fixed proportion of appointments to be given to approved members of the Uncovenanted Service; because it may be assumed that, in some way or other, the number of Native members of the Covenanted Service will be increased, and for some time to come go on increasing. The need of giving appointments to Uncovenanted men will at the same time diminish. Besides the new arrangements may be expected to gather into the Covenanted Service many of those who, under the old system, would have become the most distinguished members of the Uncovenanted Service.

123 & 124. Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service? Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India"?—I see no need for special provision in either case.

125. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—I do not think justice requires that the Uncovenanted Service should be open to all natural-born subjects, who possess the necessary qualifications; but I think, if language qualification is strictly required before appointment, the provision would be unobjectionable.

126. If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of 1st November, 1858, is this to be justified?—Whatever the Proclamation and Acts may say, I think that, so long as a large proportion of the highest appointments is, in fact, reserved for Englishmen, some compensating preference should be shown to Natives in lower grades.

Pay, Leave and Pension, &c.

133 to 138. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England and to persons holding Covenanted posts who do not enter through that channel? If so, what would you consider the fair rate of reduction to be made in the case of persons holding Covenanted posts who do not enter through the competitive channel in England? Would you approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the holder, whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England? Can you suggest any other way of providing different rates of pay? If you consider there should be no difference of pay, how do you justify the application of the same rates of pay in the case of Natives who have satisfied the very high tests required by the examination in England and Natives who have not? On the same assumption what are your reasons for holding that the high rate of pay which is considered to be necessary to secure the services of persons of tested qualifications in a country far from their homes, and under various other unfavorable conditions, should be given to persons whose qualifications have not been so tested and who serve in their own native country?—I would meet all these questions by the suggestions made in my answer to question 108.

General.

150. How have Natives, placed in charge of sub-divisions or in other *quasi-independent* positions, discharged their duties in your Province?—In my experience Natives placed in charge of a sub-division of a district do not take quite the same personal interest in their charge as an Englishman usually does. The disposition of the Natives is rather to look up to see what

his superiors expect of him, while that of the Englishman is to look down to see what the people require. This is partly due to the fact, that the superiors are themselves foreign to the Native and akin with the Englishman, but the result is a too close following of routine and too concentrated a regard for the look of periodical returns

No. XI.

The Hon'ble Dayaram Jethmal, Pleader, Karachi; Member of the Legislative Council, Bombay.

Working of the Statutory System.

1. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—There is no feeling prevalent here (Sind) on the subject of the Statutory system. Very few persons understand it.

8. Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—I advocate an amendment in the definition of the word "Native," as stated in my next answer.

9. If not, can you suggest any more complete or more satisfactory definition?—I think, if the Statutory Service is to be retained, (the absolute retention of which I do not advocate), and no competition allowed in India, either for the Statutory or the Competitive Service, then, and then only, should the definition of the word "Native" be so amended, as to include only pure Asiatics. I have no prejudice against Eurasians and domiciled Europeans, but I believe that, except for the purposes of appointments under the Statute, they feel themselves insulted in being called "Natives." Their social tendencies and customs are always European, and there is an ample field of employment for them in the country in private undertakings, mills, railways, and European mercantile houses. Moreover, persons of such classes can compete on nearly equal terms with Englishmen in their own country. The only disadvantage to them will be the voyage to and from England. The cost of living there and preparing for the competitive examination will be to them very nearly the same as in India; they are likely to have friends and relations there; there is not much fear of their going astray there; their mother-tongue, habits and customs are precisely the same, as of pure Europeans; and their difficulties in going to and residing in England almost nothing compared with the hardships to which a Native is subject. Besides, it is difficult to say, who is a *domiciled European*. There are many, who have no fixed homes, and they possess no special ties in India to prevent them from retiring to Tasmania or Australia. Of course, if there is a regular competition in India, they should not be excluded from it, but if competition is only restricted to England, then the Statutory Service, which will then be treated as an inferior service, should be reserved for pure Natives only.

10. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted?—I think the rules are open to objection, inasmuch as they leave the making of appointments to Local Governments which, in judging of the merits of candidates, are necessarily influenced by the opinion of local authorities and a good deal of room is left for the exercise of patronage and influence.

12. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—I would suggest that the rules be amended. The general rule should be to appoint to the Statutory Service men of ability from the Uncovenanted Service and the Bar, but as regards other candidates a competitive examination should be held. I advocate this on the assumption that no competitive examinations are held in India for the Civil Service. If they are, I would retain the Statutory Service only for the Uncovenanted Service men and for members of the Bar.

13. Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel?—There is only one Statutory Civilian in this Province, and he was appointed two years ago. Sufficient time has not passed since to enable me to state with accuracy whether he is regarded as holding a position inferior to that of Covenanted Civilians.

Mode of Selection of Statutory Civilians.

17. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your Province?—Except in the case of persons distinguished by abilities shown in the Uncovenanted Service or at the Bar, appointments by nomination will be regarded with disfavour.

18. How would a system of nomination

to be followed by a period of probation be regarded by the same classes?—In any case a period of probation is desirable.

19. Would a system of nomination, with or without probation, be likely to secure well qualified persons?—I think not.

20. Has experience actually shown such a system to secure well-qualified officers?—The only experience we have in Sind, is that of the appointment of one gentleman by nomination, and he is an exceptionally well-qualified man.

21. Do you consider that nominations should be confined to persons of proved merit and ability?—Yes.

22. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—By the opinions of local authorities in case of professional persons and men in the Uncovenanted Service, and by open competition in the case of others.

23. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments, or by the Universities, or by those authorities concurrently or alternately, be regarded?—I think the educated classes prefer a system of open competition, and in my opinion, that is the best system, except in respect of the classes whose appointment by nomination I have already urged, and whose general capacity and talent may be presumed to have been proved.

24. In preference to either of the above systems (nomination and limited competition) would a system of open competition pure and simple for the Statutory Service commend itself to the Native community?—Yes, except as aforesaid; if the Statutory system is retained and no examination in India for the Civil Service allowed.

25. If competition, (whether limited or open), is preferred, should there be one competition for all India or separate competitions in each Province?—I think there should be one competition for all India.

26 & 27. If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several provinces? Having regard to the varying educational standards reached in the several provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some provinces being more or less excluded from a due share of appointments?—I do not think it is necessary to ensure a due proportion of appointments falling to the population of the several provinces. There has been too much weight attached to considerations of this sort, of late, in the treatment of so-called backward communities. The principle to be observed in filling up places should be that of appointing the fittest man, whether that man be a Babu, Maratha, Brahman, Mahomedan or Sindhi; and if the people of a province are so backward, as not to produce persons fit to compete with their *confreres* from other provinces, that province may apply for greater educational facilities, but has no right to claim that her sons, though not the fittest, should yet get a due proportion of appointments in the public service or should be exceptionally treated.

28 & 29. Under any of the three systems, of nomination, limited competition, and open competition would you prescribe any test of preliminary qualifications on the part of nominees or candidates in regard to—(1) age, (2) intellectual capacity, (3) moral, social and physical fitness? If so, what should be the tests under each of the heads specified?—Except in the case of men from the Uncovenanted Service and the Bar I would prescribe the following tests: (1) age twenty-three years; (2) intellectual capacity to be proved by an open competitive examination; (3) * good moral character and physical fitness, including ability to ride and shoot.

30. Do you consider that (after selection, whether by nomination or competition), there should be a period of probation?—Yes

31 If so, what should be the duration of the probationary period?—Two years.

32 Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—It should be passed in the Covenanted Service

33. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—I think so in the case of young men appointed by competition.

34. If so, should the special training be carried out in India or in England?—I think the special training should be in England.

36. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service?—I do not think special training in England essential for members of the Uncovenanted Service or for men from the Bar, as I think these men must be presumed to possess sufficient experience of the world and administrative talent. But I would encourage their going to England.

37 to 39. If so, what form should such encouragement take? Should it be offered before, or during or after the probationary period, if any, through which nominees or

* This latter test (3) I would also prescribe in the case of persons to be nominated from the ranks of the Uncovenanted Service or the Bar.

selected candidates may be required to pass? Should it be offered before or after the nominees or selected candidates enter on their duties?—The only form of such encouragement, I would recommend, should be to grant leave during the probationary period to the men from the Uncovenanted Service and the Bar, on half pay, to visit England, the Continents of Europe and America To other selected candidates I would give an allowance not exceeding £200 per annum, but this should be, after the period of probation in their case expires, and before they enter on their duties, and in their case going to England should be insisted upon, as I have stated hereafter

40 Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—I am not If examinations are to be held in India, I see no reason why the Indian revenues should be burdened with such scholarships; but if a Native in England succeeds in the open competition in England I would give him the allowance of £200 per annum for two years, just as I would give to a Native going to England after selection in India.

42. Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not?—No.

43. If the opportunity of residence in England at a University for two years with a sufficient allowance, were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—Not in this province; but I think going to England should be compulsory in the case of the persons I have already mentioned.

44. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—No.

Competition in England for the Indian Civil Service.

46. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India?—No

47. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—No

50. What is your opinion as to giving Statutory appointments to Natives, who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—In my opinion they should get no Statutory appointments, unless they are men of proved *merit and ability*. As to what constitutes "proved merit and ability" see answer to question 22.

51. Assuming it to be advisable to appoint to the Statutory Service in India Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England, and be subject to the same final examination?—Yes.

52. Should they on appointment to the Statutory Service in India be subject to the same incidents as apply to other persons appointed under the Statutory Rules?—Yes.

53. Can you say what number of Natives belonging to your province have presented themselves annually at the competitive examination in England, and what degree of success they attained?—Not one.

54. What class or classes of Natives in your province readily go to England?—Very few go there at all. Lately a Mahomedan gentleman went there for the Surgeons' examination. Parsis sometimes go for trade. A few Sind merchants (Hindus) have been there, but they are innocent of all education and live in England in the orthodox Sindhi-Hindu style

55. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—The only persons who can feel any possible objection on the score of caste and religion are Hindus, but with the majority of Hindus in Sindh the caste rules are not very strict. They do not object to going by the sea, but think eating and drinking with non-Hindus is objectionable The Sind Hindus who go out of India presumably abstain from associating with Englishmen in eating and drinking, and they are therefore never interfered with on their return. But if an educated Hindu were to go there for purposes of study, the presumption in his case will probably be very weak, and he may have a little more difficulty on his return, but the difficulty will not be an insuperable one, for the caste rules are not rigid. The probability is that no serious notice whatever will be taken of the matter.

56. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—One. But the examination should be held in England and India simultaneously.

59. If a fixed proportion of appointments were allotted for a Native examination in England, do you consider that in view of the objections against a voyage to England and life there, the cost thereof and the chances of failure, a sufficient number of suitable candidates from your province would be available to make the competition a real competition?—No.

62. Assuming only one examination in

England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—Yes.

63. If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—A native youth going to England to compete with Englishmen, who are in their own homes, in the mother-tongue of the latter, and that too at the age of nineteen is obviously at a disadvantage He is away from parental influence. There is a fear of his going astray at an early age The cost to him is enormous. Not being acclimatised, there is danger to his health. There are numerous other disadvantages which are patent to all. I would recommend that the age of candidates should be increased to twenty-three, and examinations held in India for Statutory Natives. I do not object to Europeans and Eurasians being allowed to compete in India

64. If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates, and if so, what should the limits for Native candidates be?—The maximum age for Natives, who are of true Asiatic descent, including Goanese, should be twenty-three, and for pure Europeans, whose mother-tongue is English, twenty-one.

65. If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—They ought not, as they have the advantage over the Natives in English being their mother-tongue and with which they are better acquainted than the Natives at an earlier age. They learn the idioms of the English language sooner than Natives.

66. What is the average age at which Natives at the Indian Universities pass the examinations for F. A, B. A., and M. A, respectively?—There is no Sindhi M.A. yet The previous examination is passed at about eighteen, First B A. at about twenty, and the final B. A. at about twenty-two.

67. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—The hereditary literary classes, such as Amils from Hindus, and Akhunds and Mirzas among Mahomedans.

Competition in India for the Indian Civil Service.

68. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—Yes

69. How would this method of selection be regarded by the Native community generally?—With favor by the educated classes and with indifference by the masses.

70. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—I would admit both classes freely to either examination

72 Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—Yes, and others will soon develop themselves.

73. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—No, except the advantages arising from intellectual superiority, perseverance, and self-help

74. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Yes, it might. But this answer must be taken subject to the qualification that the preponderance will not be owing to any inherent advantage, which any particular class will enjoy from the competition, but from the fact that that class will probably be a literary class, whilst the classes that will be excluded will be non-literary, such as the Banyas, who hanker after trade and not public service and therefore do not go in for high education At the same time, I think the British Government in making appointments in the public service should recognize no caste, creed, or class. I think the Government has already committed a fundamental error in recognizing distinctions of this kind This they have done more recently. In the early days of British rule perfect equality was observed and no exceptional treatment was accorded to any particular class or community. Since this principle has been departed from, a greater discontent has been caused than what was intended to be remedied. It is true that communities backward in education, though not in general prosperity, might fall behind others in the Government service, but as the fittest alone should survive, I do not see why a consideration of this kind, based on castes, classes and creeds, should weigh powerfully with Government. Moreover, educationally backward communities should be brought to the level of the others by means of education and not by exceptional treatment.

75. Do you think there are any objections on political or administrative grounds to open competition in India?—No.

* The Hon'ble *Davaram Jethmal.*

76. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service ?—I think not. On the contrary in my opinion there will be a greater chance of such cadets aspiring to the Civil Service.

77. Under such a system how would it be possible to provide against the Natives of a province in which education is comparatively backward being excluded from appointments in their own province ?—See answers to questions 26 and 27.

78. Would a system of provincial examinations be preferable to one examination for the whole of India ?—No.

79. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England ?—I say no, because the examination should be the same.

80. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed ?—I think such a system will not be viewed with favor, as I believe persons entering service through the channel of the Indian competition will be looked upon as inferior.

81 If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age ?—I think the age should be twenty-three years for all persons, if the competitive examination is the same ; but if the Statutory Service is to be retained as a somewhat inferior service, and a competitive examination allowed for youths in India, the age should be twenty-three for Natives and twenty-one for Europeans.

82. In regard to minimum educational attainments ?—The University degree of B A.

83. In regard to moral, social, and physical fitness ?—Good moral character and health. As regards social fitness, I do not see where the line can be drawn. It will be absurd to open the examination to cadets of so-called noble families only. There is no aristocracy in India in the sense in which that word is used in regard to the barons and lords of England, always excepting the Rajahs and Chiefs and their sons. Educated persons are generally to be found among the middle classes, and if the sons of persons of inferior castes wish to compete, I for one see no objection to allowing them to do so.

85. Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different ?—They should be the same.

87. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c, should not also be different ?—The rules should not be different, as I do not think the circumstances are materially different, the examinations I have advocated being the same.

88. Should successful candidates go through a period of special study in India like the English candidates who spend two years in special preparation ?—I think they should go through a period of special study in England.

89. Would it be preferable *(a)* to require them to go to England, or *(b)* to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there ?—It would be preferable to require them to go to England.

90. Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment ?—Yes.

91. If so, what should be the duration of the probationary period ?—Two years.

92. How should it be passed—in the ranks of the Uncovenanted Service, or otherwise ?—It should be passed in special study in England.

Promotion from the Uncovenanted Service.

93. What special provision, if any, do you think should be made for the appointments to Covenanted posts of deserving members of the Uncovenanted Service ?—Distinguished service, brilliant abilities, unblemished character

94. If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service, and if so, what classes ?—No. This should be left to the discretion of Local Government.

95. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation ?—Two years' probation.

96. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the *higher* Covenanted offices without requiring them to pass through the lower grades ?—Yes, if reported to be competent. For instance, a Subordinate Judge of distinction might be appointed District Judge at once.

97. If certain appointments in the Covenanted grades are set apart for the Statutory Service, should a fixed proportion of

those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service?—I think not.

98. Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service?—No special provision is necessary.

99. Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India?"—No.

100. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—Yes.

Pay, Leave and Pension, &c.

102 Is the rate of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient?—I think it is insufficient.

103 If not, on what grounds do you consider it insufficient, and what rates of pay should, in your opinion, be granted to Statutory Civilians (*a*) while on probation, and (*b*) on final confirmation in their appointment?—I think they should be paid at the same rate as persons entering through the channel of the English competition.

104. Would these rates of pay be suitable in the case of persons appointed to Covenanted posts from the Uncovenanted Service?—No.

105. Would they be suitable in the case of persons appointed to Covenanted posts from the professional classes?—No.

106 & 107. If not, how would you treat in regard to pay persons selected from these two classes if appointed to the lowest grade of the Covenanted Service? How would you treat in regard to pay such persons, if appointed to any of the *higher* Covenanted posts without being required to pass through the lower grades?—I would pay the persons selected from these classes the pay of the post to which they may be appointed, which should not necessarily be the lowest in the service.

108. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians, who enter through the competitive channel in England, and to persons holding Covenanted posts who do not enter through that channel?—No.

110. Would you approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the holder whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England?—No.

112. If you consider there should be no difference of pay, how do you justify the application of the same rates of pay in the case of Natives who have satisfied the very high tests required by the examination in England and Natives who have not?—I say that the tests to be required at the Indian examination should be the same as are required in England, but as regards men from the professional classes and the Uncovenanted Service, I think their experience should be held as supplying the defects, if any, of previous education.

113. On the same assumption, what are your reasons for holding that the high rate of pay which is considered to be necessary to secure the services of persons of tested qualifications in a country far from their homes, and under various other unfavourable conditions, should be given to persons whose qualifications have not been so tested and who serve in their own native country?—I have already in my previous answers shown that the reason for allowing different rates of pay on account of the supposed different educational tests is not sound. As regards the argument derived from the fact of Europeans having to serve in a country far from their homes and other unfavourable conditions, I think, considering that India is a congeries of nations, that a Native is almost in the same position as a European. It is very unlikely that a Native will be appointed to any situation in his own immediate home. He will, however, in the majority of cases, serve amidst an alien population speaking a different language in a climate unsuitable to him. He will have to keep up an expensive establishment exactly like the European, and in addition, on account of the social system to which he might be subject, he is likely to have more calls on his purse than the European.

114 to 120. Have you any remarks to make on the leave rules embodied in the Civil Leave Code which apply to Statutory Civilians? At what age do you consider that Natives appointed to Covenanted posts otherwise than through the competitive channel in England should be entitled to retire on pension? After what length of service do you consider that such persons should be entitled to retire on pension? At what age should they be obliged to retire on pension? After what length of service should they be obliged to retire on pension? What amount of pension should, in your opinion, be granted to Natives so appointed if they serve the prescribed period for voluntary and compulsory retirement respectively? If, before serving the prescribed period for pension, they are compelled to retire on medical certificate, what gratuity, if any, would you give them?—I offer no opinion on these rules as I do not know them, and there

Vol. IV. Sec. III. Sub-Sec. B. *Bombay.*

The Hon'ble *Dayaram Jethmal.*

being only one Statutory Civilian here lately appointed, I am unable to say from any actual data, what would be fair rules in regard to leave, pension, &c.

General.

121. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—I think the existing system of education is fairly well adapted for training men, who nevertheless must acquire experience in the service itself.

122. In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal, and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—I do not know, but assuming that they do not, I have stated that selected young candidates should go to England for special study.

123. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—I rather think not.

124 & 125. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country? If not, where must we look for representatives of these classes, and how do you consider that their services could be best obtained?—On this point it is impossible to form an opinion for the plain reason, that the only Native Government of which anything is known in Sind is that of the Amirs, which was a semi-barbarous one. The civil administration, if anything can be so called, was so differently conducted from what is done now, that it is impossible to make any fair comparison.

126. How far would any system of appointment which involves a journey to, and residence in England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—See answer to question 55.

127 How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to, and residence in England?—According to my suggestion the journey to, and residence in England have only to take place after a successful competition in India. The cost of the English training, not exceeding £200 per annum, must be paid by Government.

128 & 129. Are the Natives who go to England from your province for purposes of education limited to the wealthier classes? Are they limited to any particular section of the community, or to any particular creed?—See answer to 54.

130. Does a voyage to, or residence in England involve the loss of social position or other unfavourable consequences in the case of any section of the Native community?—See answer to 55.

131. Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—I think not.

132. Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—No.

133. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to, and residence in England?—Yes.

134. If so, what provision should be made for this purpose?—Nomination by Local Governments in case of persons from the Uncovenanted Service and the professional classes, and open competition in case of others, in whose case, however, I would make going to England essential for two years after a successful competition. If religious or other reasons disable them from going to England, then they must be treated as unfit for appointment.

135. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes?—Yes.

136 If so, what provision should be made for this purpose?—See answers to 133 and 134.

137. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—I think not.

138. Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—Yes.

139. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—It will not be

unduly limited. I think a thorough knowledge of English should be made an essential qualification.

141. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—Not in settled provinces like Sind.

142. Would it be desirable to rule that the proportion of persons being Hindus and Mahomedans respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any province, should bear a certain relation to the number of the two classes composing the population of the province concerned?—No. The population test is a most fallacious one, and undue importance has been attached to it in recent agitations about the employment of certain classes in Government service. A community may consist of large numbers of persons engaged in hereditary trade or agriculture. Such persons are not candidates for Government service, and it is unreasonable to calculate the number of persons in the population of such community, so as to compare it with the population of another community who possess no such traders or agriculturists and whose sole means of livelihood is the public service.

143. What classes, ranks or professions of the Native community should be included among Mahomedans and Hindus, respectively, for the purpose of ascertaining the proportion of the population of each of those classes in the several provinces?—Any attempt of the kind suggested in this question is likely to be a failure in practice, will cause discontent, and should be deprecated.

144. How far should appointments in each province to Covenanted posts be restricted to Natives of the province concerned?—I think they should not be so restricted.

145 & 146. How would the following scheme be regarded by the Native community: (1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible? How would you regard such a scheme?—If no competition in India is to be allowed and the present Statutory system is to be abolished, then I think the scheme suggested will do, provided the appointments referred to in (2) are open only to Natives of pure Asiatic descent. I think Eurasians and domiciled Europeans should not find it hard to go to England to study and compete in a language which is as much their's as the undomiciled Englishman's.

147 & 148. How would the Native community regard the following: (1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England to which Natives and Europeans alike would be admitted. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible? How would you regard such a scheme?—The scheme suggested is open to several objections. Owing to the difficulties in the way of a Native competing in England, as has been abundantly proved, a Native has no fair opportunity of succeeding in the English competition, and in the Indian competition he is likely to be swamped by the Europeans. Besides there will be a difference in the status of the various officers which is not desirable.

149 & 150. If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India? How would you view such a proposal?—I think such a proposal will be viewed with distrust.

151 & 152. How would the Native community regard the following scheme: (1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India; (3) the remainder to be filled by competition in England? How would you regard such a scheme?—This scheme is not likely to be looked upon with favor.

153. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favor of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order to—(*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M. A?—I think the Native community generally will not be in favor of giving any preference, though certain interested individuals or classes may be.

154. What is your opinion as to giving such preference?—My opinion is, that no such preference should be given.

155. How would the Native community

regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates?—If the rules as to the competitive examination remain the same as at present, then the system, referred to, will be viewed with favor only. I think the competition mentioned here should be entirely open.

156. How would you regard such a system?—I have virtually advocated this system, on the supposition, that there will be no examination in India for the competitive service.

157. If the Statutory system were maintained, and if a probationary period were required from nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases, *e g*, in the case of a person, who has done good service in the Uncovenanted ranks?—Yes. Such a probationer should be allowed to count the period of probation, as service towards pension, and may, if exigencies of the service allow, be granted leave to go to England, Europe, &c., for acquiring a special qualification.

158. In the case of persons nominated from the professional classes, is it desirable that a probationary period should be prescribed?—Yes. My answer to this is the same as to 157.

159. If so, is it necessary that the incidents of such period as to duration and pay should be the same as those attached thereto in the case of Statutory Civilians appointed on probation to the lowest grade of the Covenanted Service?—No.

160. On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of the competition in England be regulated?—On the same principles as that of Covenanted Civilians.

161. Would you regulate such promotion only by considerations of fitness and approved personal merit?—Yes.

162. Should subjects of Native States be eligible for appointment to Covenanted posts in British India?—I think not. Not indeed on the ground of their being aliens, but because I think the British Government has quite enough difficulties to provide for its own subjects.

164 What system, if any, is at present adopted in your province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship?—Some were appointed before to Assistant Collectorships without their having undergone any apprenticeship. Latterly such appointments have not been made, but lately a Mukhtiarkar was appointed without any previous training, owing to his being the scion of a Jaghirdar's family.

165. Does the system work well, and what improvements can you suggest?—This is not a regular system, and, therefore, I can suggest no improvements.

Composition, Recruitment, &c. of the Subordinate Executive and Subordinate Judicial Services.

166. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—The Native community generally have not expressed any special dissatisfaction with the present system, though they have complained of particular selections.

167. To what sections of Native society do the persons belong who accept under existing conditions appointments in the Subordinate Executive and Subordinate Judicial Services, respectively?—The hereditary literary classes, *viz*, Amils among Hindus; Mullas, Akhunds, Kazis and Mirzas among Musalmans.

168. To what extent do Natives of good family and education in your province offer themselves as candidates for Subordinate Judicial and Executive appointments?—Excepting the sons of the late ruling Amirs and other Chiefs, who are Jaghirdars, all other persons, possessing any education, offer themselves.

169. Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—No Natives here have been to England for purposes of study.

170. How far are the professional classes represented in the Subordinate Executive and Subordinate Judicial Services, respectively, in your province?—Lately two or three appointments have been made to the office of Subordinate Judge from among the members of the Bar.

171. Do members of the professional classes in your province readily accept employment in those services?—Pleaders of the lower grade will be glad to accept employment as Sub-Judges, but they are not appointed, as they are not competent.

172. Whatever systems or system may at present be adopted for the purpose of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, are any class or classes of persons expressly or practically excluded from such appointments?—The only test insisted upon is "qualification," and in Sind there have been very few persons qualified for the Judicial branch of the Service. Matters have improved of late, and Government is prepared to employ higher

grade Pleaders in Sub-Judgeships, but the starting pay is too small to attract Pleaders of learning and ability. The only Small Cause Court Judgeship in Sind, which carries with it a salary of Rs. 1,000, has been always filled up by Europeans. There is also the Public Prosecutorship of Karachi, which has emoluments attached to it amounting to about Rs. 1,000 a month from which the Pleaders are now *virtually* excluded. As regards the Revenue branch the professional classes are presumably excluded, but I think they must be presumed not to be disqualified from such appointments. Natives are also excluded from Assistant Collectorships, which are now held by Uncovenanted Europeans. On the whole, therefore, my answer to this question is in the negative, but with this qualification that there are two appointments in the Judicial branch, *viz*, the Small Cause Court Judgeship and the Public Prosecutorship of Karachi, for both of which Native Pleaders of the higher grade and of experience are in my opinion qualified, but from which they are excluded on the erroneous, but *bonâ fide* supposition of their not being qualified.

174. Is it the case that certain classes of Uncovenanted appointments are practically reserved for Natives of pure descent, owing to the fact, that conditions are imposed which have resulted in shutting out Eurasians and other Statutory Natives of mixed descent?—The only such appointments that I know of are Mukhtiarkarships. For these I do not think Eurasians are qualified.

176. Are you in favour of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions?—I am not, in regard to the Subordinate Executive Services, up to the grade of Mukhtiarkar. As regards the higher Executive appointments and the Subordinate Judicial Service, I would insist on high educational capacity.

177 & 178. If so, what test would you apply? Do you think that the test should vary according to the character of the office to be filled?—The general test I would apply would be, in regard to the Judicial branch of the Service, the passing of the Pleaders' Examination of the higher grade, and, in regard to the Revenue branch, the passing of the Departmental Examination in English.

179. Generally, what system do you advocate for filling appointments up the Subordinate Executive and Subordinate Judicial Services as above defined?—The above answers show the system I advocate.

180. What preliminary qualifications would you require on the part of candidates for those appointments in regard to age and in other respects?—The same as at present.

181. Is it possible to devise any one system which would be equally applicable to all provinces, having regard to the varying educational standards reached in the several provinces and the varying conditions prevalent therein?—I am not sufficiently acquainted with other provinces to answer this.

182. Do you advocate the requirement of a probationary period, and, if so, what should be the incidents of such period as to duration, pay, and in other respects?—I do not think probation essentially necessary in such cases, but it should be discretionary with the nominating authority to appoint any one on probation.

184. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—Not necessarily—a failure can never be a recommendation. They should undergo the same test as others.

No. XII.

THE HON'BLE J. B. RICHEY, C.S., C.S.I., MEMBER OF COUNCIL, BOMBAY.

Vol IV. Sec III Sub-Sec B. *Bombay.*

The Hon'ble *J. B. Richey.*

It is claimed on behalf of the Natives of India, and it is accepted as a principle by English statesmen, that all posts in the service of the Crown in India should be open to Natives. That no person who is fit, should be excluded from an office by reason of his nationality. This is a high-sounding principle and unassailable in theory, but I do not think that any good working plan for filling the higher posts with both English and Native officials is possible, so long as this principle is to be rigidly adhered to. Its effect will, I think, be only mischievous If we test the application of this principle by facts, we shall find that Natives *are* excluded, for good reasons, from all superior posts in the Political and Police Departments; that there are many districts to the charge of which no Native would be appointed; and that the posts of Commissioner or Secretary to Government would not be given to Natives. That, in a word, there are a considerable proportion of the best places in the administration for which they are not, at present, considered to be so fit as Englishmen. But, in pursuance of the principle abovementioned, Natives of India are admitted to a competition for entrance to the Covenanted Service, which is supposed to afford a test of "fitness" for many of these very posts, and to give to successful competitors a distinct claim to be promoted to them. Selection by Government of "Statutory" Civilians for admission to the same service is supposed to carry the same presumption and gives rise to the same anomalies and difficulties There is another principle, equally widely accepted, that a certain number of Englishmen must be employed in the administration of India, and it may be assumed, that they will always be chosen by competition. So long as the theory is maintained, that no Native, if fit, is to be excluded from any post by reason of his nationality, there will, whatever the rules or methods of admission, be some uncertainty in the prospects of English candidates for the service, which must seriously impair the operation of open competition to secure good men The Civil Service in India, as an opening for young Englishmen has been subjected to so many depreciating influences, that I should fear much for the working of the competitive system, unless the measures which may be adopted frankly reject the principle that all posts are to be open to Natives; it seems to me to be utterly inconsistent with the other principle, that a proportion of Englishmen is needed in the higher administration. I think that an honest recognition of the difficulties and limitations, that must hamper any attempt to reconcile these principles, forces the conclusion, that there must be a service at present reserved entirely for Englishmen.

This would, of course, involve the exclusion of all but English candidates from the competition in England.

Now the Covenanted Service, and competition as a means of filling it, are a legacy from the time when the Natives of India were not fit for, nor admitted to, the offices secured to the successful candidates. The whole constitution of the service as regards pay, pension, provident funds, leave rules, &c., show, that it was distinctly intended for Englishmen only.

I am strongly of opinion, that such a service should be reconstituted to recruit Englishmen by competition for the posts to be reserved for English officers. The existence of the Commission is a clear admission, that the present system has failed; none of the measures proposed, which retain the admission of Natives to competition for the Covenanted Service, seem to me to go to the root of the matter.

A competitive examination is a very imperfect method of securing good administrators even among Englishmen; all the inherent defects of the method are much intensified, when applied to Indian candidates; and a further drawback must be added that it is almost sure to give a preponderance to certain classes or races. At present the Natives complain, I think reasonably, that, while they are in theory to be admitted to prove their "fitness" for the offices competed for, they are very heavily handicapped by the expense, distance, &c.

They suggest a simultaneous examination in India. This seems to me utterly impracticable, if only for one reason, amongst others, that it would be impossible to have identical standards for oral examination, and without oral examination the test would be even more imperfect than it now is. I may here add, that I should strongly deprecate any addition being made, as is suggested, to the value of Oriental languages in the competitive examination.

A good knowledge of the chief European languages or of Latin or Greek affords some presumption that a student's mind has been enlarged by intercourse with

great historians or poets or philosophers, and is, at least, a guarantee, that such intercourse is within his reach. Proficiency in Arabic or Persian, or even Sanskrit, affords no such presumption. If, as I should hope may *not* be decided, Indian candidates are to compete with English, and the value of subjects is to be adjusted for their benefit, I should prefer to equalize the values of the chief literary languages by reducing the marks for English, rather than raising the marks for Arabic and Persian. We must remember, that India is to be governed according to the principles, approved by modern European, and especially English, thought. Proficiency in Oriental classics, however excellent a thing for an Indian gentleman, implies a mental training in a direction opposite to modern thought. Then I see, that it is recognized as not unlikely, that at some time or other the number of successful Indian candidates may be more than would be compatible with a due proportion of English. This may well happen, if the present system is maintained. A further fall in the rupee or other cause depreciating the service for English candidates, and some combined effort on the part of a Native community to push Indian candidates, might well produce this result. It is admitted, that, to obviate the awkward consequences of such an event, some limitation upon the number of Indian candidates would be necessary. This seems to depart at once from the theory, that Natives are to be allowed to prove their "fitness," and they are not to be excluded from any office by reason of their nationality.

It would, I think, be much better to throw that principle over bodily than to hedge its application.

By excluding Natives from the English competition most of the difficulties, with which the Commission have to deal, would, it seems to me, be got rid of. The question of proportionate salaries would be most materially simplified, and it would be possible to give an additional value to the Anglo-Indian Civil Service to be competed for in England, while decreasing the expenditure on administration in India.

I would, therefore, have a service exclusively for English, and would omit from competition all offices, which might be held by Natives.

I would not use competition at all, as a method of recruiting Native officials. Educational tests afford a fair criterion of mere mental capacity, and there are many advantages, at present, in leaving selection of employés in the hands of Government and of responsible heads of departments. Most of these are already before the Commission.

The offices in this Presidency, which I would open to competition in England and reserve for English would be the superior administrative posts—Secretariat, Commissionerships, and in the executive branch two Magisterial and Revenue appointments for each district, including Sind. I would add the Political appointments now held by English officers, except the Aden establishment, and five Judicial appointments of the rank of Judge. One executive officer for the Bombay Collectorate and one to the Customs, and two to the Salt Department, with one High Court Judgeship. These are merely mentioned as rough data for number and recruitment It would be out of place here to go into a detailed scheme The list would be sufficient to supply a couple of officers, who might be selected with their own consent to fill appointments, training them for the Judicial posts, which I would reserve for English as leading to the High Court All other Judicial appointments, I would leave to Natives, and all the district offices, now filled by Assistant Collectors, except those for which English officers were available. As a rule, there should be two English Revenue and Magisterial officers in each district.

It must be remembered, that in many districts there is no English Military force, and the only evidence, which the Native population have of our rule is the presence of Civil officers. The standard of Magisterial work and of Police efficiency cannot be maintained without a fair proportion of English officers, and the possibility of disturbance or other emergency, requiring prompt action by an English executive officer, must not be lost sight of. I am certain, that the Mamlatdars and Chief Constables will be more careful in their work, which to the subject population is the most important part of our machinery, if it is liable to be brought under review by an English officer, than if only Native officials are their appellate or supervising authorities. We have some very good officers among the Deputy Collectors, as good for ordinary revenue work as an English Assistant, and a few are good Magistrates. But in my experience they have not, as a class, the weight of an English official; are not so energetic in the despatch of business; and of course they cannot be so independent of local or class influences and prejudices as an Englishman. We could not ourselves be entirely free from such influences, if we were in similar positions in England.

So that I think, a large admixture of English officers is needed in the executive; and while it may be safe in one or two districts to leave the Collector with a Native staff, in others two English Assistants should be provided.

I would recruit Civil officers for the Political Service, because in this Presidency all

The Hon'ble
J. B Etchey.

the Political charges, except Cutch, involve direct administrative work, while many Collectors have Political duties.

These appointments must be held by Englishmen; and as the larger employment of Natives in our own districts will reduce the total number of English Civil officers, the addition of the Political Service will give the elasticity absolutely needed to enable Government, to meet calls upon its trained Civil Staff for famines and other emergencies. There would still be employment for some Staff Corps Officers at Aden and elsewhere in Political posts.

The English establishments being made up as above, I would open all other posts to Natives, except those in the Police, and I think a few in Customs and Salt, which have been in practice reserved for Europeans.

I would not give criminal jurisdiction to Native Judges: it would be necessary to provide other machinery for disposing of cases now triable by the Judges in Sessions. I am myself disposed to think, that the system of committal to Sessions Courts is unsuited to this country altogether, as dilatory and expensive, and that there is no good reason why experienced Magistrates should not try Sessions cases once for all. Sir J. Stephen, I think, speaks of the Native accused, as unable to comprehend why the Hakim, when he has got him in Court, with the witnesses to hand, does not proceed to try and sentence him. This is not the place to suggest alteration in the Criminal Procedure Code. But I see no difficulty in giving selected Magistrates and Assistants powers to try Sessions cases—proper machinery being provided for a good trial.

But it would be probably necessary to add two or three Sessions Courts for appellate work, and to relieve the heavier worked District Magistrates.

As a matter of fact, some of the Magistrates, now hold Sessions for trial of offenders in Native or non-regulation districts. I do not pretend here to do more than sketch very briefly the general features of the reform I would advocate.

The higher Native Civil Service then would be simply a development of the existing service. The Judges would be promoted from the existing Judicial Staff, the Deputy Collectors from Revenue or occasionally other Departments, and two seats in the High Court would be the highest posts open to Natives. I do not suppose that this would satisfy the Native aspirations for higher office, which may fairly be called "legitimate," so long as it is proclaimed in theory, that all offices are to be open to them, if they prove their "fitness" in a particular way.

But I do not see how it is possible to substitute Native for English officers in any larger proportion at present, with due regard to the maintenance of our standard of administration, to preserving the attractions of Indian Service for English youths and, I think I may add, with regard also to the wishes of a majority of the Native population.

It may perhaps be worth while to observe, with reference to the desire for higher office, that there is a large and increasing field for trained Native officials in the service of Native States, which in this Presidency already give employment to some of our best officers in places of high authority and emolument.

As I have referred above to the question of proportionate pay, I may add a little to the mass of evidence, which must be before the Commission on this point. If the plea of economy be withdrawn from the argument for increased employment of Natives in higher posts, there remain only the pleas of policy and of justice. As regards policy, we should probably lose quite as much, as we should gain, by largely substituting Native for English officials. As regards justice, I fully admit that it is not fair that *ceteris paribus* an Englishman should be preferred to a Native of the country, simply because he is an Englishman, but this is not the case. The question of justice is not involved.

Our Native Civil Service is probably now paid as highly as any in the world,—considering the standard of living, probably many officers are more highly paid than those of a similar kind in richer countries. I consider two-thirds of the salary paid to an English officer is sufficiently high remuneration for a Native of the country. The difference is perhaps best appreciated, by considering what prospects would obtain the services, in England, of the candidates for employment in India.

Probably half of the young men now competing for the Covenanted Service would prefer to obtain, as the reward of a modest degree at the University, employment under the Crown in England commencing with £200 a year and rising by certain steps to 1,200 or 1,500 a year, with half pension at any time after reaching the age of about fifty-five. Allowing for the difference in the scale of necessary expenditure, this appears to me to be a very fair counterpart of the career open to most Indian graduates in our *present* Native Civil Service.

I may add to these remarks that I think the limit of age for competition for the Indian service should be raised to twenty-one even if, as I should hope may be done, it is reserved for English candidates. I think we should get a better class of candidates—young men who had some choice in the matter of their career, rather than schoolboys, entered for the course by their parents.

I see very little advantage in the long training, after passing in the competitive examination to which candidates are now subjected in England. And if the age were raised to twenty-one, I would reduce the training at home to six months, to be devoted to Indian law and history and political economy, omitting Indian languages, the time spent on which in England is unprofitable.

No. XIII.

T. D. MACKENZIE, ESQ., C.S., ACTING CHIEF SECRETARY TO GOVERNMENT, REVENUE, FINANCIAL AND GENERAL DEPARTMENTS, BOMBAY.

I.—Statutory Civil Service.

Vol IV. Sec III Sub-Sec B. *Bombay*

T D Mackenzie, Esq

1 & 2. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved? If it is not, what are the grounds of disapprobation?—I do not think that the existing system is approved. The Covenanted Civilians see men appointed to the same service as themselves, without having gone through the same tests. They attribute the appointment of the Statutory Civilians to their having strong interest in high quarters; they see in them men of precisely the same class as the ordinary Deputy Collector, placed on a level with themselves for no discernible cause, beyond the fact that they are "Natives of India"; and that in deference to popular clamour, "Natives of India" must be appointed to a service, which they themselves have entered by a long course of patient study and self-denial.

The Statutory Civilian is not satisfied, because he knows in himself, that he is not, as a rule, equal to the Civilian, who has entered the service by his own efforts, that he is no whit better than the Uncovenanted Deputy Collector—perhaps not so good—who is working in the same district with him, and because he considers that the Government, which appointed him to the Civil Service proper, has, by not allowing him the same rates of pay, declared thereby, that he is not such a valuable man as the competitive Civilian. He in fact feels himself cheaper The ordinary Uncovenanted Civilian, in the position of a Deputy Collector, does not recognize, that in appointing a Statutory Civilian of much the same family and class as himself, justice has been done to Natives of India These Statutory Civilians are not members of the ruling race, they are regarded as intruders, who have crept into the Civil Service by favor or good fortune, not by their own merit, and the Uncovenanted Deputy Collector is apt to draw invidious comparisons between himself and the Statutory Civilian—not much to the advantage of the latter.

The system, not only of appointment, but the theory of Statutory Civilians altogether seems to me entirely objectionable. In this Presidency, so far, appointments made have been solely by nomination. Applications for these nominations are submitted to His Excellency the Governor, the applicants worry any one possessed, as they imagine, of interest, to recommend them to favourable consideration; finally Government submits certain names to the Government of India, who select one of the persons nominated. The whole correspondence is conducted with the most confidential secrecy, and nothing is known by the outside public, or even by the applicants themselves, as to the reasons which guide the Local Government in making the nominations, or the Government of India in making a final selection. The result is a selection of one man from amongst several, who possess interest and are able to bring their claims prominently forward.

3 & 4 Are the defects of the existing system (if any) susceptible of remedy—(*a*) by an amendment of the Rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed? If the provisions of the Statute 33 Vic, Cap IV., Sec. 6, are not repealed, nor substantially amended so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised, or in respect of the sanction required for appointments made thereunder?—I object to the Statutory system altogether, and to the appointment to the Covenanted Civil Service of individuals by any other method than that of open competition in England I do not think that the defects of the existing Statutory system are capable of improvement by any amendment whatsoever. I think the Local Governments exercise their powers as well as they possibly can, but circumstances are too strong for them. So far as I am in a position to judge, they have not been able to secure anything like as good a class of men by this system, either physically or intellectually, as the competitive system has done, and personally my own feeling is, that the system is so complete a failure, that it should be abolished on the ground that it satisfies nobody, and does not secure the class of men who ought to represent the Civil Service.

II—Covenanted Civil Service.

1. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Dissatisfaction is, no doubt, felt with the *present system of recruitment* by Natives of India on the ground that, though equality of terms of

competition is offered, yet the condition of age prevents this equality from being anything but nominal. Dissatisfaction cannot but be felt by Englishmen, who enter by competition, at the way in which they are deprived of what they think they have a right to, by the thrusting into the Civil Service of Natives of India, who have in no apparent way proved their claims to enter it.

2. Should any, and, if any, what changes be made in that system?—The changes which I would advocate are—(1) that entrance into the Covenanted Civil Service should be only by open competition; (2) the examination should be held in England only; (3) the age should be altered from the existing 17—19 years to 18—22 years; (4) the probationary period in England, after passing the open examination, should be one year.

It is only by such competition, that a highly-educated class of men can be obtained. To get that education, which shall fit them for success in the examination, they must have certain means to pay for it, and thereby a certain social status; to pass it they must, unless possessed of extraordinary talent, work early and late, and show themselves capable of self-restraint, persistency, and steadiness of purpose,—qualities which will stand them in good stead in their after-career in India.

The examination should be *in England only*, because I hold that it is absolutely necessary for the well-being of India, that its government should mainly be carried on by Englishmen and not by Natives of India. If Natives have the pluck to break through caste restrictions, the energy to undertake the probation of residence in England, the means to pay for that education, and the ability to pass the examination in England under the same conditions as English competitors, they deserve the reward they have striven for, and such Natives I, for one, should gladly welcome into the service.

I would alter the age, partly because I think at present the selected men come out to India too young, and partly with a view to encourage Natives of the class I should like to see in the service, to compete in England. The men who now come out are, if I may say so, still boys. Their judgment is not matured, their constitutions are not established, and they suffer in health more than the young Civilians did, who came out before the age was reduced. The examination of the list of services shows, in this Presidency at least, a painfully large number of young Civilians, who have had to go to Europe on medical certificate in the first half-dozen years of their service, since 1874.

The necessity of keeping the probationers in England for two years hardly seems clear to my mind. They do not acquire the *esprit de corps* which Haileybury men had; they go to a variety of Colleges and Universities, and see no more of each other than they did under the one-year probation system. They know very little indeed of the vernacular languages, when they come out, and in fact, they have really to set to work seriously to learn them, when they arrive in India. What is wanted in this way is a good grounding in the grammar of the languages; and that they could get as well in one year as in two.

3. Do Natives of India labour under any, and, if any, what disadvantages in competing for employment in this branch of the service?—Natives of India certainly have the disadvantages of less perfect means of education—of having to study for the examination in a language which is more or less unfamiliar to them, and of having to go to England to compete for the service. *But it is those very disadvantages which, if overcome, will secure for the service men whom it is worth while having.* By going to England, they secure a more perfect education, they acquire a thorough knowledge of the English language, the manners and customs and habits of thought common there, and their being able to go at all, is in some measure a guarantee, that they are of some social standing, that they belong to families who can afford to pay for the cost, that they are not wanting in self-reliance and pluck.

4. By what changes may those disadvantages be minimised or removed, *e g*:—(*a*) by the establishment of scholarships and allowance of passage money to Native candidates; (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India?—What are disadvantages to the Natives are advantages to the service and to the country, which they are anxious to serve, and for this reason, and because it is in the highest degree undesirable to make the Covenanted Civil Service too cheap or too easy of attainment, I am of opinion that the disadvantages, with the one exception of age, should not be minimised or removed. I think the alteration of age referred to above in my answer to question 2, would be advantageous to the English competitor, as well as the Indian; and it appears to me, that, if such advantages, as raising the limit of age for Indians only, giving largely increased marks in the open competition for Oriental languages, holding an examination in India simultaneously with that in England, allotting a fixed proportion of appointments to Indians only, are given to Indians, then the surest means of destroying the quality of men procurable in England for the Indian

Civil Service has been found. The service has, of late years, been losing many of its attractions, owing to the fall in the exchange value of the rupee, the comparatively poor provision made for widows and children, the knowledge that Statutory Civilians are entering in by side ways and so forth All these facts have been freely proclaimed in newspapers at home, and if to them are joined the special advantages to be given to Indians, referred to above, it seems to me absurd to expect, that high class men will care to enter the service.

5. If an examination is held in India: (1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several Administrations respectively or between the members of the principal religious sects?—I think it impossible that a fair examination could be held in India simultaneously with that in England. It could not be "identical," because there is not the same quality of oral examiners procurable in India as in England, and because, though the papers set might be the same, there would be very serious risk of their contents leaking out before the examination took place. As I hold that it is *impossible* for a fair or "identical" examination to be held simultaneously in England and India, I do not think it necessary to consider the other heads of this question. I would merely note, that as India is a continent with many countries and nationalties, rather than a country with one nation as England is, it is difficult to imagine, how an "identical" examination, which would at the same time be fair, could be held for the Indians themselves, either at one centre or at several.

6. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—In view of my answer to question 5, an answer hardly seems necessary, but if such an examination is held in India, I think the probationers should certainly go to England for at least three years to complete their training.

7. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—Only three Natives have passed into the Bombay Civil Service by competition. Two of these are in the Judicial branch of the service, and the third is a young Assistant Collector, who only joined two years ago. He has not served under me, and I am not able to offer an opinion on his character and capacity. It seems to me, that it is for the Honourable the Judges of the High Court to pronounce an opinion on the capacity of the two others, and I do not think I am in a position to offer an opinion on so personal a matter as their private characters.

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Sec. 6, or from all natural-born subjects of Her Majesty?—Supposing the Statutory Civil Service to be abolished, and entry into the Covenanted Civil Service restricted, in the manner I advocate, I think that, as a rule, the Uncovenanted Service should be recruited from Natives of India as described in Statute 33 Vic., Cap. 3, Sec 6. But there are certain branches, such as the Police in the higher grades, the Salt and Customs Departments, and many of the miscellaneous appointments, such as Superintendents of Government Farms, the Government Central Press, Superintendent of Horse-breeding, Inspector of Factories and Boilers, which require skilled technical knowledge, and Government should assuredly not be restricted to the narrow field of "Natives of India" in such appointments as these. They should be open to all natural-born subjects of Her Majesty.

2. Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—I am of opinion that for all subordinate appointments the existing Bombay system is about as good as can at present be obtained. Men have to pass certain examinations to qualify for entrance into the public service. As a rule those who pass highest are first selected for appointments, and it rests in a great measure with these men themselves to rise in the service. They prove their fitness, first, by their success in the various subsequent examinations they have to pass; second, by the manner in which they perform the duties assigned to them; and if a man has real ability, it is not long before it is discovered—and under the rules of 2nd September, 1885, such a man has a fair opportunity of rising to posts of trust and good pay and position. This

system is a combination of competition and nomination, which to my thinking is already working well, and is likely to work well in the future. For the appointments referred to in the latter part of my reply to question 1, I think the recruitment should be by nomination only.

3. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations respectively, or with a preference for such residents?—As a rule the recruitment should be made by the several Administrations only from persons resident in the territories under such Administrations respectively. I should not object, of course, to the admission of candidates with the required qualifications from Native States in each Presideney or Administration, but, *cæteris paribus*, preference would be given to residents of British territory. The advantages of recruiting servants from the respective territories in those territories and administrations appear to me obvious. They have knowledge of the respective languages, habits, and customs of the people among whom they are serving. They are trained in the schools of those territories, most of them have relations in the Government service of those territories, and consequently have acquired in some measure an informal knowledge of the nature of the work they will have to do, and the system under which it is done; and they naturally look to the Government, which has educated them, to consider their claims for employment, rather than those of outsiders

4. If the existing Statutory Service is abolished, should the proportion of offices assigned to that Service be allotted to the Uncovenanted Service?—I cannot say that I think the proportion of offices, assigned to the Statutory Service, should, in the event of the Statutory Service being abolished, be awarded to the Uncovenanted Service. On the theory which I hold, that the Statutory Civil Service is a failure, and that the men produced by it are certainly no better than the ordinary higher class Deputy Collector, I can see no ground for continuing to deprive the Covenanted Civil Service of the offices, which have been withheld from them during the few years of the existence of the Statutory Civil Service. We want in the Covenanted Civil Service a better class of men, than either the Statutory or Uncovenanted Civil Servant, and to give the appointments, hitherto held by the Statutory Civilian, to the Uncovenanted Civilian is to continue, for no reasonable object that I can see, a very unsatisfactory system under another name.

IV.—Pay and Furlough Rules.

1 & 2. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated?—As I think that posts reserved for the Covenanted Civil Service should not be held by Statutory or Uncovenanted Civilians, the question of different scales of pay ought not to arise But looking to the fact, that under the existing law such posts are not exclusively reserved for Covenanted Civilians, I think, that, if such posts are held by Natives, as defined in Statute 33 Vic, Cap 3, Sec. 6, the pay ought to be not more than two-thirds of that allowed to the Covenanted Civilians, on the grounds that the latter have expenses, such as home remittances, journeys to and from Europe, and the like, which the former cannot have; that the latter have necessarily a higher and more expensive style of living than the former; and that the Europeans ought to have a higher salary to compensate in some degree for the exile they have to endure, while the Indians are in their native land.

3. Should any distinction be made in the Furlough Rules applicable to the Statutory and Uncovenanted branches of the Service according to the nationality of the officer, or on any other, and what ground?—The Statutory Civilian can only be a Native. The Uncovenanted Civilian may be a European. In the latter case he should, on the ground that his health is more liable to suffer in India, than that of the Statutory Civilian, and may absolutely require change from India to Europe, be treated more liberally in the matter of furlough than the Statutory Civilian, *i.e*, that more frequent periods of such furlough, than are now allowed, should be granted to him. I should also be disposed to let him have his leave allowances, which may be on the same scale as now, at par, because, if some such concession as this is *not* made, the grant of leave to him with the rupee from 1*s*. 4*d*. to 1*s*. 6*d*. would be useless. He could not afford to take it.

4. Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service, suitable to Natives obtaining office under the Statutory Rules?—The conditions as to pay, promotion and retiring annuity and the general conditions of office, belonging to the Covenanted Civil Service, should not, in my opinion, be made applicable to the

Vol. IV.
Sec III.
Sub-Sec B.
Bombay.

T. D. Mackenzie, Esq.

Statutory Civilian. The Covenanted Civilian has a right, from his having earned them under contract with the Secretary of State, to expect privileges in regard to pay, promotion, retiring annuity, and general conditions of office, to which the Statutory Civilian has no claim, by his having been pitchforked into the service by favor or interest. But apart from this, it is unreasonable, that a man serving in his own country, with his family about him, with no home remittances to make by means of the depreciated rupee, with no fears of having to break up his establishment and send his family to England, of having perchance himself to undertake the expense of the voyages to and from England for the restoration of his own health—should expect to have the same privileges, as the Covenanted Civilian, who serving in India has all these contingencies to face. The suggestion, that the Covenanted and the Statutory Civilian should have the same privileges, in respect to pay, promotion, retiring allowances and general conditions of office appears to me unjust and unfair to the former, whom it places in a distinctly worse position than the latter.

No. XIV.

J. MONTEATH, ESQ, C.S., M.A, PRIVATE SECRETARY TO H. E. THE GOVERNOR OF BOMBAY.

The Statutory Civil Service.

1. What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—The prevalent feeling in the Bombay Presidency, regarding the existing Statutory system, is, so far as I can gather from the sources of information open to me, one of dissatisfaction. I should say that the dissatisfaction is general amongst the educated classes. There is, however, no lack of candidates for the appointments made under this system, but the desire to enter Government service is so widespread, that the same would be the case under any other system.

2. What are the grounds upon which any such feeling is based?—I think the main ground, on which the dissatisfaction is based, is that there is not, under a system of nomination, a reasonable guarantee that the fittest persons will be appointed. As a matter of fact, the Government has very insufficient means of judging the qualifications of candidates, who are not already in Government service, and men who have proved their merit in the Government service, seldom find it profitable to enter the Statutory Civil Service at the bottom. People who give recommendations, are often in no better position to form an opinion than Government is. I do not mean that they say anything which they do not entirely believe, but they may be induced by pertinacious parents or relatives to say all they can in favor of a candidate, and there is a danger of more weight being attached to such recommendations than they deserve. The opinions of teachers are perhaps the safest guide, but as different teachers recommend different candidates, these opinions do not furnish adequate means of estimating the comparative merits of candidates.

13. How do Statutory Civilians compare, in regard to their work as public servants, with Native Civilians who have passed in by the channel of the English competition?—Only three Natives, I think, have passed into the Civil Service of the Bombay Presidency by the channel of the English competition, and one has served for only two years. I have had some, though not very ample, means of judging, and I should say that they are very much better fitted for much of the work of Civilians, than most of the Statutory Civilians, although some of these are, no doubt, competent officers. One, who was nominated, found great difficulty in passing the lower standard examination and resigned

14. How do Statutory Civilians nominated or selected by competition compare in regard to their work with Statutory Civilians selected on the ground of merit and ability previously proved in the Uncovenanted Service, or other branches of the Government Service, if any such selections have been made?—Two Statutory Civilians have been selected on the ground of merit and ability previously proved—one in the Uncovenanted Service, the other in the service of the Nizam's Government; but the former has been but two years and the latter but one, in the Statutory Service, and I have had no means of judging of their work. I shall be surprised, however, if they do not prove themselves superior to most of those nominated when under twenty-five years of age.

23 Has the Statutory system had the effect of securing men, who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—So far as I have been able to judge from Administration Reports, I do not think that the officers nominated without regard to merit or ability, previously proved, are superior in point of education or natural ability to the average of District Deputy Collectors.

27. Do young men among the landed aristocracy or of good family display unwillingness to accept posts in the Uncovenanted Service, and a willingness to accept employment under the Statutory Rules?—Young men of good family, (landed aristocracy is a very limited class in the Bombay Presidency), are willing to accept posts in either the Uncovenanted or Statutory Civil Service, but the latter is, of course, preferred, as those in it have higher offices open to them.

31. Has the appointment of Natives under the Statutory Rules or under 24 and 25 Vic, Cap. 54, produced uncertainty or uneasiness in the minds of Covenanted Civil Servants as to their promotion and prospects?—I do not think that any appointment has been made under 24 and 25 Vic., Cap. 54, since I entered the service, but an appointment was made under the rules of 1875, framed under 33 Vic., Cap. 3, Sec. 6 to an office, ordinarily held by a senior Covenanted

Civilian That appointment was strongly protested against by Covenanted Civil Servants whose promotion was affected by it

32. Seeing that the proportion of Natives has been fixed, and that the scale of recruitment for the Civil Service has been adjusted accordingly, is this feeling of uncertainty or uneasiness, if it exists, well-founded?—I am of opinion that it is impolitic to appoint any person, not already in the Covenanted Civil Service, at once to one of the higher offices, ordinarily reserved for that service Such an appointment interferes with the reasonable expectations of the junior members of the service, and, if those who passed the competitive examination before 1870 are affected by it, they have some grounds for regarding it as a breach of faith. The advantages which may arise from the special fitness of the person appointed are likely to be more than counterbalanced by the evil effects of dissatisfaction amongst those whose prospects are injured. There is no reason for uneasiness where the persons appointed under the Statutory Rules take their place in the graded list, according to date of appointment

The Covenanted Civil Service.

89. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I am of opinion that the claim made by a large number of Native gentlemen for a competition in India for the Civil Service, simultaneously with the competition in England, is reasonable, and I see no difficulty in the same question papers being used at both examinations. I think it is an undoubted hardship that Native youths, who aspire to enter the Covenanted Civil Service of their own country, should be precluded from competing without the trouble and expense of a journey to England.

91 If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—I would certainly admit both classes freely to either examination The object of the examination should be to secure the best men, and there should be a fair field, without any avoidable restrictions, all classes of Her Majesty's subjects, who wish to compete, being put, as far as possible, on the same terms.

99. Would a system of provincial examinations be preferable to one examination for the whole of India?—I do not see why there should not be an examination at the capital of each Presidency, the same question papers being of course used at all. The inconvenience to competitors should be reduced to a minimum.

102. If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age?—I think the limits of age should be, as they were before, nineteen and twenty-one. The present limits—seventeen and nineteen—cause boys to begin the severe mental strain of preparation for the competition, when they are very young, with the result that many ruin their constitutions. Moreover, if the object of the examination is, as I shall contend it should be, to discover those whose power of appreciating evidence is strongest, the examinees should be of an age, when they can reasonably be expected to have their faculty of judgment developed, not when they have merely undergone the preliminary mental training which is given at public schools

103. In regard to minimum educational attainments?—I do not think any preliminary qualification in respect of minimum educational attainments need be required. The object of such a requirement would presumably be to prevent trouble from the competition of utterly unfit persons, and it might be attained by exacting a moderately high entrance fee.

104. In regard to moral, social and physical fitness?—A certificate of good moral character from a Magistrate or other person of acknowledged position might be required, although I do not think the utility of such certificates is great. It would be difficult to define what social fitness is required. I am of opinion that physical fitness should be certified by the Medical Board, which meets at each Presidency town, or by the Medical Board at the India Office, and that instructions should be given, that the certificates should not be lightly given For most of the work of Civil Servants physical fitness is almost, if not quite, as important as intellectual fitness, and the loss which falls on the State, owing to the physical unfitness of some Civil Servants, is very considerable The certificate now required is insufficient. A candidate may have no disease, constitutional affection or bodily infirmity, as that term is generally understood, and nevertheless be physically unfit for the strain and exposure to the sun which a Civil Servant has often to undergo. No person should be admitted as a candidate, who is not certified to be of *good* constitution.

106 Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different?—I think that the subjects and conditions

should be the same for the examination in England and India, but the existing conditions of the examination in England are defective. The rule that no subjects are obligatory, introduces an element of chance, which can be excluded. Some examiners are easy; others are hard. The examiners in Sanskrit and Arabic may consider a very moderate knowledge of these languages worthy of high marks; the examiners in French, German or Italian may regard a candidate, who does not speak these languages with the accent of a Frenchman, German or Italian, as little more than a "smatterer." Again most of the subjects, in which the examination now takes place, are not subjects by an examination in which a candidate's faculty of judgment can be tested, nor are they subjects of which a knowledge is required for the practical work of a Civilian. I do not question the educational value of the study of Latin and Greek, but a man may be a good Latin and Greek scholar and yet a bad reasoner Still less do I question the educational value of a study of mathematics, but I knew a candidate, who passed the open competition mainly through a remarkable facility he had of solving abstruse mathematical problems, and who was, I believe, finally rejected, because he could not comprehend Political Economy, Jurisprudence and the Law of Evidence. All the intellectual part of a Civilian's work consists in drawing inferences from the evidence presented to him, or which he can procure. The evidence is not presented to the Executive Officer with the same formality, as to a Judicial Officer, or subjected to the same tests, and he has sometimes to take action on very meagre evidence, but the former, as well as the latter, has to base conclusions on the facts brought to or within his knowledge, and the best officer is he, who forms the soundest judgment on the evidence available The object should, therefore, be to test the candidate's power of appreciating evidence. I have little doubt, that this object can be effectively attained by a properly conducted examination in Logic, the Law of Evidence, Jurisprudence, Political Economy and Metaphysics. I have as little doubt, that it cannot be effectively attained by an examination only in languages, whereas at present a candidate, proficient in Latin, Greek, French, German, Italian, Sanskrit and Arabic, would be almost sure to take a high place in the list of successful candidates. Accordingly, I think that the subjects in which judgment can be tested should be compulsory. It is also essential, that a Civilian should be able to express himself lucidly in English, and English composition should be compulsory Some candidates have been, I believe, successful, without taking up any branch of English, which seems absurd The method of reasoning in mathematics is different from that ordinarily required in practical affairs and for the work of a Civilian, but as the study of mathematics tends to produce accuracy of thought, and as some knowledge of arithmetic and algebra, at any rate, is necessary or useful for practical purposes, I should not object to see pure mathematics made compulsory No candidate should be successful, who does not show a fair proficiency in every compulsory subject, and, to eliminate chance, as far as possible, the selection of candidates should be determined by the result of the examination in compulsory subjects. If credit is to be given for general culture, the result of examination in other than compulsory subjects might be taken into account, in determining the place in the list of selected candidates

I do not overlook the fact, that, if examinations were held simultaneously in England and India, it would not be practicable to have a uniform *vivâ voce* examination. But I do not think a *vivâ voce* examination is so essential, for determining the comparative merits of candidates, as to justify the trouble and expense to many candidates involved in the examination of all at one place.

108 Circumstances being different in the case of persons who enter through the examination in England, and of persons who enter through the examination in India, is there any reason, why the rules in regard to pay, leave, pension, &c, should not also be different?—Persons domiciled in India do not require equally liberal rules in regard to pay, leave, pension, &c, with those domiciled in England; but, if all enter the service through the same channel, I am afraid it would be difficult to make any distinction on that ground, which would not be regarded as invidious

110 Would it be preferable (*a*) to require selected candidates to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there?—I think all selected candidates should be required to spend a probationary period of two years in England. To put those who pass the examination in India on the same footing as those who pass in England, the cost of the journey to England should be borne by the State Indian candidates would be specially benefited by a study of the practice of the English Courts.

The Uncovenanted Service.

114 & 115. To what extent does the Uncovenanted Service in your Province include in its ranks persons eligible, on the ground of proved merit and ability, for appointment to offices ordinarily reserved

Vol IV
Sec. III
Sub-Sec B.
Bombay,
—
J Monteath,
Esq

for members of the Covenanted Civil Service? If there are such persons in the Uncovenanted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay?—In very few cases could persons in the Uncovenanted Service be appointed to the lowest grade of the Covenanted Service, without suffering in pay. They have seldom proved their merit and ability, before drawing much more than that pay.

117. Do you think they would be willing to forego pay for the sake of the advantages which admission to the Civil Service might afterwards bring? I have reason to believe that many would not be willing to forego considerably higher pay for the sake of the advantages which admission to the Civil Service might afterwards bring.

118. What special provision, if any, do you think should be made for the appointments to Covenanted posts of deserving members of the Uncovenanted Service?—I do not think that any special provision should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service. As already stated, they cannot ordinarily be appointed to the lowest grade without loss of pay, and they cannot be appointed to the higher post without blocking promotion and causing dissatisfaction amongst the junior members of the service. If the practice of reserving certain appointments for the Covenanted Service were discontinued, I believe that many of the most desirable candidates, especially in England, who had fair prospects in other spheres, would be deterred from competing.

125. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed? I think that the Uncovenanted Service, equally with the Covenanted Service, should be open to all natural-born subjects of Her Majesty, who possess the qualifications that may be from time to time prescribed. I do not think that it is for the advantage of the State to make any class restrictions. The best men available should be secured for all appointments, irrespective of race or creed.

General.

153. How far would any system of appointment, which involves a journey to, and residence in England be regarded by the Native community as open to objection, on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—I do not think that any serious objection would be made in this Presidency to a system of appointment, which involves a journey to, and residence in England. Caste prejudices sit very lightly on educated persons of the highest caste, and I infer from published instances, that there is no great difficulty in a Hindu of high caste, who has gone to England, getting reinstatad in his caste, if he so desires.

159. Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—Accordingly I do not think that the requirement of a temporary residence in England would have the effect of excluding from the service any considerable or important section of the Native community.

No. XV.

VINAYAK VASUDEV, ESQ, J.P.; FIRST CLASS SARDAR; FELLOW OF THE BOMBAY UNIVERSITY.

I have the honor to acknowledge the receipt of your letter No 17 of the 30th November last, forwarding to me a set (D) of questions relating to certain points bearing on the enquiries entrusted to the Public Service Commission by the Government of India.

In reply, I beg to state that I have had very little experience of district administration to enable me to lay before the Commission any views on the several points mooted in the questions. I will not, therefore, trouble the Commission by appearing before it to tender evidence, but would beg leave, respectfully, to submit the following observations:—

I. Experience has shown that the existing Statutory system is a failure, and if it is to be retained at all, the only way, in my opinion, in which it can be made to succeed, is by restricting the selections to officers of proved merit and ability already in the Uncovenanted Service Such appointments to posts ordinarily reserved for Covenanted Civilians, will be looked upon as a reward for services rendered The system will at the same time be beneficial to Government, inasmuch as it will be an inducement to officers of the Uncovenanted Service to work with greater zeal and ability.

II. As regards the competitive examination for the Covenanted Civil Service, I am of opinion that it should be held only in England, as at present, but that the limit of age for the selected candidates should be raised to twenty-three, and that Sanskrit and Arabic should be substituted for the European classical languages.

III. As regards the composition, recruitment, &c., of the Subordinate Executive and Judicial Services, I am of opinion that no change need be made in the existing arrangements.

No. XVI.

SYAD NURUDDIN KHAN, OF THE STATUTORY SERVICE; ASSISTANT COLLECTOR, THANA, BOMBAY PRESIDENCY.

The Statutory Civil Service

1 What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—I think the general feeling among the better classes is in favor of the Statutory Service, provided appointments to it are reserved for the higher and more respectable classes of the community, who, from their social position, could claim equal status with gentlemen, Civilians appointed in England—of course the selection must be based on the qualifications of the nominee.

3 Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Cap. 3, Sec. 6), or is it directed against the rules framed thereunder?—I believe the service would be still more popular, if the rules were modified. My reasons for this will be found under 10 to 19.

7 to 9. What amendments do you advocate in Section 6 of the Statute? Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide? If not, can you suggest any more complete or more satisfactory definition?—I consider the definition of the term "Natives of India" defective, because the son of a Native of India, himself a British subject, may be born in a Native State or even in Europe, but as the definition now stands, he would be pronounced ineligible, the omission of the words "born and" would I think meet the case.

10 to 19 If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted? Do they relate to the general conditions, in regard to pay, promotion and retiring annuity under which Statutory Civilians hold their offices? Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them? Do Statutory Civilians regard themselves as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel? Are they so regarded by the general public, or by their *confrères* in the service, who have entered through the competitive channel? If such a feeling exists, on what grounds is it based? Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers? If so, on what grounds? Do competitive Civilians, English and Native, and members of the Uncovenanted Service, respectively, stand on a footing of cordiality with Statutory Civilians, or is there any friction between them?—I hardly think Statutory Civilians regard their own position as inferior to that of persons entering by competition, but there is little doubt that their *confrères* in the service and the general public do hold that view. The reason is obvious. One has entered the service by sheer hard work and must naturally be proud of having passed one of the most difficult examinations in the world. He is prone to regard the Statutory Civilian as more fortunate than deserving. The general public takes the same view; but the conservative instincts of the Statutory Civilian, who is chosen not only for marked ability and experience, but, what to him is of far greater consequence, social position, considers that he is in no degree behind the Covenanted Civilian, who has won his laurels in England, but this very difference, real or imaginary, must result in a want of *esprit de corps* amongst the members of the two systems, although I have certainly not experienced any want of cordiality. The general belief is in the existence of such a feeling. I have, however, no knowledge of any instances of friction.

20 to 23. Do young men among the landed aristocracy or of good family display unwillingness to accept employment under the Statutory Rules? If so, what are the reasons for this unwillingness? Do young men among the landed aristocracy or of good family display unwillingness to accept posts in the Uncovenanted Service, and a willingness to accept employment under the Statutory Rules? If so, on what grounds?—I have never known of any scion of good family, (and I have spoken to many on the subject), displaying unwillingness to join the Statutory Service, but there is little doubt, that, if the door is thrown open by the adoption of a *general* competitive examination, the service would speedily cease to be held in high esteem, in the same way, as, when the Haileybury system was abolished, in favor of the competitive, dissatisfaction arose on the score of the want of social status in the ranks of the service. It is merely the difference in this respect, which makes

the Statutory Civil Service more popular than the Uncovenanted Civil Service

24 & 25. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your province? How would a system of nomination to be followed by a period of probation be regarded by the same classes?—Favorably.

26 Would a system of nomination, with, or without probation, be likely to secure well-qualified persons?—Yes, if nominations were made with due care.

27. Has experience actually shown such a system to secure well-qualified officers? —I believe it has in the Bombay Presidency.

28 & 29 Do you consider that nominations should be confined to persons of proved merit and ability? If so, how do you consider that merit and ability should be held to have been proved for this purpose?—Yes, I think merit and ability can only be proved by the work done. A nominee should, therefore, be attached to some office or be appointed *sub-pro tem* in the higher grades of the Uncovenanted Service

30. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded? —A system of limited competition is just what I would advocate. The competition should be open only to those nominated by Local Governments, and care should be exercised, in admitting those only, who combine social status with merit and ability.

31. In preference to either of the above systems (nomination and limited competition) would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community? —I do not think such a competition would commend itself to the better classes of the Natives.

32 & 33. If competition (whether limited or open) is preferred, should there be one competition for all India or separate competitions in each province? If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several provinces?—One general competition and one standard would certainly be the fairest. The difficulty, suggested in question 33, might perhaps be met by Local Governments being allowed to nominate, as competitors, a sufficient number, so as to leave a margin for failures. Those who obtain the highest marks, would be eligible respectively in their own provinces. I would not, however, confine successful candidates to their own provinces, but appoint them promiscuously.

35. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social, and physical fitness?—I certainly think that the age limit should be considerably increased. The intellectual capacity of a man might be determined by a preliminary examination, while his nomination should depend on his moral, social and physical fitness

36. If so, what should be the tests under each of the heads specified?—This should rest with Local Governments.

37 & 38. Do you consider that (after selection whether by nomination or competition) there should be a period of probation? If so, what should be the duration of the probationary period?—The probationary period might reasonably be three years, but the Local Government should have the power of earlier confirmation in cases where special merit and aptitude is shown

39. Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—In the higher ranks of the Uncovenanted Service, or as *Attachés* at the disposal of the Local Governments.

40 Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—The period of probation should immediately follow the passing of the examination and would really be a useful training for public service The subsequent passing of departmental examinations will, of course, be required.

41. If so, should the special training be carried out in India or in England?— Both in India and England.

42. If in India, would it be possible and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—Yes, if admission to the College is to be by nomination Residence at the College, during the course of study, should be a *sine quâ non*. This would in a great measure conduce to broad and enlightened views, for I cannot conceive that a man who will not more or less throw off the trammels of caste prejudice, will be enlightened enough to fitly govern his fellowmen of different creeds.

43 If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service?—Yes.

44. If so, what form should such encouragement take?—By granting a free passage and scholarships to those who may really be unable, unassisted, to proceed to England and prosecute their studies there.

45 to 47. Should it be offered before, or

during, or after the probationary period, if any, through which nominees or selected candidates may be required to pass? Should it be offered before or after the nominees or selected candidates enter on their duties? Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—Before the nominee enters upon his duties. The scholarships should be granted only to those, who have already qualified themselves in India by passing a preliminary examination and are striving to make themselves more useful. The period so spent in England might form part of the period of probation, and as an additional inducement, a year's remission might be allowed out of the probation

50 If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—I think not.

51 If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—Yes.

52. If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—I look upon the Statutory system as one which should open a field only to men of good birth, and so long as it retains that peculiarity, it is sure to find favor among the better classes. The class of appointments for which members of the Statutory Service should be considered eligible could be best decided by the Supreme Government.

Competition in England for the Covenanted Civil Service

53. Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—No.

54 Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—Yes, every possible facility should be given.

55 & 56 If so, what form or forms should such facilities take? What conditions, if any, should be attached to them?—Raising the limit of age, giving higher marks for Oriental languages, and waiving the necessity for so much classical education, as is not absolutely necessary for a successful administrative career in India.

57. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—I see no objection to such men being admitted to the Statutory Civil Service, provided they possess family qualifications.

58 Assuming it to be advisable to appoint to the Statutory Service in India Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England, and be subject to the same final examination?—They must be subjected to a probationary training, as in the case of the Statutory Civilians

59. Should they, on appointment to the Statutory Service in India, be subject to the same incidents as apply to other persons appointed under the Statutory Rules?—They should, of course, be subjected to the departmental examinations.

60. Can you say what number of Natives belonging to your province have presented themselves annually at the competitive examination in England, and what degree of success they attained?—I cannot tell.

61. What class or classes of Natives in your province readily go to England?—Parsis and Mahomedans.

62. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Yes, by the Hindus on the score of religion, but I believe this prejudice is fast wearing away.

63. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—The examination standard and conditions should be the same, subject to a less severe test in classics.

64 to 68 If the standards and conditions were different, how would it be possible to compare the results in the two examinations so as to bring out one list in order of merit? Would it under such circumstances be desirable to allot a fixed proportion of appointments to each of the two examinations? If a fixed proportion of appointments were allotted for a Native examination in England, do you consider that in view of the objections against a voyage to England and life there, the cost thereof and the chances of failure, a sufficient number of suitable candidates from your province would be available to make the competition a real competition? If the examinations were distinct, what should be the limits of age for the Native examination? What should be the conditions, nature and subjects of the separate Native examination?—No answer required.

69 & 70. Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and

the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates? If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage? —Native lads do not generally take Latin or Greek as their second language for the University examination in India, and this militates against their chances of success in England. If their own classics were respectively substituted for Latin or Greek, and the limit of the age raised, I think Native candidates would not be placed at any great disadvantage

71. If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates, and, if so, what should the limits for Native candidates be?—The age limit for Natives should be higher and not less than twenty-three years. I attach much importance to the raising of the age limit, because parents in India would more willingly part with their sons after their force of character had been established than at an earlier age.

72 If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—No, the European has no cause to complain, as he is at home in his own country; and in his course of studies he follows up what he has begun. He learns his own mother-tongue, while the Native has to get up a foreign language The earlier years of the Mahomedan youth, for example, are spent in reading Arabic and Persian, and he begins English, (the language he has to pass in), at an age, when the English lad has already mastered it

73. What is the average age at which Natives at the Indian Universities pass the examinations for F.A, B A, and M A., respectively?—About nineteen, twenty-three and twenty-five respectively, as far as I am aware.

74 From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—Brahmans, Parsis, and Mahomedans.

Competition in India for the Covenanted Civil Service.

75 Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I am no advocate of a separate Indian Civil Service examination being simultaneously held in India.

76. How would this method of selection be regarded by the Native community generally?—Favorably.

77 & 78 If you advocate such a system would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination? If Native candidates were admitted to the competition in England, while English candidates were excluded from the competition in India, on what grounds could this distinction be justified?—Require no answers—*vide* 75.

79. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—Yes

80 Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—Yes, the Hindus and Parsis only, Mahomedans being backward

81. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—There would, therefore, certainly be class or caste preponderance.

82 Do you think there are any objections on political or administrative grounds to open competition in India?—There are political and other objections.

83 Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—I think not

84 to 99 Under such a system how would it be possible to provide against Natives of a province in which education is comparatively backward being excluded from appointments in their own province? Would a system of provincial examinations be preferable to one examination for the whole of India? Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England? Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed? If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age, in regard to minimum educational attainments and in regard to moral, social and physical fitness, and in other respects (if any)? Should the subjects and conditions of the examination

be the same as those prescribed for the competitive examination in England, or should they be different? If different, what should they be? Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c., should not also be different? Should successful candidates go through a period of special study in India like the English candidates, who spend two years in special preparation; or would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there? Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment? If so, what should be the duration of the probationary period? How should it be passed—in the ranks of the Uncovenanted Service, or otherwise?—Not being in favor of this system, I must leave these questions unanswered.

Promotion from the Uncovenanted Service.

100 What special provision, if any, do you think should be made for the appointments to Covenanted posts of deserving members of the Uncovenanted Service?—Any special provision in their favor should be considered by Government. Appointments to the Statutory Service, as I said before, should be made solely on family considerations.

101. If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service, and, if so, what classes?—Such as Extra Assistant Commissioner, Deputy Collector, or Sub-Judge.

102. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—No probation is necessary; if already qualified in the lower and higher standards, no further ordeal should be imposed.

103. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the *higher* Covenanted offices without requiring them to pass through the lower grades?—This should be left to the discretion of Government. [See reply to 114]

104 If certain appointments in the Covenanted grades are set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service?—Not necessarily.

105. Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service?—No special provision seems necessary in the case of a European who by law is ineligible for the Statutory Service.

106. Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India"?—No. Not in the case of Eurasians, as I think the Statute already provides for this class.

107 & 108. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed? If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of 1st November, 1858, is this to be justified?—Yes Open equally to all natural-born subjects of Her Majesty.

Pay, Leave, Pension, &c.

109. Is the rate* of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient?—Not quite sufficient.

*Two hundred rupees a month on first appointment as probationers Two hundred and fifty rupees a month after passing the departmental examination by the lower standard After passing the departmental examination by the higher standard (unless specially exempted) and after having been confirmed in their appointments, 64 per cent of what would be the gross pay or salary of the office if it were held by a Covenanted Civil Servant appointed after competitive examination in England.

110. If not, on what grounds do you consider it insufficient, and what rates of pay should, in your opinion, be granted to Statutory Civilians (*a*) while on probation, and (*b*) on final confirmation in their appointments?—Not sufficient on final appointment, because he is liable to the same conditions, with respect to expense of living, &c, to maintain his social position as the competitive Civilian. The rate of pay in my opinion to be granted to the Statutory Civilians should be (*a*) while on probation Rs 300, and (*b*) on final confirmation 75 per cent of what would be the salary of the office, if held by a Civil Servant appointed after competition in England.

111. Would these rates of pay be suitable in the case of persons appointed to Covenanted posts from the Uncovenanted Service?—Yes, they would.

112. Would they be suitable in the case of persons appointed to Covenanted posts from the professional classes?—

Selection from the professional classes should depend on family qualifications, and the same test should be required as from candidates entering the Government service for the first time. In other words, there should be only one door, and when this condition is fulfilled, there should be no difference in emoluments.

113. If not, how would you treat in regard to pay persons selected from these two classes if appointed to the lowest grade of the Covenanted Service?—The Uncovenanted official ought to be admitted to such Covenanted posts as offer him higher emoluments than that enjoyed by him

114. How would you treat in regard to pay such persons if appointed to any of the *higher* Covenanted posts without being required to pass through the lower grades?—Such appointments will, probably, only be made, owing to exceptionally high merit, (*vide* reply to No 103), and the rate of pay should, I think, be 75 per cent. of Covenanted salary

115. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England and to persons holding Covenanted posts who do not enter through that channel?—Yes, to the extent given in my reply to question 110.

116. If so, what would you consider the fair rate of reduction to be made in the case of persons holding Covenanted posts who do not enter through the competitive channel in England?—See reply to No. 110.

117 & 118. Would you approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the holder, whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England? Can you suggest any other way of providing different rates of pay?—No.

119 & 120 If you consider there should be no difference of pay, how do you justify the application of the same rates of pay in the case of Natives who have satisfied the very high tests required by the examination in England and Natives who have not? On the same assumption, what are your reasons for holding that the high rate of pay which is considered to be necessary to secure the services of persons of tested qualifications in a country far from their homes, and under various other unfavorable conditions, should be given to persons whose qualifications have not been so tested and who serve in their own native country?—Requires no answer.

121. Have you any remarks to make on the leave rules embodied in the Civil Leave Code which apply to Statutory Civilians?—I think the present rules are liberal. Provision might, perhaps, be made under examination leave for those who wish to study in England

122 to 127. At what age do you consider that Natives appointed to Covenanted posts otherwise than through the competitive channel in England should be entitled to retire on pension? After what length of service do you consider that such persons should be entitled to retire on pension? At what age should they be obliged to retire on pension? After what length of service should they be obliged to retire on pension? What amount of pension should, in your opinion, be granted to Natives so appointed if they serve the prescribed period for voluntary and compulsory retirement respectively? If before serving the prescribed period for pension they are compelled to retire on medical certificate, what gratuity, if any, would you give them?—The present rules appear liberal enough.

General.

128. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—See answer to 79.

129 to 138. In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard? Do you consider that Indian schools at present develop the force of character and other qualities required for English administration? Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country? If not, where must we look for representatives of these classes, and how do you consider that their services could be best obtained? How far would any system of appointment which involves a journey to, and residence in, England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service? How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to, and residence in England? Are the Natives who go to England from your Province for purposes of education limited to the wealthier classes? Are they limited to any particular section of the community, or to any particular creed? Does a voyage to, or residence in, England involve the loss of social position or other

unfavorable consequences in the case of any section of the Native community? Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—I consider the education in Indian schools and colleges sufficient, if supplemented by a two years' residence in England, to finish it and form character. Such residence ought to be enforced and encouraged by scholarships, free passage, &c, where the candidates' means require such assistance Caste is not now-a-days a very formidable objection.

139. Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—No

140 & 141. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to, and residence in England? If so, what provision should be made for this purpose?—Answered in Nos. 42 and 129 to 138.

142 & 143 If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes? If so, what provision should be made for this purpose?—This is a matter for the decision of Government, but I am not in favor of appointments from the professional classes by *nomination* only

144 & 145. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case? Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—Certainly.

146. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—I think not, because efficiency in English is essential now in every grade of the service

148. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—Yes.

149. Would it be desirable to rule that the proportion of persons, being Hindus and Mahomedans respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any Province, should bear a certain relation to the number of the two classes composing the population of the Province concerned?—Not necessarily.

152 & 153. How would the following scheme be regarded by the Native community: (1) the Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible? How would you regard such a scheme?—They would deprecate anything that would have the effect of making a difference between the two classes and setting apart certain *appointments* for Natives. This would, I think, lead to those appointments being in time regarded as less important than those reserved for Europeans

154 & 155. How would the Native community regard the following. (1) the Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England, to which Natives and Europeans alike would be admitted; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible? How would you regard such a scheme?—I can see no objection to this scheme, provided appointments to the latter are made both in the case of Europeans and Natives from really good families

156 & 157. If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India? How would you view such a proposal?—If the recruiting in India is confined to men of social standing, the scheme would, I think, be viewed with favor I should certainly view it with favor myself.

158 & 159. How would the Native community regard the following scheme. (1) a certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India, (3) the remainder to be filled by competition in

England? How would you regard such a scheme?—I think this scheme has the advantage over the two first proposed.

160 & 161. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favor of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order, to (*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M. A.? What is your opinion as to giving such preference?—Native opinion would, I think, give the preference to persons of social status and influence. I think myself, that, for the Statutory Civil Service, members of families of tried loyalty and distinguished service should be selected.

162 & 163 How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates? How would you regard such a scheme?—I have not the least doubt, that nomination on the ground of merit and ability would commend itself

164 & 165. If the Statutory system were maintained, and if a probationary period were required from nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases, *e.g.*, in the case of a person who has done good service in the Uncovenanted ranks? In the case of persons nominated from the professional classes is it desirable that a probationary period should be prescribed?—Certainly not.

167. On what principles should the promotion of Natives appointed to Covenanted posts, otherwise than by the channel of the competition in England be regulated?—Promotion should be by merit alone.

168. Would you regulate such promotion only by considerations of fitness and approved personal merit?—Yes.

169. Should Natives appointed to Covenanted posts be required to pass the departmental examination?—Certainly.

170 to 172. Should they be required to pass the departmental examinations by both the lower and higher standards within their probationary period, subject to the penalty of forfeiture of appointment, if they fail to pass within that time, unless the period is for special reasons extended? Should a period longer than the probationary period be allowed for passing the departmental examination by the higher standard? Should the present rule be maintained under which probationers may be confirmed in their appointments at the close of the probationary period of two years, provided that they pass within that period the departmental examination by the lower standard prescribed for Covenanted Civilians appointed in England, no obligatory period being fixed for passing the higher standard, but no promotion or increase of pay being attainable until the higher standard examination has been passed, and power being retained to the Government to dispense with the services of a Statutory Civilian who may fail to pass by the higher standard within a reasonable time?—I would confirm a man on his passing the lower standard, but for his promotion, until he has passed the higher, giving him further latitude as to time.

174. Should subjects of Native States be eligible for appointment to Covenanted posts in British India?—Power might well be reserved for Government to exercise a discretion in this matter

175. If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—To all.

176 & 177. What system, if any, is at present adopted in your Province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship? Does the system work well, and what improvements can you suggest?—None that I can think of. All is left, I believe, in the hands of Government.

No. XVII.

KHAN BAHADUR NAVROJI DORABJI KHANDALAVALA, B A, L L B, ACTING JUDGE, SMALL CAUSE COURT, AHMEDABAD.

Vol IV.
Sec III
Sub-Sec B
Bombay

Khan Bahadur *Navroji Dorabji Khandalavala*

The Statutory Civil Service

1. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—The prevalent feeling regarding the existing Statutory system is one of dissatisfaction, the dissatisfaction being general in the educated and thoughtful classes.

2 What are the grounds upon which any such feeling is based?—The grounds for such a feeling are (*a*) that it brings into play the old system of patronage, which has long since been found to work unsatisfactorily, (*b*) that it opens up a sort of a backdoor for nominating to the highest class of the public service untried men of inferior qualifications and attainments, (*c*) that it excludes persons of superior abilities, who would be quite willing to prove their qualifications by open competition.

3. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic, Cap. 3, Sec. 6), or is it directed against the rules framed thereunder?—The feeling of dissatisfaction, that exists, is not directed against the Statute itself, but against the rules framed thereunder for nominating new men, not already in service

13. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers?—The general public do view with a certain amount of difference the status of Statutory Civilians and that of Uncovenanted officers.

14 If so, on what grounds?—The grounds of this difference lie simply in the higher and more influential posts to which Statutory Civilians are appointed and not in any superior qualifications, which they possess.

15. How is the present Statutory system regarded by members of the Uncovenanted Service?—The members of the Uncovenanted Service regard the Statutory system with disfavor and dissatisfaction

16 Do competitive Civilians, English and Native, and members of the Uncovenanted Service, respectively, stand on a footing of cordiality with Statutory Civilians, or is there any friction between them?—There is no particular friction between English competitive Civilians and Statutory Civilians, neither is there much cordiality As to competitive Native Civilians and members of the Uncovenanted Service, these naturally mix more freely with the Native Statutory Civilians, however much they might condemn the system

17 Has the Statutory system had the effect of securing men who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—The Statutory system, as far as it relates to newly-appointed men, and in this Province it has almost wholly been confined hitherto, to young untrained persons, has not at all had the effect of securing men who, in point of education or natural ability, are superior to the average of those promoted to the higher ranks of the Uncovenanted Service.

18 Has the result of the Statutory system been to secure the services of men of better social position and better family than those who usually accept posts in the Uncovenanted Service?—The number of the Statutory Civilians being at present limited, there are not enough materials for a proper comparison with officers in the Uncovenanted Service, as regards their family and social position. But there are in the Uncovenanted Service many men of just as good family and social position as in the Statutory Service, and it may fairly be said, that the result of the Statutory system has not altogether been to secure the services of men of better social position and better family

23 Do you consider that nominations should be confined to persons of proved merit and ability?—The influential sections of the Native community desire that nominations should be confined to persons of "proved merit and ability" only.

24. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—This "merit and ability" should be held to have been proved by qualifications of a high order shown in the Uncovenanted Service of Government, and certified to by the High Court or the Commissioners of Divisions respectively for the Judicial and Revenue Branches of the service.

30 to 32 Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social and physical fitness? If so, what should be the tests under each of the heads specified? Do you consider that, (after selection, whether by nomination or com-

petition), there should be a period of probation?—Under the system of nomination restricted, as said above, to cases of "proved merit and ability," shown in the Uncovenanted Service of Government, no tests of preliminary qualifications on the part of the nominees, as to (1) age, (2) intellectual capacity, (3) moral, social and physical fitness will be needed, and there should be no period of probation.

42. Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—I would recommend the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the competitive Civil Service, if it was decided not to hold the open competitive examination simultaneously in England and in India.

46 & 47. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system? If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, still it would be necessary to retain the Statutory Service for promoting persons of "proved merit and ability" from the Uncovenanted Service

Competition in England for the Covenanted Civil Service.

48. Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—The competition of Natives in the examination in England is not favorably looked upon by large and important classes in India, owing to the great expense that has to be incurred in going to England and studying there; the difficulties as to caste, and the risk to health and morals.

49. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—If the open competitive examination were not to be held in India, additional facilities should certainly be given to Natives for proceeding to England and entering the Civil Service by the channel of the English competition.

50. If so, what form or forms should such facilities take?—The very first thing that should be done is to increase the limit of age to twenty-three years, and the next step should be to give scholarships to deserving candidates to proceed to England.

52. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—The Statutory Civil Service, not being worth retaining as far as new men are concerned, those that have failed in the competitive Civil Service, and yet have shown merit, cannot have any place in the limited Statutory Service reserved for Uncovenanted servants

56. What class or classes of Natives in your Province readily go to England?—The middle classes of Natives readily go to England

57 Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Some orthodox Hindus entertain objections to go to England on account of religious scruples

58 Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—The examinations for Natives in England should not be distinct in standards and conditions from that for English candidates, and there should be one and the same examination for all

64 Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—Assuming only one examination in England for both English and Native candidates the subjects and standards of examination and the conditions as to age and other matters would place Native candidates at a disadvantage, as compared with English candidates

65 If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—Native candidates are placed at a disadvantage, owing to the heavy expenses they have to incur in going to England and studying there for a time, the risk to health being often very great, The extremely anxious state of the mind of the student, helps, in a measure to deteriorate his constitution in a foreign and severe climate, where he could scarcely have any friends. There is also the danger of young lads sometimes going astray.

To remove these and other disadvantages, a simultaneous competitive examination in India is the only safe and just alternative.

66. If there should be only one examination for all candidates, should the limits of age for Natives be higher than

those at present fixed for European candidates; and, if so, what should the limits for Native candidates be?—The limit of age for Natives must be higher than what it is at present, but it should be the same for Natives and Europeans, and must be fixed at not less than twenty-three years.

69. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province?—The majority of candidates who graduate in the Indian Universities are usually drawn from the middle classes of Native society.

Competition in India for the Covenanted Civil Service.

70. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I am in favor of a competition in India for the Civil Service, simultaneously with the competition in England, the same papers being used at both examinations.

71. How would this method of selection be regarded by the Native community generally?—This method of selection would be regarded by the Native community with great satisfaction.

72. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—I would not recommend any restriction, but I would admit both classes—Natives and Europeans—freely to either examination.

74. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—The educational institutions available in India are not at present quite capable of giving the very high class education, required by the competitive system, because such a want has not hitherto been felt. But, if the competitive examination were once declared open in India, in a very short time there would be competent teachers coming out here from England, and in India itself, the necessary standard of high class teaching would soon be developed to supply the need.

75 & 76. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others? Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—An open competition in India would not give decided advantages to any particular class or classes of the Native community over others. The exceptional abilities, necessary for a successful Native candidate in a keenly-contested examination with English candidates, do not belong to any particular caste or creed, and no one particular community seems to have any peculiar advantages in this respect.

77&78. Do you think there are any objections on political or administrative grounds to open competition in India? Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—I do not think there are any objections on political or administrative grounds to open competition in India, neither would it deter cadets of leading families from aspiring to enter the ranks of the Civil Service

79. Under such a system how would it be possible to provide against Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province?—Where there is open competition, no provision is necessary to provide against Natives of a Province, in which education is comparatively backward, being excluded from appointments in their Province. This deficiency should in the first instance be made up by appointments in the Provinces itself to the ranks of the Uncovenanted Service, from which capable and deserving officers would in course of time find their way to the Covenanted Service.

80. Would a system of provincial examinations be preferable to one examination for the whole of India?—A system of provincial examinations would not be preferable to one examination for the whole of India.

81. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—The successful candidates, under a system of open competition in India, would not be regarded as occupying an inferior position to that of persons who enter the service through the channel of the open competition in England, if all the successful candidates were put down in one list, according to the order of their merit.

82. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—The allotment of a certain num-

ber of Covenanted appointments, to be obtained by competition in England and a certain number by competition in India would not be received with favor. On political or administrative grounds Government may rule that a certain proportion of the candidates should be Europeans and the rest Natives, but the competition should be all one, and no separate allotments for competition in England and India need be made.

83 to 86 If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age? In regard to minimum educational attainments? In regard to moral, social and physical fitness? In other respects, (if any)?—The preliminary qualifications, required on the part of the candidates, should, in regard to age, be eighteen years, and in regard to minimum educational attainments, they should be matriculated students of any of the Indian or British Universities The preliminary qualifications in regard to moral, social and physical fitness should be the same as obtain at present in the case of candidates competing in England

87. Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different?—The subjects and conditions of the examination should be the same as those prescribed for the competition in England.

Pay, Leave and Pension &c.

89. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c, should not also be different?—When simultaneous examinations are held in India and England, the circumstances cannot be different in the case of persons who enter through the examinations in India and England respectively, and there is no reason why the rules in regard to pay, leave, pension, &c., should be different.

90 & 91. Should successful candidates go through a period of special study in India like the English candidates, who spend two years in special preparation? Would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there?—Successful candidates should be made to go through a period of special study in England, like the English candidates, who spend two years in special preparation. There should be no option, but residence for two years in England must be made a necessary condition, the passage money to England being paid by Government. There need be no further probation, beyond what is required at present of English candidates.

Promotion from the Uncovenanted Service.

95 To what extent does the Uncovenanted Service in your Province include in its ranks persons eligible on the ground of proved merit and ability for appointment to offices ordinarily reserved for members of the Covenanted Civil Service?—The Uncovenanted Service in this Province includes in its ranks a moderately good number of persons eligible on the ground of "proved merit and ability", for appointment to offices ordinarily reserved for members of the Covenanted Civil Service.

96. If there are such persons in the Uncovenanted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay?—Such persons cannot be appointed to the lowest grade of the Covenanted Service without suffering in pay.

97. Under existing rules as to pay, &c, how would such appointment be regarded by Uncovenanted officers?—Under existing rules as to pay, &c., such appointments are regarded by the higher grades of Uncovenanted officers as not worth having

98 Do you think they would be willing to forego pay for the sake of the advantages which admission to the Civil Service might afterwards bring?—They would not be willing to forego pay for the sake of a few and distant advantages, which admission into the Statutory Civil Service might afterwards bring. The Statutory Civil Service, carrying less than two-thirds pay, is a most unfortunate system. The higher grades of Uncovenanted officers, of "proved merit and ability," do not find it worth their while to go into it, while junior Uncovenanted officers of lesser ability and qualifications are willing to take up Statutory appointments. Such an anomaly has actually happened very lately. In November last, I was offered a place in the Statutory Civil Service, but, after considering all my chances of promotion, and taking the advice of some of the best Covenanted and Uncovenanted officers in the service, I had, respectfully, to decline the offer. I now hear, that a second class Subordinate Judge, who is very much my junior, has been offered the Statutory Service and has accepted it. Government, therefore, are obliged to pass over deserving officers and select inferior men, as they cannot give to officers of merit adequate pay and promotion in the Statutory Service.

Khan Bahadur *Navroji Dorabji Khandalavala*

99. What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service?—Deserving members of the Uncovenanted Service should be appointed to such posts in the Covenanted Service, as would ensure them the continuance of the same amount of salary that they were drawing before, and give them a fair chance of promotion in the Covenanted Service relative to their previous service in the Uncovenanted ranks.

100 If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service, and, if so, what classes?—The Subordinate Judicial and the Subordinate Revenue Departments would be the two principal departments from which these selections would generally have to be made, but there need be no restrictions, and occasional selections may also be made from other departments

101. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—Persons, so appointed, need not be required to pass through a period of probation

102. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the *higher* Covenanted offices without requiring them to pass through the lower grades?—Provision should be made for the appointment of qualified members to the higher Covenanted offices, without requiring them to pass through the lower grades.

103. If certain appointments in the Covenanted grades are set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service?—The Statutory Service for new men should be done away with, but, if unfortunately it be retained, a fixed proportion of those appointments should be expressly reserved for persons of "proved merit and ability" in the Uncovenanted Service.

104 & 105. Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service? Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India"?—No special provision is needed for any particular class, in regard to promotion to Covenanted posts of members from the Uncovenanted Service, and therefore none is necessary for Europeans, Eurasians, &c.

106. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—The Covenanted Service, equally with the Uncovenanted, ought to be thrown open to all natural-born subjects of Her Majesty, who possess the qualifications that may from time to time be prescribed, as necessary tests for these services, provided, however, that the present anomaly, which now prevails, of reserving or practically setting aside certain posts, departments and offices for certain classes of Her Majesty's subjects, as the Europeans and Eurasians, be fairly and properly done away with.

Pay, Leave and Pension, &c.

108. Is the rate* of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient?—The rate of pay at present granted to Statutory Civilians during probation and on final appointment, respectively, is not at all sufficient.

*Two hundred rupees a month on first appointment as probationers. Two hundred and fifty rupees a month after passing the departmental examination by the lower standard. After passing the departmental examination by the higher standard (unless specially exempted), and after having been confirmed in their appointment, 64 per cent of what would be the gross pay or salary of the office if it were held by a Covenanted Civil Servant appointed after competitive examination in England.

109. If not, on what grounds do you consider it insufficient, and what rates of pay should, in your opinion, be granted to Statutory Civilians (*a*) while on probation, and (*b*) on final confirmation in their appointments?—It is insufficient because it does not suffice to maintain the proper dignity and position of the officers and places them at a decided disadvantage, in comparison with their brother officers from the Covenanted Service, along with whom they rank and with whom they have to associate and keep on equal terms with less than two-thirds the emolument. They are also liable to be looked down upon by the general public, including even the common villagers, who have learnt to make a distinction, owing to the smallness of their salary.

110 & 111. Would these rates of pay be suitable in the case of persons appointed to Covenanted posts from the Uncovenanted Service? Would they be suitable in the case of persons appointed to Covenanted posts from the professional classes?—These rates of pay would be more than insufficient and unsuitable in the case of persons appointed to Covenanted posts from the Uncovenanted Service, as also from the professional classes.

112. If not, how would you treat in

regard to pay persons selected from these two classes if appointed to the lowest grade of the Covenanted Service?—Persons, selected from the Uncovenanted Service, could only be appointed to the lowest grade of the service in case their previous pay corresponded with the pay of the lowest grade, or, in case the salary they were actually drawing was guaranteed to them in such a way, that they would be able to get a fair amount of promotion in the Covenanted Service.

113. How would you treat in regard to pay such persons, if appointed to any of the *higher* Covenanted posts without being required to pass through the lower grades?—If Uncovenanted servants were appointed to any of the *higher* Covenanted posts, without being required to pass through the lower grades, they should, in regard to pay, be treated in the same way, as Covenanted officers holding those posts

114. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England and to persons holding Covenanted posts who do not enter through that channel?—No difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England and to persons holding Covenanted posts who do not enter through that channel.

115. If so, what would you consider the fair rate of reduction to be made in the case of persons holding Covenanted posts who do not enter through the competitive channel in England?—If any reduction were held to be necessary, owing to financial difficulties, such reduction should in no case be more than 20 (twenty) per cent. of the salaries drawn by competitive Civilians.

116. Would you approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the holder, whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England?—I would certainly approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the holder, whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England.

118 If you consider there should be no difference of pay, how do you justify the application of the same rates of pay in the case of Natives who have satisfied the very high tests required by the examination in England and Natives who have not?—When the Statutory Service is limited only to Uncovenanted officers of "proved merit and ability," these officers may be taken to have satisfied a high test, and, therefore, there need be no difference in pay.

119. On the same assumption what are your reasons for holding that the high rate of pay which is considered to be necessary to secure the services of persons of tested qualifications in a country far from their homes, and under various other unfavorable conditions, should be given to persons whose qualifications have not been so tested and who serve in their own native country?—The Civil Service appointments are highly paid, because those appointments carry great responsibilities, and the salaries of such appointments, therefore, cannot be cut down, without deteriorating the service, whether it be manned by Natives or Europeans Securing the services of persons of tested qualifications in a country far from their homes and under somewhat unfavorable conditions—which, however, are now fast disappearing—is not the only principle on which these salaries have been fixed That is only one of the considerations for giving high salaries, and, if that consideration were given prominence to, only a small amount of education could safely and fairly be suggested, and the proposal put forth in question No. 116 should be adopted to do away with the stigma of inferiority, which naturally attaches to the Native low paid official, holding the same office as the English high paid officer The additional staff allowance should then be granted to those who actually come here far away from their homes and not merely to all Englishmen or Europeans.

General

127. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—The existing system of education in the higher schools and colleges in India is fairly well adapted for training young men to the public service.

128. In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—Indian schools and colleges at present supply education of a sufficiently high standard, though not so high as that obtainable in England. But in course of time, when the necessity for it is urgently felt, as by establishing the Civil Service examination in India, such highly finished education would soon be procurable here.

129. Do you consider that Indian schools at present develop the force of character and

Vol IV.
Sec III
Sub-Sec. B.
Bombay.

Khan Bahadur *Nanabhai Dinshaw Khandalavala.*

other qualities required for English administration?—Indian schools and colleges do develop the force of character and other qualities required for English administration

130. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country?—We do obtain for Government service Natives of the classes, who, under Native rule, carried on the civil administration of the country.

132. How far would any system of appointment which involves a journey to, and residence in, England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—A system of appointment which involves a journey to, and residence in, England may be regarded by the orthodox community as open to objection, on the ground that it required Hindu candidates to abandon their caste as a condition of entering the Civil Service, but such a system would not in reality form a serious drawback for Hindu candidates, if there were arrangements made or facilities offered, by which Hindu candidates could live in England without infringing their caste rules

133. How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to, and residence in England?—Such a system would undoubtedly restrict greatly the field of selection to the candidates who were wealthy enough to undertake the cost of a journey to, and residence in England.

134 & 135. Are the Natives who go to England from your Province for purposes of education limited to the wealthier classes? Are they limited to any particular section of the community, or to any particular creed?—The Natives who go to England from this Province for the purposes of education, belong to the well-to-do middle classes. They are not exactly limited to any particular section of the community.

136. Does a voyage to, or residence in, England involve the loss of social position or other unfavorable consequences in the case of any section of the Native community?—A voyage to or residence in England does not involve the loss of social position or other unfavorable consequences, except in the case of some orthodox Hindu families, who, however, get over the difficulty by performing some expiatory ceremonies.

137. Does it result in placing those Natives, who undertake it, more or less out of touch and sympathy with their fellow-countrymen on their return to India?—It sometimes results in placing some few of the Natives, but not all, more or less out of touch and sympathy with their fellow-countrymen on their return to India.

138. Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—The requirement of a temporary residence in England as a condition precedent to or following an appointment to Government service will not have the effect of excluding from such appointments any considerable or important sections of the Native community.

139 to 141. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to, and residence in England? If so, what provision should be made for this purpose? If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes?—If the Statutory system is discontinued, no provision should be made for the appointment to Covenanted posts of Natives, who for religious or other sufficient reasons are unable or unwilling to undertake a journey to and residence in England Neither would any provision be necessary for the appointment to such posts of capable members of the professional classes. When open competition in India is established, or proper facilities given for competition in England, there would be no necessity, whatsoever, for selecting men from their ranks. The well-to-do professional men would not care for service; and inferior professional men would only be available. A person should either make his choice of a profession or take to the Covenanted or Uncovenanted Service from the commencement of his career, and when he has once made a choice, it would not be fair to the services to import men from the professional ranks.

143 Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—No power ought to be reserved to Government to appoint to Covenanted posts candidates of high family, subject to such antecedent guarantees of fitness as may be considered sufficient in each case.

144. Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—Power should certainly be reserved to Government

to appoint to Covenanted posts persons who have proved their merit and ability in Government service, without preliminary examination or competition.

145. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—A thorough knowledge of English should be an essential qualification for appointment to Covenanted posts, and the field of selection would not be unduly limited thereby.

147. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—No provision is necessary for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence, whom it might be considered advisable to appoint for political or other reasons. Such persons may very well be rewarded in a different manner

149 What classes, ranks or professions of the Native community should be included among Mahomedans and Hindus, respectively, for the purpose of ascertaining the proportion of the population of each of these classes in the several Provinces?—It would not at all be desirable to rule that the proportion of persons, being Hindus and Mahomedans respectively, who are appointed to the Covenanted ranks, should bear a certain relation to the number of the two classes composing the population of the Province concerned.

150. How far should appointments in each Province to Covenanted posts be restricted to Natives of the Province concerned?—Appointments in each Province need not be restricted to Natives of the Province concerned.

151 to 158. How would the following scheme be regarded by the Native community?—(1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only. (2) The appointments taken from the Covenanted Civil Service to be filled by appointments in India, Natives only being eligible. How would you regard such a scheme? How would the Native community regard the following?—(1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England, to which Natives and Europeans alike would be admitted. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible. How would you regard such a scheme? How would the Native community regard the following scheme?—(1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India, (3) the remainder to be filled by competition in England. How would you regard such a scheme?—The schemes suggested in questions Nos 151, 153 and 157 are not desirable, and would be regarded by the Native community with dissatisfaction, as steps in the wrong direction.

159. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favor of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order, to (*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M. A.?—Giving any preference on the ground of family connections or social status would be undesirable and would be received with disfavor. Preference on the ground of educational attainments would be received with more satisfaction.

164 & 165. In the case of persons nominated from the professional classes, is it desirable that a probationary period should be prescribed? If so, is it necessary that the incidents of such period as to duration and pay should be the same as those attached thereto in the case of Statutory Civilians appointed on probation to the lowest grade of the Covenanted Service?—In the case of persons nominated from the professional classes, which, however, is not desirable, a probationary period would have to be prescribed, and the incidents of such period as to duration and pay should be the same as attached thereto in the case of Statutory Civilians, appointed on probation to the lowest grade of the Covenanted Service.

166 & 167. On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of the competition in England be regulated? Would you regulate such promotion only by considerations of fitness and approved personal merit?—Promotion of Natives appointed to Covenanted posts, otherwise than by the channel of the competition in

Khan Bahadur *Nasserji Dorabji Khandalavala.*

England, should be regulated by seniority, as well as by considerations of fitness and approved personal merit.

169 to 172. Should Natives appointed to Covenanted posts be required to pass the departmental examinations by both the lower and higher standards within their probationary period subject to the penalty of forfeiture of appointment if they fail to pass within that time, unless the period is for special reasons extended? Should a period longer than the probationary period be allowed for passing the departmental examination by the higher standard? Should the present rule be maintained under which probationers may be confirmed in their appointments at the close of the probationary period of two years, provided that they pass within that period the departmental examination by the lower standard prescribed for Covenanted Civilians appointed in England, no obligatory period being fixed for passing the higher standard, but no promotion or increase of pay being attainable until the higher standard examination has been passed, and power being retained to the Government to dispense with the services of a Statutory Civilian who may fail to pass by the higher standard within a reasonable time? What rule in regard to passing the departmental examinations should be applied in the case of persons appointed to Covenanted posts on the ground of merit and ability proved in the service of Government or in the exercise of a profession?—In the case of persons promoted from the ranks of the Subordinate Judicial and the Subordinate Executive Service no departmental examinations would be necessary, but in the case of persons taken from other departments of the Uncovenanted Service departmental examinations would be necessary

173 & 174 Should subjects of Native States be eligible for appointment to Covenanted posts in British India? If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—Subjects of Native States, whether in alliance or subordinate alliance with the Crown, should be eligible for appointment to Covenanted posts in British India.

Composition, Recruitment, &c., of the Subordinate Executive and Judicial Services.

177. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services respectively regarded by influential sections of the Native community?—The system that at present obtains in this Province of regulating appointments to the Subordinate Executive and Subordinate Judicial Services respectively is regarded with satisfaction.

178. To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judicial Services respectively?—The persons who under existing conditions accept appointments in these two services belong to almost all the educated sections of the Native community, whether they be high or low.

179. To what extent do Natives of good family and education in your Province offer themselves as candidates for Subordinate Judicial and Executive appointments?—Natives of good family and education offer themselves to a considerable extent as candidates for these two services.

180. Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—There have hardly been any cases of Natives, who, having gone to England for purposes of study, were on their return to India offered posts in the services

181. How far are such appointments in your Province restricted to persons *bonâ fide* resident in (and connected with) the Province?—The majority of appointments are held by persons *bonâ fide* resident in and connected with the Province.

182 & 183. How far are the professional classes represented in the Subordinate Executive and Subordinate Judicial Services, respectively, in your Province? Do members of the professional classes in your Province readily accept employment in those services?—The professional classes are not represented in any of these two services in which the candidates have to commence from the bottom of the grades, and the professional classes cannot be offered any of the higher appointments, without doing injustice to the officers already in service.

184. Whatever system or systems may at present be adopted for the purpose of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, are any class or classes of persons expressly or practically excluded from such appointments?—No class or classes of persons are expressly or practically excluded from appointments in these two services.

186. Is it the case that certain classes of Uncovenanted appointments are practically reserved for Natives of pure descent owing to the fact that conditions are imposed which have resulted in shutting out Eurasians and other Statutory Natives of mixed descent?—It is not at all the case that certain classes of Uncovenanted appointments are practically reserved for Natives of pure descent, nor are any conditions imposed which have resulted in shutting out Eurasians and other Statutory Natives of mixed descent.

188. What has been the effect on the

efficiency of the Subordinate Executive and Subordinate Judicial Services in your Province of the orders of the Government of India, dated 18th April, 1879, which debar, unless with the previous sanction of the Governor-General in Council, (1) the appointment of any person not being a Native of India within the Statutory meaning to an office carrying a salary of Rs. 200 a month or upwards; and (2) the promotion to such an office of persons, not being Statutory Natives, who entered the department concerned after the 1st January, 1879?—The efficiency of the two services has been thoroughly well maintained, and the effect of the orders of the Government of India, dated 18th April, 1879, has been beneficial.

189. Is it, in your opinion, necessary that there should be a proportion of Europeans either in the Subordinate Executive Service or in the Subordinate Judicial Service, or in both of those services?—It is not at all necessary that there should be a proportion of Europeans in either of these two services.

192. How do European members of the Subordinate Executive and Subordinate Judicial Services, respectively, work with Native members of those services?—European members of the Subordinate Executive and Subordinate Judicial Services, respectively, work fairly well with Native members of those services.

194. Are you in favor of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for purposes of these questions?—I am certainly in favor of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and Subordinate Judicial Services, as defined for the purposes of these questions.

195 to 198. If so, what test would you apply? Do you think that the test should vary according to the character of the office to be filled? Generally, what system do you advocate for filling appointments in the Subordinate Executive and Subordinate Judicial Services as above defined? What preliminary qualifications would you require on the part of candidates for those appointments in regard to age and in other respects?—The tests at present employed in this Province are amply sufficient.

199. Is it possible to devise any one system which would be equally applicable to all Provinces having regard to the varying educational standards reached in the several Provinces and the varying conditions prevalent therein?—It is not possible to devise any one system, which would equally be applicable to all Provinces.

202. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—Persons who failed to secure a place amongst the successful candidates in an open competitive examination in India for Covenanted posts, but who, nevertheless, gained high marks in that examination, and showed decided proficiency, would form suitable nominees for posts in the Subordinate Executive Service only, but not in the Subordinate Judicial Department, where there is no entrance, except after passing certain prescribed examinations.

No. XVIII.

NARAIN MEGHAJI LOKHANDAY, ESQ., EDITOR OF THE "DINBANDHU."

Vol IV.
Sec III
Sub-Sec. B.
Bombay.

N M Lokhanday, Esq.

Before replying collectively to the variety of questions put by the Public Service Commission, I consider it necessary, for the better understanding of the replies, that I should preface them fearlessly with a few remarks and observations bearing upon them.

It is well known, that Indian society is composed of various races and creeds, and prominently remarkable is the Hindu society for the innumerable ramifications of the caste system, which holds at present complete sway over it. It is only in the imaginations of the writers, that its power is waning. It is as impracticable at present, to unite in one social bond of sympathy the different castes amongst the Hindus, is it is difficult to amalgamate the various aces and creeds into one nationality. Under this state of things, nothing more is absolutely required than the distribution of equal justice amongst the various races and castes constituting the Indian people. Its perfectly equal apportionment is imperatively called forth under the peculiar rule of the English

Education is not at present as widely and equally diffused amongst the different races and castes in India as one would have wished to see, before introducing any radical changes in the machinery of the government of the country. Some castes and races are more advanced than others in the matter of education. It is in fact only a few people that have availed themselves of it, and these few belong to particular classes. It is, therefore, natural that these classes alone will be profited by the changes in the service, which the Government have in view. In putting into their hands the government of the country, and in entrusting them with a wider range of power than they possess at present, Government will only be providing them with an instrument which is apt to be misused. As long as all classes are under one separate ruling class, there is no cause for one class to complain against another, but as soon as one class is put under another it will be a source of grave discontent and heart-burning Favoritism shown to one class of people is apt to be resented by the classes slighted People would not care to be told that one class deserves more at the hands of the Government than another, on account of superiority of intellect, &c. The resentment may not be shown publicly, but it will, no doubt, greatly hamper the Government.

The education that is given at our Universities is of a purely theoretical nature. It ends where it ought to begin. Moreover, those entrusted with it do not appear to have realised the idea of the brotherhood of man, especially in a diversified country like India. The natural tendency of the different communities towards sectarianism receives no check. It develops with the growth of the scholar. As an example, it must be quite apparent to the observant mind, that, when a man of a certain caste is put at the head of a certain department, he fills it up with men of his own caste

In our part of the country, when the Marathas were in power, and even during the reign of the Mahomedans, the Brahmans and Purbhus, (Kayastas), were the only castes, that were entrusted with the government of the country. They did all the clerical work; justice, revenue and politics were all in their hands. The Marathas, belonging to the warrior class, were the guardians of the country. What followed is a matter of history. The Marathas, as soon as they were firmly established, gave themselves up to luxurious living, and not only their power, but their wealth, naturally passed into the hands of those who were their servants, who managed their affairs and who had ample opportunities of cultivating their intellectual abilities The Brahmans usurped the power of the Marathas, even outwitted the Purbhus, and established their own supremacy, from which they were ousted by the British Their former masters in the meantime had passed from warriors and landlords, into tillers of the land and the dependents of their former servants. Such was the state of things when the British Government that had come into power, thought of imparting the fruits of Western education to their newly-acquired subjects. The only people intellectually and socially prepared were the Brahmans They availed themselves of the British gift with alacrity, and are now holding everywhere high appointments and occupying mostly the same position as they did under the Mahomedans and the Marathas. The latter, not receiving any encouragement, are fast going from bad to worse. It was in some measure the duty of the former officials to see that education was distributed equally among all classes of Her Majesty's subjects, but either through their shortsightedness or the cunning of the Brahmans, Government has been hitherto kept in the dark, with regard to the real condition of

the Marathas and the Mahomedans. The Brahmans are now to be found in charge of almost all offices of revenue, education and justice. Their chief object is to keep the masses in ignorance, and impart to their own people the fruits of Western liberality. In a large town like Bombay, it is not possible to know the oppression they exercise over the other castes, but I have no hesitation in saying that to their machinations is to be attributed solely the backwardness of the other people. My object in making this observation is that the Commission, whose object is to gauge the aspiration and make themselves acquainted with the condition of the people, will see their way to bring this state of things to the notice of Government and recommend measures to remedy the evils complained of. The time at my disposal is so short, that I regret I cannot give a better account of the condition of the people, fully hoping, however, that the little that I have written will bear some good fruit. A careful perusal of my remarks and observations will show, that I am justified in circumscribing my replies and asking Government to exercise the greatest possible caution in the selection of the candidates whom they wish to entrust with the government of the country. In making the proposals, as conveyed in my replies, given collectively, I am guided by the principle that all minor differences must sink before the good of the country, and as I am aware that, when the real state of the Indian society is brought to the notice of Government, measures will be adopted to bring on a level the backward classes with those that are already advanced, there is no real danger in wishing beforehand the introduction of the changes in the services of the country.

Under this state of education and of society the introduction of the competitive examination for the higher service is a boon more to be dreaded than to be thankful for. But as every system has a check, the application of it with great rigour may, in palliating the evils, also contribute to a certain extent towards granting the aspirations of the educated classes. I must repeat in conclusion, that Government must, in that case, exercise great caution in selecting candidates for the higher appointments. Educational qualifications and even official abilities need on no account be made the standard for entrance into the higher service.

General Replies.

I.—Working of the existing Statutory System.

II.—Mode of selection of Statutory Civilians.

V.—Promotion from the Uncovenanted Service.

There is a feeling of dissatisfaction regarding the existing Statutory system. This feeling is known to exist amongst those University men, who have obtained the benefit of the full course of education from our colleges, and who view with feelings of jealousy the elevation of a few young men of good families to the Statutory Civil Service. The feeling of jealousy arises from the fact that these young men, apart from the question of their birth, have not received the advantage of an equal amount of education and of official experience and are not men of proved merit and ability. As incompetency is the only ground alleged by those who are not contented with the present selections to the Statutory Civil Service, Government may, observe greater circumspection in choosing deserving young men of high birth for the service. The system is, however, absolutely necessary to encourage education among higher families of the Indian society and to retain their integrity.

These Statutory Civilians are regarded by the general public as occupying a position midway between the Covenanted Civilians and those who belong to the Uncovenanted Service.

The appointment to the Statutory Service by nomination will no doubt be regarded by influential men of the Native community with approval. There should be two kinds of nominations: 1*st*, and, as stated above, nomination of young men of high families. These nominations should be confined to communities other than the forward races, the latter having ample scope for admission into the Covenanted Civil Service through the other two channels, *viz.*, by the process, which follows immediately, and by open competition. Such young men should always be of mature age, say above twenty-five years of age, and at least undergraduates and whose moral and social fitness can be easily ascertained by the public voice. These young men during the term of probation, which should last three years, and which should be passed in the ranks of the Covenanted Service, should be made to travel in foreign parts and reside in England for a stated period, say of one year. In enforcing travelling Government will also be encouraging social reform. My object in laying great stress on this class of nomination is that the nominees, being members of high families, will always remain faithful to Government and be a source of great help to Government. 2*nd*. Nomination should also be made

N. M. Lokhanday, Esq.

out of the ranks of Uncovenanted Service of men of tried abilities and of good families, and who have served Government with merit, such as Subordinate Judges, Deputy Collectors and Magistrates, and also tried men from equally responsible departments. Their rank and pay and emoluments should be on a par with members of the Covenanted Civil Service of equal standing. For this it is necessary that Government should fix their grade in the Covenanted Civil Service. Open competition for the Statutory Service is not at present desirable, but may be introduced when a taste for the service becomes general among men of high families. All that Government have to do is to observe great caution in their selections. Whether the nomination is approved of by the public or otherwise can be easily ascertained by private enquiries and by the test of the public voice, such as is conveyed through the Native Press.

III.—Competition in England for the Indian Civil Service.

IV.—Competition in India for the Indian Civil Service.

The risk of failure, and the still greater risk of sending young men alone with chances of their going wrong, prevents Indian gentlemen from sending their sons to England. If a competitive examination is held in India simultaneously with the examination in England, it will be looked upon favorably by certain classes in India, which are growing in importance at present. But as in this case young men of Indian families of questionable standing are likely to take an advantage of such examination in India, the service runs the risk of getting in its ranks undesirable persons. Moreover, the introduction of competitive examination will prove more advantageous to such classes and castes as are at present very forward, and as have, in fact, monopolised the education available in the country. I do not, however, apprehend much danger if proper checks are substituted to prevent the ranks of the Civil Service from being recruited by such persons. It should be the main object of Government to get into the Civil Service scions of important families in India. English candidates should be as freely admitted in the competition in India, as Indian candidates should be encouraged to pass their entrance examination in England. English candidates will then have opportunities of acquiring extra knowledge of India and her people, and Indian candidates of acquiring those qualities of self-reliance, moral courage and the thousand other little things in which English society differs so much from Indian society. The present educational institutions in the country are not sufficient for the requirement of the Civil Service, but it is, at present, desirable that the high kind of education required for it should be left to private enterprise. Candidates, after passing the entrance examination, should be immediately sent to England, say at least for two years, to render themselves fit, socially, physically and morally, in order to occupy equal position with the English candidates, and after their return should pass one year in probation in India before final appointment. Being Natives of the country their period of probation need not go beyond one year. The subjects and conditions of the examination should be the same as at present. With regard to their pay, and even the pay of the English candidates, Government is the best judge to fix them, considering the financial condition of the country. But as both the English and Indian candidates will have to occupy the same position in rank, there should not be much difference in the salaries. Inferiority in pay is likely to give an idea of inferiority in rank, at least in the eyes of the Natives. The age should be the same in the case of both the candidates. It should be fixed at twenty-two years. To observe equality in the number of candidates selected in India and England, whenever a gentleman belonging to the Uncovenanted Service is promoted to higher service, as recommended by me previously that number should be deducted out of the selected candidates in India. Government cannot be exercising too great a caution in selecting candidates out of families of known respectability and tried worth.

No. XIX.

MANEKJI BARJORJI MINOCHERHOMJI, ESQ., EDITOR OF THE BOMBAY SAMACHAR.

The Statutory Civil Service.

The existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Service, is generally disapproved. The disapprobation is directed at once to the Statute itself, and to the rules framed thereunder, but especially to the latter. The system is wrong in principle and demoralising in its effects, and ought not to be maintained if it is intended to give effect to the principle and policy embodied in the Statutes and the Royal Proclamation so often referred to in the course of the proceedings before the Commission. It contravenes the wise and noble doctrine of free and absolute equality, embodied in these solemn pledges, for the fulfilment of which alone the Natives of the country have been appealing. It affords no compensation for the virtual exclusion of the Natives from the Covenanted Service under its existing prohibitory conditions. It is apt to promote favoritism and intrigue, and to encourage the belief that social position and birth, or, to speak plainly, favoritism and jobbery, count higher than merit and ability It implies an imputation against the capacity of the Natives to hold their own in open competition with their European rivals. It is regarded, not as the grant of a right fairly and honorably won in open field, but only as an "eleemosynary donation" obtained by questionable practices. The Statutory Service is regarded as bearing a distinct and unmistakable stamp of inferiority; the members whereof, not having gained admission by open competition, must be content with the lower grade of pay, pension and other privileges The argument, sometimes urged in favor of the retention of the service in question in the supposed interests of the so-called backward classes, cannot bear examination. No system of artificially propping up intellectual and moral inferiority can answer any good purpose. The argument, moreover, is an implied slur on the ability of the members of these classes to hold their own in open competition with the members of the more advanced classes. It is tantamount to an admission of their helplessness to stand without such help as a mistaken tenderness can afford. It is calculated to discourage self-help, self-reliance and self-respect, and thus in a measure to maintain, if not to intensify, the very backwardness which it is intended to repair and remove. There is no foundation for the assumption of inherent mental inferiority in the members of these classes, underlying the argument. If political or other considerations require that these classes should be helped out of their backwardness, the proper remedy is not the retention of such a fundamentally vicious system, but to provide facilities for their educational advancement. If the Statutory Service is to be retained, (and it might be retained if no relaxation is to be made in the existing regulations for the admission of Natives to the Covenanted Service), the total number of appointments reserved for the former must be increased, the field of selection must be enlarged, and the selection made under conditions calculated to secure the best talent available This can best be compassed by a system of open competition, and no danger on political or administrative grounds need, in my opinion, be apprehended as the result of such competition. For some time, perhaps, the members of the so-called backward classes will not be able to avail themselves of the provision to an extent numerically equal to that of the more advanced communities, but the disparity will wear off in course of time as the result of the stimulus that will be given to healthy rivalry and the other agencies already at work in the same direction.

The Covenanted Civil Service.

The feeling of dissatisfaction with the existing system of recruitment for the Covenanted Civil Service is very strong. The very low limit of the maximum age and the obligation to submit to the test in London are the most serious obstacles in the way of Native candidates. It is not proved that the men who entered the service when the limit of age was twenty-three were in any respect inferior to those who have come in after the reduction of the age to twenty-one, and no justification has been shown for the subsequent reduction of the limit to nineteen. This repeated reduction of the limit of age has certainly operated to practically exclude the Natives from the service, even if it was not intended, as is generally believed, to have that effect. The holding of the examination in London has also tended in the same direction—the heavy outlay involved, and the dangers of sending Native boys at such tender age to England, on the slenderest chance of success, being serious considerations, deterring Native parents. I would, therefore, advocate the raising of the limit of the maximum age to twenty-three for all candidates alike, and the holding of the examination simultaneously in India and in England, as the most neces-

Manekji Barjorji Monocherhomji, Esq

sary reforms in the existing regulations. The examination must be absolutely identical, and conducted under precisely the same conditions for ensuring mental, moral and physical fitness, and the examination in India must be held in one centre only. The successful candidates must be required to proceed to England to complete their training, facilities for the purpose being provided by Government. To ensure the maintenance of a uniform standard and efficient oral examination, some members of the examining body may well be deputed to visit India, and the establishment of a sort of Training College, fully equipped with the most approved educational appliances, to secure the requisite degree of efficiency, will be very desirable. The existing disparity in the value of the Indian side of the present system of instruction may also advantageously be repaired. When Natives thus compete on absolutely equal terms with European candidates, no distinction should, on principle, be made in the salaries paid to Natives and Europeans, and the salaries should have reference only to the competence of the holders of the different offices to hold them. Whatever practice may be observed in appointments to the highest offices, the theoretical equality of the Natives and their competence to hold them must be maintained absolutely intact, and legal sanction should not be accorded to the creation of a governing caste in a country which has already suffered so much from caste distinctions and the prejudices which such distinctions beget; nor should countenance be given to the doctrine, enunciated with more vehemence than prudence, that Natives of India should have conferred on them not all the benefits they are capable of enjoying, nor those that it is in the power of their rulers to confer upon them, but only such as can be conferred on them without hazard to the perpetuity of the British domination in India—a doctrine against which, more than fifty years ago, Lord Macaulay solemnly protested, as inconsistent alike with sound policy and sound morality.

No. XX.

RAO SAHEB M. B. HORA, SUBORDINATE JUDGE, BULSAR.

The Statutory Civil Service.

1. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—There is a feeling of dissatisfaction regarding the existing Statutory system, but the feeling is confined to the educated classes only.

2. What are the grounds upon which any such feeling is based?—Higher education has awakened high ambitions, which the Statutory Service is unable to gratify People desire to have high administrative appointments The Statutory Service is also regarded as inferior in status to the Covenanted Service and as not offering the same advantages of pay, promotion and pension as are given by the latter.

4 If the Statute itself is objected to, is it because its provisions admit persons to specific appointments only and not to membership in an organised "Service"?—The Statute removes the restriction that had been hitherto placed on the Indian authorities, and is permissive only. So much depends upon the will of the authorities.

6 If a desire is felt for enrolment in a general service, what are the reasons for this desire?—There is a general desire for enrolment in a general service which creates an *esprit de corps*

8 Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—Section 6 of the Statute 33 Vic, Chapter 3, defines "Natives of India" The definition is, no doubt, sufficiently clear to include all persons who consider India as their home But some classes of people, whose home is in India, have no touch whatever with the real sons of the soil The Statute, I believe, was intended for the benefit of Hindus, Parsis, Mahomedans, and other Aryan races only, whose home is in India

10. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted?—The present mode of selecting persons for the Statutory Service is not favored by the public.

12. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—The amendments that I would propose are:—(1) that one-third of the appointments to the Covenanted Service should be annually given away to selected Native gentlemen; (2) that selection should not be left entirely at the option of Governmen, but that there must be required some test of ability and character, before admission to the Statutory Service, (3) that the restriction, regarding age, should be entirely removed

13 Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers?—In public estimation a Statutory Civilian occupies a higher status than an Uncovenanted officer.

14 If so, on what grounds?—This is due partly to the greater administrative powers which the former exercises and partly to the favor by which he enters the service A Statutory Civilian, moreover, has more favorable rules regarding promotion, &c.

17. Has the Statutory system had the effect of securing men who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—I do not believe that the Statutory system has been able to secure men of better abilities than are to be found in the higher ranks of the Uncovenanted Service Generally it is the middle classes which produce the best talents

19 On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your Province?—A system of making appointments by nomination will be regarded by all classes generally with satisfaction. Men of average abilities and qualifications often manage to pass examinations, but do not shine when entrusted with onerous duties. Intelligence can perhaps be sufficiently tested by means of an examination, but virtue cannot be. And people desire to have men of intelligence and virtue to rule over them.

20 to 24 How would a system of nomination to be followed by a period of probation be regarded by the same classes? Would a system of nomination, with or without probation, be likely to secure well-qualified persons? Has experience actually shown such a system to secure well-qualified officers? Do you consider that nominations should be confined to persons of proved

merit and ability? If so, how do you consider that merit and ability should be held to have been proved for this purpose?—Persons of proved merit and ability should be promoted from the Uncovenanted Service. The Statute above mentioned was specially intended for the benefit of such persons. By persons of proved merit and ability I mean officers who have, by their good and faithful services, gained a distinction in the line to which they belong

Those heads of departments who have the best means of ascertaining merit and ability, should be consulted in making selections. As for example take the Subordinate Judicial Service, which is under the direct control of the High Court If the High Court recommends any officer, as fit for promotion to the Statutory Service, that officer must be regarded as a person of proved merit and ability. The Local Government should decide in each case, whether nomination should be with or without probation A Subordinate Judge who has entered the service after having passed a stiff examination in civil, criminal and other laws, if promoted to an Assistant Judgeship or a District Judgeship, needs no probation. So with a Mamlatdar, who is selected for an Assistant Collectorship or a Collectorship. A good servant generally makes a good master. But an officer promoted from one branch of the service to another, ought to remain on probation for some time. A man fit for one kind of duties may sometimes be unfit for a different kind of work.

26 In preference to a system nomination or limited competition, would a system of open competition pure and simple for the Statutory Service commend itself to the Native community?—A system of open competition pure and simple for the Statutory Service cannot commend itself to the public at large, who prefer to have experienced officers to raw youths from schools and colleges. Memory plays an important part in the result of an examination It fades more and more, as age advances, and the faculty of thinking develops Higher posts carry higher responsibilities. Tact and judgment are essentially required on many occasions, I, therefore, prefer age to youth The spectacle of a raw youth sitting in appeal against the decision of an officer of long standing and experience is far from charming. The best way, therefore, of avoiding such anomalies is to throw open the doors of the Statutory Service to Uncovenanted servants.

30 & 31. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social and physical fitness? If so, what should be the tests under each of the heads specified?—There should be no restriction as to age. Proved merit and ability afford a sufficient guarantee, as to intellectual capacity. An examination is simply an initiatory test of intellectual capacity, which in the case of a person in Government service has already been tested. As regards moral and social fitness, that can be ascertained from the antecedents of the person to be nominated.

32 & 33 Do you consider that, (after selection, whether by nomination or competition) there should be a period of probation? If so, what should be the duration of the probationary period?—Probation is not absolutely necessary in every case But when the person selected has to serve on probation, the period of such probation should not exceed two years.

34 Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—The period of probation should be passed in the ranks of the Covenanted Service

35 Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—I do not think there exists any need for a person selected to undergo any special training

44, 114 & 115. Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not? Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians, who enter through the competitive channel in England and to persons holding Covenanted posts, who do not enter through that channel? If so, what would you consider the fair rate of reduction to be made in the case of persons holding Covenanted posts who do not enter through the competitive channel in England?—There should be no distinction between the emoluments of selected candidates, who have been trained in England or have gone to England to add to their qualifications and those who have not There is no equality of intellect, and a measurement of the intellect of each individual, on which alone such a distinction can be supported, is impossible. Pay is attached to the post and not to the holder of it *A* and *B*. both may be able to discharge duties of an office efficiently and still their abilities may differ. And again talent is not confined to a particular country, neither can it be acquired from a particular place only.

But under the present state of financial embarrassment Statutory Civilians may be paid twenty or twenty-five per cent. less than Covenanted officers.

45. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—I believe most of the candidates would not avail themselves of the advantages offered and proceed to England.

46. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—Even if the system of examination in England were revised, still there are so many drawbacks to a Native proceeding to and staying in England, that people will not be able to avail themselves of it in considerable numbers Then for the gratification of rising aspirations and hopes it is necessary to retain the Statutory system

47 If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—All appointments under Government, except the highest administrative ones, should be left open for members of the Statutory Service.

Competition in England for the Covenanted Civil Service.

48. Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—There are so many impediments in the way of all competitors from India, that it is impossible for many people to take advantage of the Civil Service examination in England, an examination thrown open to all classes.

49 & 50. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition? If so, what form or forms should such facilities take?—Additional facilities should be given to Natives for proceeding to England, and these are (1) to raise the limit of age from nineteen to twenty-three, (2) to grant a free passage to England, (3) to raise the marks for Oriental languages

52. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—I am not in favor of giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition. If such a person desires to enter the Statutory Service, he must try to enter it through the channel of Uncovenanted appointments.

53 & 54. Assuming it to be advisable to appoint to the Statutory Service in India Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England and be subject to the same final examination? Should they on appointment to the Statutory Service in India be subject to the same incidents as apply to other persons appointed under the Statutory rules?—I would answer both these questions in the affirmative.

56. What class or classes of Natives in your Province readily go to England?—The lower orders of the middle class would more readily proceed to England than others. Since the establishment of the competitive examination, very few Natives from this part of the country have gone to England to compete at the same.

57. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—A journey to England is objected to on many grounds Though education has made considerable progress in this country, still the social systems, which have descended from ages gone by, have undergone very little change Compared with the masses the educated people are few and scattered. Their views may be highly advanced, but by carrying them into practice they would lose all sympathy from those amongst whom they live. Thus they would gain something in one way and lose much in another. In the estimation of the general masses a journey to England causes pollution, and hence entails loss of social position. Again in England living is very expensive, and a very limited number of people can afford the heavy cost. Parents sending their sons at an early age to England naturally entertain many apprehensions The boys, having no kith and kin there to watch their movements and conduct, may fall into bad company. Young age is liable to first impressions, and the boys may return quite denationalised

58 Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—There should be one examination for both Native and English candidates.

64 Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—Native candidates are certainly at a disadvantage, as compared with English candidates. A Native has to compete in a foreign country and in a foreign language, which he begins to learn at the age of eight at the earliest. He has to spend not

less than seven years in acquiring the English language. The time left to him for study of English literature and languages is very short The standard of examination also seems more favorable to an English youth than to a Native youth.

66 If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be?—The limit of age should be the same for both Natives and Europeans.

68. What is the average age at which Natives at the Indian Universities pass the examinations for F. A, B A, and M. A., respectively?—Natives at our Bombay University generally pass the F. A or P E. examination at the age of eighteen and the B A examination at twenty or twenty-one.

69. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province —Persons who graduate at the University are usually drawn from Parsis and Brahmans and other high castes.

Competition in India for the Covenanted Civil Service.

70. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I am of opinion that competitive examinations for the Civil Service should be held simultaneously, one in England and one in India. The question papers should be the same. In short, let there be two centres of examination with no other difference.

71. How would this method of selection be regarded by the Native community generally?—Such a system is sure to be regarded by the Native community with much satisfaction.

72 If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—Let the candidates, whether Natives or Europeans, have the option of appearing at either of the two centres of examination

75. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—If is not likely that by an open competition in India any particular class will obtain over other classes better advantages than what they now possess. Education is so rapidly spreading among all ranks of the people, that if one class of people seem to possess any advantages over another, those advantages are sure to disappear before many years.

76. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—All classes should have equal opportunities and all should try. There will be a keen rivalry, and an undue preponderance of any one class or caste need not be apprehended.

78. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—Cadets of leading families, who aspire to enter the ranks of the Civil Service can appear at the English centre of examination. If he chooses to undergo the examination, it matters very little to him whether the examination is held at one place or more places. It is the benefits derived from success at the examination that are aimed at.

80. Would a system of provincial examinations be preferable to one examination for the whole of India?—The educated class wish to compete with Europeans on equal ground, and a system of provincial examinations will not be preferred to one examination for the whole of India.

81. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—When the examination is one and the same, no distinction will be drawn between the position of a person who competed at the Indian centre and the position of him who appeared at the open competition in England.

83 to 86 If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age? In regard to minimum educational attainments? In regard to moral, social and physical fitness? In other respects (if any)?— The following qualifications should be required on the part of candidates: (1) That he is a loyal subject of Her Majesty the Queen-Empress; (2) that his age is above seventeen and not more than twenty-three; (3) that he is physically fit to enter the service, (4) that he is of good moral character; (5) that he has passed the F. A. or P. E. examination; (6) that he belongs to a respectable family in good social position.

87. Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different?—The subjects and conditions of the examination at both the centres should be the same.

89. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to

pay, leave, pension, &c., should not also be different?—I do not think circumstances much differ. All the successful candidates stand on an equal footing, and a distinction in rules regarding pay, pension, &c., will cause a distinction in status. With difference in such rules there will hardly remain much distinction between the Indian portion of the Covenanted Service and the Statutory Service

90 & 91. Should successful candidates go through a period of special study in India like the English candidates who spend two years in special preparation? Would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there?—Yes, it is essential that the successful candidates should go through a period of special study in India like the English candidates. I would encourage them to go to England, but would not compel them to do so.

92 & 93. Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment? If so, what should be the duration of the probationary period?—Successful candidates at the Indian competition should be required to pass through a probationary period, which should not exceed two years, before their final appointment.

Promotion from the Uncovenanted Service.

95. To what extent does the Uncovenanted Service in your Province include in its ranks persons eligible on the ground of proved merit and ability for appointment to offices ordinarily reserved for members of the Covenanted Civil Service?—There are many distinguished men in the Uncovenanted Service, who are fit for appointment to offices ordinarily reserved for members of the Covenanted Service. Their exact number I cannot with certainty assert.

96. If there are such persons in the Uncovenanted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay?—Some of them would suffer in pay, if appointed to the lowest grade of the Covenanted Service.

98. Do you think they would be willing to forego pay for the sake of the advantages which admission to the Civil Service might afterwards bring?—Some would willingly forego pay for the sake of the advantages to be hereafter obtained by admission into the ranks of the Civil Service.

100. If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service; and, if so, what classes?—The Subordinate Judicial Service has much improved of late, and highest officers and even Governors have testified to its ability and integrity. So I would chiefly draw deserving members from that service, but would not fetter the discretion of the Local Governments, if they chose to draw from other departments.

101. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—There is no harm in requiring persons, so appointed, to work under probation for some time. If they are found fit they may be confirmed

102. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the *higher* Covenanted offices without requiring them to pass through the lower grades?—Yes, Government should have power to appoint a well-qualified member of the Uncovenanted Service to any of the higher Covenanted offices without requiring him to pass through the lower grades

106. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—The Uncovenanted Service ought not to be open to all the natural-born subjects of Her Majesty the Queen-Empress

107. If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of 1st November, 1858, is this to be justified?—Because this service has been specially intended for the Natives, only the Natives are not entitled to all the rights and privileges of British-born subjects. It has been declared off and on by eminent English statesmen, that England rules India not for the benefit of the dominant race, but for the benefit of the Indians. Persons employed in the Uncovenanted Service are expected to have a familiar and intimate acquaintance with the manners and customs of the people.

Pay, Leave and Pension, &c.

108 & 109. Is the rate* of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient? If not, on what grounds do you consider it insufficient, and what rates of pay should, in your

*Two hundred rupees a month on first appointment as probationers. Two hundred and fifty rupees a month after passing the departmental examination by the lower standard. After passing the departmental examination by the higher standard (unless specially exempted), and after having been confirmed in their appointments, 64 per cent of what would be the gross pay or salary of the office if it were held by a Covenanted Civil Servant appointed after competitive examination in England

Vol IV. Sec III. Sub-Sec. B. *Bombay.*

Rao Saheb M. B. Hora.

opinion, be granted to Statutory Civilians (*a*) while on probation and (*b*) on final confirmation in their appointments?—The salary of a Statutory servant during probation is Rs. 200. The sum may be sufficient for ordinary wants, but is certainly not enough, looking to the high status of the officer. A Junior Civil Servant, during probation, gets double that amount of pay. The difference is great, and can hardly be defended with fairness. After confirmation a Statutory Civilian receives 64 per cent. of what would be the gross pay of the office if it were held by a Covenanted Servant. In my opinion a monthly salary of Rs. 300 should be paid to a Statutory Civilian during probation, and 80 or 75 per cent. of the salary which a Covenanted officer holding the same office would draw after confirmation, (see also answer to question 44). Another reason for raising the pay is, to afford an inducement to high officers in the Uncovenanted Service to enter the Statutory Service.

110. Would these rates of pay be suitable in the case of persons appointed to Covenanted posts from the Uncovenanted Service?—The present rates would deter persons of experience and ability, who have risen to higher grades. For example Deputy Collectors draw not less than Rs. 500. The salary of a First Class Sub-Judge, last grade, is the same A Second Class Sub-Judge in the first grade receives Rs. 400 per month.

111. Would they be suitable in the case of persons appointed to Covenanted posts from the professional classes?—I am against the appointment of purely professional classes. The present rates may be acceptable to a few of them only.

112 If not, how would you treat in regard to pay persons selected from these two classes if appointed to the lowest grade of the Covenanted Service?—Persons desirous of entering a higher service ought to make some present sacrifice in view of better prospects in future. As a rule all must rise from the bottom.

113. How would you treat in regard to pay such persons if appointed to any of the *higher* Covenanted posts without being required to pass through the lower grades?—In exceptional cases officers in the Uncovenanted Service may be appointed to higher Covenanted posts without being required to pass through the lower grades.

114 to 116. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England and to persons holding Covenanted posts who do not enter through that channel? If so, what would you consider the fair rate of reduction to be made in the case of persons holding Covenanted posts who do not enter through the competitive channel in England? Would you approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the holder, whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England?—See answer to question 44.

General.

130. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country?—Most of the classes which under former Governments carried on the civil administration of the country, serve the present Government also. The Mahomedans, in the time of Mussalman rule, held many and high offices, but have fallen off considerably since some time. They are the only people who do not to a great extent avail themselves of Government service.

131. If not, where must we look for representatives of these classes, and how do you consider that their services could be best obtained?—Mahomedans are very backward in the matter of education, and the best means of obtaining their services is to impart to them a cheap education.

132. How far would any system of appointment which involves a journey to, and residence in, England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—See answer to question No. 57.

134. Are the Natives who go to England from your Province for purposes of education limited to the wealthier classes?—Natives who go to England from this part of the country for purposes of education are not limited to the wealthier classes only. Generally speaking the wealthier classes have less taste for education than the other classes.

138. Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—The requirement of a temporary residence in England, before or after appointment, will exclude Brahmans and other high caste people, whose profession has always been Government service, and give an undue preponderance to certain classes over others.

139 & 140. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to, and residence in, England? If so, what provision should be

made for this purpose?—If the Statutory Service be abolished, then let a fair number of high appointments now held exclusively by Covenanted officers be taken away from the Covenanted Service and appropriated to the benefit of the Uncovenanted officers. Unless this be done, a practical exclusion of the Natives from all offices of trust will continue.

141. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes?—By professional classes I understand Barristers and Advocates. Those of them who have gained distinction in the profession would not care to secure the honors of the Bench with a loss of pecuniary emoluments. Those who fail to succeed in the profession would be too willing to accept service, but it is not desirable to have such men on high and responsible posts.

143. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—Yes, Government should have a certain amount of power to appoint candidates of high families to Covenanted posts, if they are satisfied that the candidates are really fit for the favor But such power should be sparingly exercised.

144. Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—I would answer this question also in the affirmative.

145. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—A thorough knowledge of the English language should certainly be an essential qualification for appointment to Covenanted posts. The field of selection would, no doubt, be so far restricted, but the restriction is reasonable.

147. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—For political reasons only, Government should have the power to make appointments contemplated by this question.

150 How far should appointments in each Province to Covenanted posts be restricted to Natives of the Province concerned?—Appointments to posts in the Statutory Service should be restricted to the Natives of the province concerned.

151 to 154. How would the following scheme be regarded by the Native community: (1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible? How would you regard such a scheme? How would the Native community regard the following: (1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England, to which Natives and Europeans alike would be admitted; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible? How would you regard such a scheme?—Neither the scheme, proposed in question 151, nor the one, in question 153, will be favorably received by the Native public in general. The first would altogether exclude Natives from the higher administrative appointments, to which they aspire They want to have a fair share in the administration of the country and will not be satisfied with anything less The second scheme takes away something from what you already possess, and there is no certainty of your getting anything equal in return. The scheme, no doubt, opens a wider door, but at the same time gives admission to a larger number of people There is no knowing that the new comers will not occupy more room than the old ones

157 & 158. How would the Native community regard the following scheme: (1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India, (3) the remainder to be filled by competition in England? How would you regard such a scheme?—Educated Natives would not willingly part with anything which they have already obtained The system that now prevails affords better privileges than the scheme mentioned in question 157

159 & 160 Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favor of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order, to (*a*)

Vol. IV Sec III Sub-Sec B, *Bombay*

Rao Saheb V B Hora.

members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M. A.? What is your opinion as to giving such preference?—People would like to see a preference given to persons of superior educational attainments, but not to persons mentioned in clauses (*a*) and (*b*). Anything that savors of favoritism meets with hostile criticism. I am for giving a preference in the following order: (*a*) Persons of superior educational attainments, such as persons who have taken the degree of M. A.; (*b*) persons of good social status and influence in the country.

163 If the Statutory system were maintained, and if a probationary period were required from nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases, *e.g.*, in the case of a person who has done good service in the Uncovenanted ranks?—I have already stated above when probation is necessary and when not (see answers to questions 20 to 24 and 32 and 33)

166. On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of the competition in England be regulated?—Generally the same principles which regulate the promotion of Covenanted officers should govern the promotion of Natives appointed to Covenanted posts, otherwise than by the channel of the competition in England.

167 Would you regulate such promotion only by considerations of fitness and approved personal merit?—I am in favor of promotion by seniority, but would make exception in the case of an officer preeminently better qualified and more deserving than others Selection will be confined to Natives of proved merit and ability.

172. What rule in regard to passing the departmental examinations should be applied in the case of persons appointed to Covenanted posts on the ground of merit and ability proved in the service of Government or in the exercise of a profession?—A person appointed to a Covenanted post, if posted to a district of which the language is not his own, must pass in the language of that district. He must also pass in those subjects in which his knowledge has not been tested. A person who has passed a higher examination in law need not be examined in some of the subjects prescribed for the lower and higher standard examinations. But it is necessary that his acquaintance with the principles of Huzur, Taluka Village accounts, and revenue matters should be tested. An Uncovenanted officer who has passed the lower and the higher standard examinations should, when raised to a Covenanted post, in the Judicial branch, pass in the extra paper on Judicial matters mentioned in Rule 23, Chap. I, Sec. I.

Composition, Recruitment, &c., of the Subordinate Executive and Judicial Services

177. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—The present system of regulating appointments in the Subordinate Judicial Services is favorably viewed by the public in general, but not so the system regulating appointments to the Subordinate Executive Service.

178. To what sections of Native society do the persons belong who accept under existing conditions appointments in the Subordinate Executive and Subordinate Judicial Services respectively?—Mostly high caste Hindus and Parsis enter these services.

180. Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—One Parsi gentleman who had been to England to compete at the Civil Service examination, but unfortunately failed, has accepted a Sub-Judgeship in Gujarat. I know of no other similar instance.

181. How far are such appointments in your Province restricted to persons *bonâ fide* resident in (and connected with) the Province?—Almost all appointments in the Subordinate Executive and Subordinate Judicial Services are held by *bonâ fide* residents in the Province.

182. How far are the professional classes represented in the Subordinate Executive and Subordinate Judicial Services, respectively, in your Province?—In Gujarat there are two Small Cause Court Judges and twenty Subordinate Judges. Nine out of these twenty-two officers have at one time practised at the Bar. As far as I am aware there is not a single professional man, excluding people who have passed (L C. E Examination), in the Subordinate Executive Service.

183. Do members of the professional classes in your Province readily accept employment in those services?—Natives practising as pleaders on the Appellate Side of the High Court do not readily accept service. But members of the mufasal Bar seem to prefer the honors of the Bench to the emoluments of the Bar, There is another reason. Litigation in the mufasal is decreasing and the profession is not now so paying as it once was.

184 Whatever system or systems may at present be adopted for the purpose of

regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, are any class or classes of persons expressly or practically excluded from such appointments?—Europeans are practically excluded from such appointments.

185. If so, how is such exclusion justified?—Europeans, being the dominant race, ought not to be appointed to such petty services. Europeans of high attainments and respectability will hesitate to accept such places, and it is better to have respectable Natives to the lower classes of Europeans. If once Europeans are admitted, there will, in course of time, be very little left for Natives to desire. Again the duties attached to such posts can be more efficiently discharged by Natives of ability, who have an intimate acquaintance with the manners and customs of the people than Europeans, who do not possess such knowledge. The latter, if placed in such positions, will surely be guided by a low-paid Chitnis or Shirastidars.

189. Is it, in your opinion, necessary that there should be a proportion of Europeans either in the Subordinate Executive Service or in the Subordinate Judicial Service, or in both of those services?—In my opinion the Subordinate Executive and the Subordinate Judicial Service should be filled only by Natives.

197. Generally what system do you advocate for filling appointments in the Subordinate Executive and Subordinate Judicial Services as above defined?—The present system of filling appointments in the Subordinate Judicial Service seems to me well adapted to the requirements of the time. Having little experience of the Subordinate Executive Service I think it advisable not to offer any opinion regarding the system that there prevails.

200 & 201. Do you advocate the requirement of a probationary period; and, if so, what should be the incidents of such period as to duration, pay and in other respects? Would you require a probationary period in all cases, or would you dispense with it in certain and, if so, in what cases?—See answers to questions 20 to 24.

202. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—Nomination of failed candidates to high posts in the Subordinate Judicial Service and the Subordinate Executive Service can never be viewed by the public with any satisfaction whatever. There is no reason why special favor should be shown to them. Their superiority in point of merit to persons who have already qualified themselves for the Subordinate Services can merely be an assumption with hardly any test to support the same.

No. XXI.

BEHRAMJI M. MALBARI, ESQ., EDITOR, "INDIAN SPECTATOR"; FELLOW OF THE BOMBAY UNIVERSITY.

Vol. IV. Sec III. Sub Sec. B. *Bombay.*

Behramji M. Malbari, Esq.

I.—Statutory Civil Service.

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—Generally disapproved.

2. If it is not, what are the grounds of disapprobation?—That it is based on patronage, that the nominee is seldom well educated, and that the service itself is inferior to the Covenanted Civil Service.

3. Are the defects of the existing system (if any) susceptible of remedy (*a*) by an amendment of the rules; (*b*) by an amendment of the Statutory provisions in that behalf, or should those provisions be repealed?—The best thing would be to do away with the Statutory Service in its present form.

4. If the provision of the Statute 33 Vic, Cap 3, Section 6, are not repealed nor substantially amended so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—In the annexed statement I have tried to explain myself.

5. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—I would encourage the selected candidates to go to England and give them preference over the others in some respects.

II.—Covenanted Civil Service.

1. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Yes.

2 to 4 Should any, and if any what, change be made in that system? Do Natives of India labor under any, and, if any, what disadvantages in competing for employment in this branch of the service? By what changes may those disadvantages be minimised or removed, *e g*, (*a*) by the establishment of scholarships and allowance of passage money to Native candidates, (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects, (*d*) by holding simultaneously examinations in England and in India?—Natives of India do labor under certain disadvantages, which might be removed by (*a*) raising the limit of age, (*b*) raising the number of marks for Oriental languages; (*c*) raising the number of marks for Indian History and Geography and for English History; (*d*) by ordering a simultaneous examination

5 If an examination is held in India (1) should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects?—(1) Yes (2) At one centre but by rotation. In the order of merit. (3) & (4) There can be no principle in such an arrangement, and, if introduced, it will only intensify the present heart burnings and jealousies Besides, such a scheme appears to be impracticable

6. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—Yes, but some of the "higher" classes might in that case be excluded from open competition—*vide* paragraph 6 in my statement.

7. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—I cannot say that; they are generally too young, for one thing

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Cap. 3, Section 6, or from all natural-born subjects of Her Majesty?—All natural-born subjects of Her Majesty, who are qualified, provided our claims to the Covenanted Service are fully recognised.

2 Should the recruitment be by competition or by nomination, or by both systems

combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—By competition as a rule.

3. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—Better from residents; certainly with a preference for them

4. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—In theory it should go back to the Covenanted Service. But if this latter is reformed to our satisfaction, the offices under the present Statutory Service might be allotted to the Uncovenanted Service.

IV.—Pay and Furlough Rules.

1 to 3. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated? Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other, and what, ground?—Better have one fixed standard. But the European might have passage money and subsidiary leave

4. Are the privileges in regard to pay, promotion and retiring annuity and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statdtory rules?—I cannot say.

STATEMENT.

The Covenanted Civil Service

One of the stock arguments against the competitive test is that in India there are too many conflicting interests to be reconciled in the distribution of public appointments. This is no doubt a difficulty; and in India the difficulty is, perhaps, more serious than elsewhere. But that seems to me to be one of the best arguments in favor of open competition for this country, honestly and impartially carried out. Nothing short of competition is likely to secure an efficient administration, or to conduce to that intelligent appreciation of England's mission in India, which is essential, above everything else, to a foreign rule.

The claims of backward classes are by no means to be ignored in framing a comprehensive scheme of employment, but the interests of these classes will be best consulted by affording them such educational and other facilities as may fit them in time for competition with advanced sections of the community. One very effectual means would be to pick up specially promising lads from the schools and enable them to pass the required examination. A single instance of this kind would act as a leaven for a large number of others. It was in this way that English education was introduced in the beginning among the higher classes of Hindus, who are now the advanced classes In their own interests I think it undesirable for the backward classes to be invested with a factitious equality with those in advance of them, which they could not expect to maintain, and which, without doing them any real good, might impair the efficiency and lower the prestige of the most important service in the world.

Speaking of the Mahomedans in particular, my experience leads me to believe that the higher classes, the old literary families and the nobility, are well able to hold their own with corresponding classes in the other community. If they cannot compete with Hindus in certain subjects, they generally excel the Hindus in others. At any rate a Government, like the British in India, can only lay down certain definite rules of action in such matters, leaving its subjects of all classes to adapt themselves to that common standard. The Mahomedans have been doing this creditably of late, and with such special facilities as have been suggested, I have no doubt they will, with the other classes similarly circumstanced, by and by overtake their advanced countrymen

As between Europeans and Natives, our motto should be—*fair field and no favor*. And this essentially English condition can be fulfilled chiefly by simultaneous examinations. The advantages to the Indian candidate of an examination in his own country, to take place with an identical examination in England at the same time, are indeed very considerable. But I fail to see that any of these advantages is to be obtained at the expense of the European candidate for the efficiency of the administration. The European candidate will continue to have a clear start of the Native candidate in every way. He will have the inestimable advantage of competing in his own language. The examiners will be mostly his own countrymen. The standard of examination will be fixed more to suit his own wants, requirements and idiosyncracies than of the Native Thus, even under less unfavorable conditions than at present—

Vol IV
Sec III
Sub-Sec B.
Bombay.

Behramji M Malbari, Esq

with the increase of age, simultaneous examinations, the raising of marks for Oriental languages—the Indian candidate will yet remain more or less at a disadvantage, not to say at the mercy of Englishmen, trusting to their sense of fair play. This is inevitable under the circumstances, and we Indians accept the position so far without repining. Why, then, should Europeans conjure up the picture of a wholesale withdrawal from the Government of India in favor of their Native fellow-subjects? There is no fear, and indeed no need, of the Native element upersedeing the European. This being my iew of the matter, and accepting, as I do, pen competition to be the only method orthy of England and just to India, I cannot help looking with disfavor upon any roposal for an arbitrary limitation of numers either in the case of Europeans or Naives. Let us have the very best out of the est material available from both races. The ew highest Executive appointments will, of hemselves, be reserved for the ruling community for purposes of directing and controlling the general administration. The Executive may be trusted fully to take care of that.

Nor can I brook any difference between the salary, status, &c., of Civilians of the two races. The rules of the service should continue to be the same, except that the European servant might be allowed his passage money and subsidiary leave on going home and returning to duty in India. If a general reduction is made in future, by one-fourth or less, in the salaries of Europeans and Natives alike, as suggested by Mr. Wordsworth, it would not, in my opinion, seriously affect the prospect of the service.

As regards sending successful Indian candidates to England, I am strongly in favor of the proposal. But I am not quite sure if it will do all the good anticipated from it I fully recognise the force of what has been urged about the contact of the Asiatic mind with the European, about the influence of English domestic and social life on the former, and so on. But there are nearly as many chances of an Indian youth losing by his English experience of two or three years, as of his gaining thereby. Much depends upon the individual himself and upon the circumstances that surround him in a foreign land, so entirely differing in almost everything from his own, cut off from parental control and the control of such public opinion as is still left to this heir of ancient civilisation. It is a great thing, I know, to imbue an Indian student, who has solemnly engaged to govern his own people in the light of British administration, with the spirit of the public life and the national literature of Great Britain But it might be urged, on the other hand, that the more English you make of a Native of India the less Native he becomes, and consequently less of an influence for good, at least in his constructive capacity, amongst his own countrymen. What is most wanted in an Indian administrator, whether he be Native or European, is a thorough knowledge of, and a living sympathy with, things Indian. This is the Native view, not so much, perhaps, of the English educated classes as of other thoughtful men in the community. I have also heard it stated by Hindu and Mahomedan friends of position, that sending their youth to England is virtually depriving them of their "religion." If this be so, it is certainly against the spirit of the Charter Act of 1833 and the Royal Proclamation, though these latter, in their turn, may be said to have been already violated by the rules of the Covenanted Civil Service, requiring the candidate to pass some years in England on a mere chance of success. But here our orthodox friends have to be reminded, that, according to their standard of national requirements, any European education at all becomes an offence, for it destroys "religion" right and left. They must not, also, forget, that for just and efficient administration, it is as necessary that Indians should *unlearn* a good deal, (in the way of caste prejudices and autocratic conceit), as that Englishmen should learn to that extent about the people of India. Thus, there is much to be said on both sides. Perhaps a fair compromise would be, to encourage the selected Indian candidate to go to England, and on his return to India to give him preference over those who have not been to England, as to choice of locality, branch of service, or even promotion. Special arrangements would have to be made, in this case, for the periodical and final examinations of the home-staying select candidates. But the extra expense and trouble might be repaid by drawing into the service some of the most influential classes of Indians who are not likely, at present, to be otherwise tempted. The proposal seems to be worth considering on political grounds, though I think the number of men to be benefited by it will be very small, and will grow smaller still with time.

Another alternative would be to have a Central Training College in India, like the one proposed by Mr. Lee-Warner, at which the selected English candidates might be required to spend their period of probation with the selected Indian candidates On the whole, there would seem to be more justice, from the point of view of the strict Native, in the English probationer having to be trained in India, for the *Indian* Civil Service, than the Native having to be trained in England. All this, of course, presupposes the possibility of a first class Training College being established in India, with the best English supervision and management, and all other necessary appliances.

The Statutory Civil Service.

The Statutory Civil Service, which is certainly far from popular with the educated classes, must go, unless it could be retained without the slightest encroachment upon the competitive Civil Service. And if so retained, it might be utilized in the interests of (1) exceptionally meritorious men in the Uncovenanted Service; (2) in the professions, including the graduate class; and (3) on behalf of the sons of influential families, who are not altogether behind the times, but are excluded from open competition by difficulties incidental to their position—in this case by limited competition. I would not object to leaving the selection and appointment to the Local Governments, under approval and sanction of the Governor-General and the Secretary of State. But I would keep the number of such appointments as low as possible, if the Statutory Service is at all retained for any or all of the objects indicated above, and further lay down rules and standards even for those candidates, who might thus be made to advance with the needs of the times.

The Uncovenanted Civil Service.

The Uncovenanted Service should, in my opinion, be recruited on the same plan as that followed in England. There ought to be a competitive test to begin with, and the rest should be left to proved merit and experience. In the case of University graduates, who are entitled to a share, competition does not seem to be much called for. They should have preference over non-graduates. But the graduates might be required to go through a course of special training when necessary. This has been the rule with the Bombay Government since 1879, but it is enforced, I believe, only in filling up Mamlats and Tahsils, and that, too, indifferently.

Here, I believe, the backward classes of India might be largely encouraged, though even for the Uncovenanted Service, anything like perpetuating class distinctions, would be objectionable in principle, and would fail in effecting that good for the classes lagging behind, which might be expected in some quarters. We cannot, all at once, do away with the hereditary prejudices and predilections of different classes. One class might do well for certain branches of the public service, for which another class might discover no aptitude. But, on the whole, an equilibrium would be sure to be established in time. As a rule I would leave each Province to have its own Uncovenanted Service.

Coming to the claims of Eurasians and domiciled Europeans, it is hard to see, how we could, with justice, exclude these from the ranks of the Uncovenanted Service, though the bulk of it would necessarily be filled by pure Natives, if the service is recruited, after a searching test of the qualities most needed for a satisfactory discharge of duties. The Queen's Proclamation says:—"And it is our further will, that, so far as may be, our subjects, of whatever race or creed, be freely and impartially admitted to offices in our service, the duties of which they may be qualified, by their education, ability and integrity, duly to discharge"

My patriotism cannot override the Queen's Proclamation, to which we appeal so often with gratitude. Let *all* Her Majesty's subjects compete for this service, the test looking for those qualities most, which make the best *Indian* administrator. An accurate knowledge of Indian vernaculars should be exacted from Eurasian and European candidates for the Uncovenanted Service, just as an accurate knowledge of English is insisted on in the case of Native candidates for the Covenanted Service. I would rather say the Uncovenanted Civilian ought to be more intimately acquainted with the vernaculars of India than the Covenanted Civilian. All things considered, I apprehend no danger to Native interests from allowing Eurasians and domiciled Europeans to compete for the Uncovenanted Service. And even, if there *were* a risk, we should try to meet it honestly. But if Indians are not allowed to compete with Europeans on terms of equality for the Covenanted Service, Government will be justified in reserving the Uncovenanted Service for pure Natives.

General Remarks.

I trust the labors of the Public Service Commission will lead to a reasonable finality in the settlement of this important problem. It will not do merely to scratch the surface of the question and again to put off the evil day, as it may appear to the short-sighted.

No. XXII.

A. D. Husen Ali, Esq, Pleader, Karachi; President, Sind Branch, Central National Mahomedan Association.

I—Statutory Civil Service.

Vol IV. Sec III Sub-Sec B *Bombay*

D Husen Ali, Esq

1 to 3. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved? If it is not, what are the grounds of disapprobation? Are the defects of the existing system (if any) susceptible of remedy (*a*) by an amendment of the rules; (*b*) by an amendment of the Statutory provisions in that behalf, or should those provisions be repealed?—In the Province of Sind, to which I belong, there has been only very lately an appointment of Statutory Civil Service made, during the Government of Sir James Fergusson, which was given to a Hindu gentleman; therefore this Province could hardly be expected to have had an experience of such a nature as to say whether the system of selection for such appointments is an approved one. But the Mahomedans of the Province are considerably disappointed to see, that in Sind, where more than two-thirds of the population consists of Mahomedans, no such appointment should have been given to any Mahomedan at all. Judging from this feeling on the part of this important section of the community, created on the occasion in question, it would seem that the disappointment of this community would be still greater, if the choice of appointment to such posts, now resting with the Government, be taken away and only one door be left open, *viz*, the competitive examination, which, no doubt, considering the backward position of the Mahomedan community at present, would admit of Hindus chiefly to the service. The variety of races and race feelings in India, unexampled in European countries, requires on political grounds a special treatment of the case.

Civilisation in India has not set in so far as to make any cut and dry rules applicable to all parts of India, in one and the same form. The adoption of the advocacy, that the Statutory Service be abolished and only one means of attaining the appointments, *viz.*, competition, be substituted, is one that will take away the last chance the Mahomedans have at present, and they being thus deprived, the less educated portion of them will attribute the results to a motive of partiality on the part of the Government in favor of the Hindus, rather than to fair dealing, and this might lead to general dissatisfaction. On my part, therefore, I would retain the Statutory Civil Service, leaving with Government the discretion of making appointments, which, however, should be on a larger scale.

4 If the provisions of the Statute 33 Vic, Cap. 3, Section 6, are not repealed, nor substantially amended, so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—The word "Native" might include Eurasians, &c, if strictly coming within the definition of the term, but the *bonâ fide* leading sections of the Indian communities, known as Natives, in the strictest sense of the word, ought not to be deprived of a proper share in the service in question, and in order to have a distinct understanding on the subject, it would be better, if the number of Statutory appointments be fixed for each year, and they be divided into three divisions, reserving one of them for the Mahomedans of all classes, another for the Hindus, amongst whom should be included the Sub-Divisions of Bhirmus, Jains, &c, and the third for the miscellaneous communities, in which should be included all such other communities as do not belong to either the first or the second divisions; and these appointments should be allotted to each Province in a fair proportion, with due regard to the different classes of the community forming the population thereof. The mode of selection of the candidates should, of course, be in the discretion of Government, but guided by the principle, that the higher the man's education, the higher his claims to these posts, graduates being preferred to non-graduates, unless in exceptional cases, where men of tried experience and ability might be taken from the Uncovenanted Service.

5 If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—I would prefer giving such Statutory servants a special training in England, and for that purpose I would give every encouragement, such as passage money, allowances, &c., during their stay in England, a probation of two years being unnecessary in cases of selections made from the Uncovenanted Service, and for the others it being necessary.

There is, however, one thing in Section 6 of Statute 33 which will operate as a hardship on the aspirations of candidates for the Statutory Civil Service and which must not be

lost sight of, *viz*, the expression "Natives of India of proved and tried ability." To prove his merit and ability beforehand a candidate, who has never been in service before, would find it a most difficult thing to do; therefore in this respect the section would seem to require amendment. I would substitute an expression somewhat to this effect: "Natives of India, of whose merit and ability the Government is satisfied."

II.—Covenanted Civil Service.

1 to 4. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service? Should any, and, if any, what change be made in that system? Do Natives of India labor under any, and, if any, what disadvantages in competing for employment in this branch of the service? By what changes may those disadvantages be minimised or removed, *e.g.*, (*a*) by the establishment of scholarships and allowance of passage money to Native candidates, (*b*) by altering the limit of age, (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India?—If the Statutory Civil Service be properly organised, it should, in my opinion, obviate the necessity of holding examinations for the Covenanted Service in India, which, for more than one reason, ought to be held in England. Facilities should, however, be afforded, such as alteration of the limit of age, which should be raised to twenty-three years, establishment of scholarships and allowance for passage money to Native candidates, and the addition of Oriental classics, such as Arabic, Sanskrit and Persian, to the subjects prescribed.

5 to 6. If an examination is held in India (1) should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects? If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—As I am not in favor of the examinations in India, I need not answer issues Nos. 5 and 6 under this head.

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Section 6, or from all natural-born subjects of Her Majesty?—I would confine the Uncovenanted Service to Natives, as defined in the Statute, since it will be cheaper to have Native agency than a foreign one for such service.

2 & 3. Should the recruitment be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices? Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The recruitment should be by nomination, for reasons assigned by me in paras 1 to 3 of my answers under Statutory Civil Service, from among the residents in the territories under each Administration, so far as practicable, that is, with a preference for such residents.

4. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—As I am not in favor of abolishing the Statutory Civil Service, I need not answer this issue.

IV.—Pay and Furlough Rules.

1. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—As economy and reason must be the guiding principle, it would seem that the members of the Statutory and Uncovenanted Services ought not to get the same salary as that given to the members of the Covenanted Service, since they have not undergone the same trouble and expense, as the members of the Covenanted Service in attaining the position.

2 If such distinction should be made, on what principle should it be regulated?—The standard regulating the distinction of pay should be the same as that now in vogue as regards the Statutory servants, and I would make no distinction between the pay to be drawn by the Statutory and

Vol IV. Sec III Sub-Sec. B. Bombay.

D. Husen Ali, Esq

Uncovenanted servants in this case, for the Uncovenanted servant allowed to fill the post, reserved for a member of the Covenanted Service must be a man of rare abilities, and as such could not count inferior to the Statutory servant.

3. Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other, and what, ground?—As regards furlough, I should, as a rule, observe a distinction between those whose home is in Europe and those whose home is in India, but in case a Native has to visit Europe, he should come within the exception to the rule and be allowed the same furlough as Europeans, since his visit to Europe, whilst it is costly, will be attended with benefit to the service.

No. XXIII.

DINSHA ARDESHIR TALEYARKHAN, ESQ., MUNICIPAL COMMISSIONER, BARODA, HIS HIGHNESS THE GAEKWAR'S SERVICE.

I—Statutory Civil Service.

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted servants is necessarily variously viewed Whether it is approved or disapproved of, there is no doubt that the system requires a vast revision, which the Government must itself attempt in a liberal and humane spirit I have always considered the institution of the Statutory Service for Natives, as a measure creditable to a foreign Government. It is a slight lisping out of the Act of 1833 and the Proclamation of 1858, to which a more distinct articulation should now be given.

2. If it is not, what are the grounds of disapprobation?—I hardly think that the Statute has been so far used that either approbation or disapprobation has become any very recognisable quantity, so that we could be definitely guided in hitting upon a very confident scheme on the basis of this particular experience. We have thus a good deal to look to our general experience of the services performed by Natives of India in contemplating the reforms needed in the system under question. I do not consider the disapprobation against the present system altogether wrong when it is a great deal worked on the spirit of patronage, especially when conferred on members of nobility, whose ability has not been tested. The Government, I admit, cannot entirely afford to dispense with this sort of patronage of political exigency It may be exercised, sparingly, and fenced with certain business-like conditions.

3. Are the defects of the existing system (if any) susceptible of remedy (*a*) by an amendment of the rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—The defects of the existing system certainly require a remedy—and a remedy, too, of a widespread character. The remedy lies in rendering it a national system. No tinkering of it can at all answer the practical needs of the modern times. The Covenanted Civil Service is, in a certain sense, national to India. It is the first and principal branch of the public services of India. Those at its back ought to be (1) the Statutory Service and (2) the Subordinate Services. All the three services should form the regulated parts of one whole national system.

4. If the provisions of the Statute 33 Vic, Cap. 3, Section 6, are not repealed nor substantially amended so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—I do not here mean to allude to the details of the Statute, and will, therefore, only say that, while the Covenanted Civil Service will form the vital body of the national Indian services, the Statutory and the Subordinate services must form its two great arms. With this view, it will undoubtedly be desirable to ascertain the character and number of posts, which should be distinctly apportioned to the two main services.

I quite admit the desirability of not opening out, for the present, and in practice, the highest ranks of the Civil Service in an unreserved manner, though I am also impressed with the fact that, but for the practical prohibition to the sons of the land from even supposing in theory that they would be suitable persons for being placed in charge of districts or divisions, or any portion of an Executive Council, we should even now have Native functionaries in India, however few, who would do credit to the functions just stated. And such Native functionaries are even to be had from the Uncovenanted Services Admitting then the difficulty of making high appointments, in behalf of Natives of India, always strictly in accord with the letter and spirit of a reformed Statute—to enact which the time seems to me to be quite ripe—I must beg to point out that a vast practical field is open to the British Government to be just towards its loyal Native subjects, quite within the four corners of its masterly political sagacity. It is no longer desirable, that any portion of the Covenanted Service, excepting, perhaps, some of the most responsible political appointments, should be virtually closed against Natives, who have shown such particular fitness as may be needed. At the same time, I would have the Uncovenanted Statutory Service open to all permanent residents of India, of whatever caste or creed, and to all Uncovenanted Civilians, who

Vol. IV. Sec. III. sub-Sec. B. Bombay.

Bansha Ardeshir Aloyarkhan, Esq.

may be found fit and willing to enter the Statutory Service.

The scope of admission to both services being naturally and considerably amplified, in the interests of the now ostracised Natives of India, no fair objection can be taken by any of them to the fittest man entering any of the services. All the reserve necessary would be in instances of a highly developed future competition, when, possibly, even the lowest grades of the Statutory Services might be sought by Europeans. I do not myself think that European competition would ever descend so low. In case it does, a remedy could be provided, in the interests of the children of the soil, by recognising Natives of India as alone eligible for all posts below certain grades, or as appertaining to particular departments. In regard to the third and fourth issues I am also of opinion, that an effective and successful Statutory Service cannot possibly be obtained, without a detailed and careful organisation by a Public Service Commission of a permanent and far-reaching character, to be instituted for each of the Presidencies, &c. Nominations cannot essentially be left to the discretion of individual administrations or functionaries. Education and culture, not having yet uniformised the minds of various sects and communities, the elements of sectarian likes and dislikes do exist, and are likely to be intensified by services and their surroundings or associations. The various subject communities are divided by peculiar conflicts of passions, feelings and aspirations, while each for itself has its own deficient peculiarities. The moral, mental and physical tests cannot thus be made so entirely universal, as is popularly supposed. Even these tests, which no doubt have the greatest possible value, will have, now and then, some inherent defects, which local and contingent considerations, formulated in the interests of particular districts and Provinces, can alone remedy

The tests aforesaid will have to be, in some subtle sense, subordinated to broad caste feelings, needs, and even eccentricities. Further, again, as long as the commonwealth necessity exists to counteract any possible non-Imperial, or sectional, or fanatical combination—all of which three, the teachings in my humble writings have always put under one rough and general category by this time thoroughly well accepted—a special authority, though very limited and carefully defined, will have to be vested in each responsible Government to make special nominations, in some cases without subjecting them to competitive tests, in others with the whole or a part of these tests. I would include in these exceptions nominations of public functionaries or public men of well-known merits, and even of pure patriotic wisdom and administrative ability, to posts of importance even next to a Governor. The possibility of making practical nominations of this character, or even of inferior merit, will not, I admit, be so clear as actual facts are dealt with. It does not fall within the range of my creed or patriotism to advocate high appointments for Natives, because the foreign conquerors—who are now so aptly nationalising themselves in India, as was only a dream to me a quarter of a century ago—have been appropriating "all the largest of the loaves and fishes of the land; but (1) because the British Government is inherently fair, shrewd and compassionate; (2) because it should make its way into our hearts and affections by facilitating our onward progress, having deprived us, in pursuance of the ends of Providence, of all sort of mastery over our own land, and by rewarding substantial and acquired ability and proved goodness of nature and high character, as readily as may be done in the case of our beloved European compeers; and (3) because the working of the administration should be rendered closer, more continuous, and more consistently homely, sympathetic and prosperous, than can possibly be rendered by one particular preponderating element or influence. What is respectfully urged here is simply meant as the essential disinfection needed in the administrative and social concerns of Native India, which must encounter stagnation and decay, when they are long subject to one particular course of policy, or to the force of one-sided concrete sentiments and prejudices.

The adoption of a discreet and unbiassed statesman's policy in reference to the Statutory, Special or the Higher Services will do no mischief whatever, if evenly and warily followed for the next fifty years at least; while it smacks a little of feebleness and mediocrity quite foreign to genuine Christian spirit, Christian strength and Christian benevolence to suppose that all would be over with British India and with the British Government, if ever a commencement was made towards the admission of Natives into the great-heart-mechanism of our godly government. Well might the great Christian Saint and Saviour have cast off his meek and suffering flock, and consigned it to the inhospitable deserts and forests, to the cruel blasting grip of the murderous nations of the world, to the envious sword of downright or semi-vile Paganism. As that world-renowned, suffering Shepherd of matchless wisdom, valour and charity—the worthy compeer and successor of Zoroaster—never quailed for a moment in leading aright his meek and loyal flock through centuries of the dark and thorny paths of the world; as that one of our common lords and saviours saw with clear

bright eyes through dense and unlimited visions of the world's most remote future, so would I earnestly submit the Christian Empress of the East—the true image of Christ—and her great and good servants, both in India and England, cannot possibly, and will not, falter in their steady light, which has illumined, and is destined to illumine, more and more in the future the dark, the anxious and the rugged paths of the submissive and weak nations—the English Queen's good and great flock in India.

5 If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—To the issue whether, (if the Statutory Service is retained), the selected candidates should be required to proceed to England for training, or encouraged to do so, I would beg both being done As the Statutory Service would be reformed on a constitutional basis, it being thus considerably enlarged, promotions to more honorable and responsible posts should only be conditional on specified visits to, and training in, the West.

As the Statutory Service, constitutionally enacted, will be mostly open to perfect competitive tests, applied unreservedly to all communities and sects, I would also have Indian training for the English candidates for the superior grades of the Statutory Service.

The training should be restricted, as much as possible, to the particular branches of administration for which the candidates may be intended. Limited candidates of approved character and merit, and specially selected, may have more advantages than those who volunteer for a probation in a foreign country. Such selections should only be limited to the requirements of supply and demand, to financial facilities, and to the wants and evils of the service.

As I would provide for the acquirement of the highest University and practical tests of both the West, as well as the East, in the case of the candidates who have passed in England, before they became eligible for the highest positions in the Covenanted Service, so would the Statutory Service be always wholly and solely confined to those who have started from the Indian basis only, excepting of course those who may be compelled to seek the latter service though belonging to a higher Province.

There ought not to be the slightest doubt as to the efficacy on all Native minds arising from visits to, and training in, England. The efficacy in the case of young persons is much greater than as regards elderly persons brought up in India only. Any accidental evils of consigning young men to foreign associations are surely to be lessened, as visits to England become more extensive and grow into a matter-of-fact, well-settled institution. The English influences on younger minds cannot but be more congenial, than on mature ones, in much the same manner as a tree which has had an unfettered enjoyment under the open sky and all the early periodical dews alike during all its past days, is much healthier than its companion, which in its early life was reared in a shade. The time must soon come, when, not only English private agencies will multiply in England to bring up Native boys and girls safely there, but competent Native Educational and Political agents will proceed from India to conduct for themselves cheap and efficacious institutions, to inspire respect and confidence in those Indians, who would be compelled to impart the highest training to their children for their after-life welfare and prosperity. The condition will, I am sanguine, be then reduced to that of noble Britons in India, who hurry away their children to the morally and materially bracing climate of England.

II.—Covenanted Civil Service.

3 & 4. Do Natives of India labor under any, and if any what, disadvantages in competing for employment in this branch of the service? By what changes may those disadvantages be minimised or removed, *e.g.*, (*a*) by the establishment of scholarships and allowance of passage money to Native candidates; (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India?—That the Natives of India do labor under certain disadvantages in competing for the Covenanted Civil Service has now become a patent fact, thanks to the exertions of sincere Indian patriots, like Professor Dádábhai Navrosji. There is already a consensus of opinion in reference to raising the age limit; but it should not be raised to more than twenty-one, the minimum being nineteen. As I am for the enlargement of the Statutory Service, I do not think it would be desirable for the State to undergo any large and systematic expenditure on the deputation of Indian students for training in England, especially as stipendiary scholarships of this sort will be created from time to time by various benefactions. The Indian candidates will, however, enjoy all the probationary rights enjoyed by their English compeers. I have been the first to hold, that it would be lowering the Civil Service of the country and depreciating the value of Native Civil Servants by holding simultaneous examinations in India and England. Having considerably enlarged the Statutory Service, I would by no means create a rent in the much thinned superior Covenanted Service by having any part of that body of an inferior character. The time is still to come, when India will be able to hold

its own with England in reference to social, moral, intellectual and physical culture of youthful persons; while the pluck, courage and perseverance, which English influences could impart to Native youths will be immitable in India for some long time to come, I fear. All examinations in India should, therefore, be confined to those candidates, who are desirous of entering the Statutory Service, and all superior tests for the public service should, as now, retain their home in England.

I have also been the first to hold—and I may continue my argument with all deference to the Commission—that, in simple justice to Natives of India, as they are put to the necessity of going to a foreign country, to be imitated in English science, life and politics, so should English candidates be compelled, under some well worked out scheme, to study India and its languages. It is my firm opinion, that all candidates for the Covenanted Service are, more or less unnecessarily put to the wear and tear of mastering the Latin and Greek languages, and certain portions of mathematics and sciences, which are hardly of any practical importance to the generality of the Civil Servants. Though it may be congenial, in a certain measure, to English Civilians to acquaint themselves with the classical languages, and even to master them, the same obligation does not rest upon Native candidates for the Covenanted Service. It is but meet, that, as Native candidates are compelled to take up the European classical languages, so should the English candidates be required to pass in the classical and other languages of India. I am tempted, on the basis of justice, even to go so far, as to compel English candidates to study the Indian classical and other languages in the Oriental colleges of India in the same manner as their Native brethren have to prosecute foreign studies in England itself. It is evidently desirable, that, as Natives are required to study English life and institutions, so should Englishmen study India before they could be expected to rule India successfully. Many of the mistakes and omissions of young Civilians in India are owing to their want of precise knowledge of the social, political and religious instincts and institutions of the Indians. I have always carefully refrained from advocating any radical independence for my countrymen, who so sorely stand in need of so many rights and privileges, which they cannot at present date to enjoy. What can be secured for them, to some moderate extent, and yet substantially, is what I should very much wish to have for them. I would, therefore, beg that let our means for admission to the Civil Service of the country be difficult, but then let also the facilities in the ways of Englishmen in the same respects be not in the least greater than. Let healthy and commendable rivalry between them be increased, but let them both have equal justice in competing for the service. I do not hesitate to advocate any strict standard for my countrymen on the principle just explained, for I am sure both the country and its inhabitants will only the more gain thereby. What is acquired with difficulty by either of the parties is likely to be only the more valued.

I would, therefore, beg to suggest that Oriental Universities should be established in India, where English candidates for the Civil Service, as well as the subordinate one, should be compelled to study under a well-defined programme, which would permit of travelling and other modes of studies as relating to the country at large.

It is only on the condition that English candidates may be required to pass the same amount of time in India, as Native candidates are required to do in England, that I consider it very undesirable that there should be simultaneous examinations in England and India. The English candidates, as well as the Native, will thus have the full benefit of the much superior training in England, while both classes can be brought up in the current, as well as the classical, languages of both countries to such extent, as many be deemed indispensable in each case. As I consider it deplorable that any obstacle should interfere in the way of Native candidates being benefited by the much superior education to be had in England, I would suggest the removal of our present grievance by equalising the drawbacks, whether they should refer to Natives or to Europeans—the said drawbacks being only apparent, for both Native and English candidates will only thus perfect the education, culture and knowledge, appertaining to both countries—which is certainly not the case under the present rules. As the Native gentlemen who have entered the Civil Service by competitive tests in England are now an ornament to this pure English service, so will the future English Civil Servants, when partly brought up in India in their earliest possible days, turn out more appreciative and more sympathetic public servants of India, while the present fruitful cause of injustice and hardship will be removed. All State concessions should be equal in both cases. The tests, pertaining to the languages, whether taught in England or India, should also be equalised, the respective proficiency to be exacted from both classes of candidates being made as similar as can be.

I hope to have here indicated an altogether safe and unobjectionable method, by which to regulate the admission of both classes of candidates to a greater portion of the Civil Service, to which it is only possible—to avoid all heart-burning in the future, which must otherwise consi-

derably increase—to apply the competitive tests.

I have in my humble suggestions strictly kept in view the superiority and inferiority of these tests, as prevalent in both countries; and until India has been so far advanced, as to offer tests nearly equal to those of England in the main, I would not advise the lowering of the ultimate standard, excepting such of its modifications as I have already generally indicated.

5. If an examination is held in India, (1) should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several Administrations, respectively, or between the members of the principal religious sects?—Having maintained the impossibility of applying all competitive tests in reference to the Indian administration in its present predicament, I do not think I should at all enter into any of the details in reference to holding the Civil Service examination in India, all equalities or inequalities being well balanced on the principle above enunciated.

The well-developed Statutory Service will take the place that would otherwise have been accorded to the Covenanted Civil Service. Excepting in all special political cases, and in those of unmistakeable expediency, I would not emphasise, either locally or denominationally, the holding of any competitive examinations or any apportionment of appointments between the residents of the several territories or between the members of the principal religious sects. I would, at most, have centres of examinations in respect of the several Administrations, and would allow the functionaries to be tested by actual service, in reference to their ability of holding their own against all aggressive caste-intrusions, which may be encountered in the discharge of public duties. In my scheme I have tried to narrow, as much as possible, the possibility of one provincial sect seeking to swamp another; and this is, I think, all the limit, which can generally be observed in placing any ban upon public competition for the public services. I would place well-defined discretion in the Government of India to countermand any undue assemblage of particular castes, as well as in the subordinate Governments to act upon the same principle of adjustment.

6. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—This issue requires no separate answer here, as it will be found in what I have stated in the preceding pages

7. Are the young Natives obtained under the existing system of the open competition in England the best, as regards character and capacity, who could be obtained under any system?—I do not think that the number of Native Civil Servants now serving in India, is sufficient, or that they have risen sufficiently high to enable me to give an opinion, as to whether the existing system is the best by which all the character and capacity which it is possible to develop in Native Civil Servants could be secured.

It will be apparent, from what I have already said, that there is ample room yet for the development of the Native Covenanted Service in its initial stage. We are thus a long way off from finding a powerful body of Native Civil Servants, capable by themselves of administering an Indian Province, both in ordinary times and on all exigencies of whatever nature. I have every faith in the belief, which I have long held, that the more a compact body of this sort is formed—expected to be influenced by no narrow sectarian likes or dislikes, but by a reformed set of traditions springing from the Anglicised body itself composed of all nationalities—the greater will be the strength imparted to the Suzerain power of India. Such a body may also hold in check the fanatical tribes and tributary Indian Chiefs, who may be bent on such exclusive predominance, as may not advance the ends of our commonwealth. I am, therefore, of opinion that the time is not come when we could form much of a specific opinion as to the maturity or accuracy of the present system of what is considered as the "open competition in England." I would lose *no time* in organising such *national tests* for the superior service, as would remove so much of the unnatural iniquity, as now so much thwarts the children of the soil. As a very legitimate first step let the Government, at least, know by experiment, how Natives behave when the doors of all their own services are thrown open to them with every requisite precaution which I have already indicated. The tests to be healthy and just should be equibalanced, and equally exactive for both Europeans and Natives; and this is a point which cannot be too sufficiently elucidated.

Vol. IV. Sep. III. Sub-Sec. B, *Bombay.*

Dinsha Ardeshir Taleyar khan, Esq.

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Sec. 6, or from all natural-born subjects of Her Majesty?—As I am for removing all gross restrictions from the way of Natives of India in competing for the public services, I cannot fairly object to these being open to all natural-born subjects of Her Majesty. The Natives of India in the long run can only monopolise the services of their country on a perfectly equitable basis, and the keener the competition to which they may be subject the better. As education and technical training advance, as the moral and material resources of India are more developed, as the country needs more and more to be defended against foreign dangers and aggressions, its public services must break through all bonds "of a close preserve," as they are in a certain sense now, and could only be composed of actively neutral and all-mastering elements

2. Should the recruitment be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices, or classes of offices, or should the system be varied with the class of offices?—The second issue is most comprehensive and very difficult to answer at random, considering the public interests at stake. The public services are first to be subject to the safe and broad principle of recognising various degrees of educational tests, each of these numerous degrees being held in consonance with the special or technical test which each class of offices ought to render gradually compulsory. Every set of tests should first of all be based upon this grand principle. The offices, whether in the Uncovenanted or in the Covenanted Services, should first be classified in entire conjunction with the character and degree of general education and of technical education which the requirements of a particular class of office may denote. Though it would not be practicable to enforce general and special tests in relation to all classes of offices—for approved services will, in a large measure, and exclusively, rule the public choice for a considerable time yet—there is nothing like forming the specific classifications which I have suggested. There is nothing like really nominating and purely competitive principles being greatly distinguished from each other as has been so widely, and so generally, held. Though quality and quantity may arrive at one point in both instances from two altogether different courses, there is the distinct possibility of the homogeneousness of the articles necessary to secure. All that is required is the correct sum total, whatever the modes of calculation. Hence the results of acquired experience should be made to tally with a certain standard of educational and special tests. All the difference is that, in the case of untried candidates, you apply the cut and dry tests, while in the case of tried candidates their approved nominations are the substitutory tests. There is something like different commodities in a market which bear equal value to each other, though they may be widely differing from each other. Apply a standard value-test to these different articles and the apparent inconsistency of the principles of nomination and competition must vanish. Both nomination and competition will have to be recognised for some long time to come, till at least education has thoroughly saturated all the classes competing for the public services under the above head Every public office ought to be valued by definite tests, which will eventually regulate the admission of practical and theoretic elements in a way best conducive to the efficiency of the services. By ascertaining all the exchangable tests in clearly tabulated statements, the duration and progression of practical elements as well as of the theoretic ones will not overwhelm but will regulate each other so as to increase the efficiency of the services. While the development and elevation of educational and technical tests will be continuous and wide-reaching, the practical tests will certainly fail to be so universal. The full introduction of the rival valuation element will either stimulate the practical elements to acquire the proficiency consistent with modern times, or supersede them at certain stages, where age or progressive intellect and integrity would not be adequate for competition purposes. The difficulty will be to fix the meeting points of the practical or the pure service tests and the early academical and technical tests. The difficulty, however, will not be insurmountable. The former will only give way in all instances where the latter are unquestionably superior. The present service system, in many essential parts of it, is certainly arbitrary and chaotic, which ought gradually to give way to the test system, as is the case in the Judicial, Medical, Engineering or the Educational Departments. Each department should be formed of several suitably connecting links, and each of these links should have its own scholastic or academical tests allied with their counter portions of the special ones relating to the particular department. The Uncovenanted Services should also be open to the academical and special tests devised in Great Britain, whether relating to the early-life or the service-life. Elements passing these tests in England and, secondarily, in India will of themselves

introduce reforms in the public services, while strengthening and reinforcing the present practical elements.

Distinct organisations will be needed to carry out the scheme, the prominent outlines of which I have here given. It is highly desirable to construct these bodies, and put them into force at the earliest possible date, so that the Reformed Uncovenanted Service may rapidly grow and engage the highest interests and sympathies of my educated countrymen. I am sure this Reformed National Service will work the Native intellect, ingenuity and capacity from their root and quiet the more fussy of the aspirations which are temporarily felt to be so irksome. The full operation of the scheme is likely to correct all confined scope of patriotism, and elevate it to the higher virtue attached to the commonwealth purposes of the country. The efficiency of the services must flow upwards and not fall flat at any stage, while practical replies will be ever present to demands for the whole loaf or none. I base the scheme entirely on the principle that the good of the country holds a more solemn position than the good of this or that nation or individual. It is the heart of nations and their entire body which have to be rendered sound—an end which can never be gained unless the fundamental principles I have denoted are courageously acted upon. No outward garment or application can ever remove a canker sore which requires an internal remedy. The labors of the Public Service Commission are wide in their scope and lofty in their design, which must stagger all those who once took the usual hasty view of judging Lord Dufferin on superficial and short-lived data. I will not, therefore, presume to warn—because I have no grounds for a warning—but would respectfully throw out the hint that nothing less than far-reaching and sound natural results may be expected from a Commission which has been the means of spreading a most useful and healthy agitation throughout the country. The measure will be identified as one of the most important ones pertaining to the Vicerovalty of Lord Dufferin, so aptly illumined by the light of the Jubilee, and will be worthy of as great a history as the measures of Lord Ripon have already found amongst us.

3 & 4. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations respectively, or with a preference for such residents? If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—Replies to these will be found in what I have already stated.

IV.—Pay and Furlough Rules.

1. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—I humbly submit I am not for giving larger salaries to one nation and smaller ones to any other. A policy of this sort is now altogether out of gear in India. Whatever may be said of the times when high salaries were fixed, the increased responsibilities of public trust and the enhanced unavoidable wants of modern life cannot permit any radical alteration in the system of salaries or their apportionment in reference to the different races. Salaries can be fixed only in harmony with the nature of the posts to which they are attached, and on the principle that there should be a round man in the round hole, and so on. The salaries fixed for any of the posts should not be changed, unless this can be equitably done irrespective of any racial considerations. The wants of educated or advanced Natives are fast multiplying. On this account alone there is no reason to pay inferior consideration to a public officer simply because he was not born and bred in England. The practical evils of lowering the salaries of posts when held by Natives are, I think, real, and not merely imaginary. But, under my observations, I have looked more to impersonal tests, and not to personal preferences, as the main groundwork of all future services in India.

2. If such distinction should be made, on what principle should it be regulated?—Reply to this issue is incorporated in the above.

3 & 4. Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or, on any other, and what ground? Are the privileges in regard to pay, promotion and retiring annuity and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory rules?—Answers to issues 3 and 4 will very much depend on the sort of re-organisation of the public services which the Commission may suggest and His Excellency the Viceroy in Council may ultimately support as an emergent and unavoidable public measure.

As I would not divide the Secondary or the Imperial-National-Uncovenanted Services into Statutory and Uncovenanted

Dinsha Ardeshir Taleyar khan, Esq

Services, the furlough rules for the Reformed Subordinate Services of superior grades should be the same.

I think the special consideration which might be justly shown to European Civil Servants is in respect of the furlough and other leave rules, the details of which I need not go into here. I mention the fact of this consideration being to the point here referred to, as Native Civil Servants of the Reformed Services need not have the indulgence to so great an extent.

Further Replies to the detailed set of Questions.

I—Working of the existing Statutory System.

1 to 3. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community? What are the grounds upon which any such feeling is based? Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Cap. 3, Sec 6) or is it directed against the rules framed thereunder?—These issues have been, to a certain extent, replied to in the preceding pages by a natural implication of my various elucidations.

All I may, therefore, say here is that dissatisfaction exists against the Statute itself, not because it is an unjust measure, but being based on entirely just principles these principles have not been fully acted upon. As a stopgap to disaffection it was fair enough, but it could not prevent the increasing dissatisfaction. The way in which the Statute has been worked is likely to have caused dissatisfaction to the tried servants of Government not having sufficient influence to back them The Statutory Servants, besides, have not been reckoned even as equals to their English *confreres* in similar positions.

4 & 5 If the Statute itself is objected to, is it because its provisions admit persons to specific appointments only and not to membership in an organised "Service"? Are the objections based on other, and if so what, grounds?—Require no specific reply, the question having been already treated fully.

6. If a desire is felt for enrolment in a general service, what are the reasons for this desire?—A desire is felt for enrolment in a general service; the reasons for such desire are the increase of educated Natives and the increased number of those who have qualified themselves by actual services for higher posts

Competition for Government service may very well be said to be keen and excessive, owing to the absence of a national, practical, industrial, technical training in India such as should be accessible to every town or district, large or small, of our country. How very backward we have been to anticipate the genius, wants and aspirations of our advanced countrymen in India may be chiefly learnt from two facts. the desire of the educated class is chiefly confined to political agitation and advancement, and the national aspirations for advocating the introduction into India of practical learning of the useful arts, industries and professions have only been generally excited since the publication of my practical treatise on national technical education The Public Service Commission is not, therefore, I am respectfully of opinion, the only means by which an adequate and healthy employment of the intellect and ability of Native India can be ascertained, though no one can doubt for a moment the almost invaluable results which may be secured for India from the patriotic and impartial labors of the Commission. I would, therefore, venture to forward a copy of the above treatise, which, I think, is calculated to throw a good sidelight on the questions which have engaged the attention of the honorable members of the Commission.

7. What amendments do you advocate in Section 6 of the Statute?—Under the scheme above explained the Statute will, of course, have to be recast.

8 Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—I do not think there is much to change in the definition of the words "Natives of India." It is not desirable on strong public grounds to put a more liberal construction on the words, excepting, perhaps, the inclusion in the definition of those Europeans who have passed Oriental tests in England and entered the Civil Service. I think there would now and then be a few Civilians in the lower grades who from some possible clogs in their promotion, or other reasons, would not be unwilling to be transferred to the Uncovenanted Services. Men of superior qualifications, and actually serving in the country, may for the purposes of the Reformed Statute be included in the definition under notice.

10 to 12 If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted? Do they relate to the general conditions in regard to pay, pro-

motion and retiring annuity under which Statutory Civilians hold their offices? Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—These issues will be found explained in anticipation.

13 & 14. Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel? If such a feeling exists, on what grounds is it based?—I do not think any really able Statutory Civilian commands in the public estimation less respect than his Covenanted equal. I only say so of exceptionally able and influential Statutory Civilians. Really capable Statutory servants have been able to make up for the inherent deficiencies in their position.

15 & 16. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted Officers? If so, on what grounds?—The difference between the status of Statutory Civilians and that of Uncovenanted Officers, as viewed by the general public, is a good deal based on the practical authority and influence which the former carries with it. Anything beyond this actual circumstance is barely thought of by the general public.

II.—Mode of Selection of Statutory Civilians.

17 to 45. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your Province? How would a system of nomination to be followed by a period of probation be regarded by the same classes? Would a system of nomination, with or without probation, be likely to secure well-qualified persons? Has experience actually shown such a system to secure well-qualified officers? Do you consider that nominations should be confined to persons of proved merit and ability? If so, how do you consider that merit and ability should be held to have been proved for this purpose? How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded? In preference to either of the above systems (nomination and limited competition) would a system of open competition pure and simple for the Statutory Service commend itself to the Native community? If competition (whether limited or open) is preferred, should there be one competition for all India or separate competitions in each Province? If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several Provinces? Having regard to the varying educational standards reached in the several Provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some Provinces being more or less excluded from a due share of appointments? Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social and physical fitness? If so, what should be the tests under each of the heads specified? Do you consider that (after selection, whether by nomination or competition) there should be a period of probation? If so, what should be the duration of the probationary period? Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner? Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training? If so, should the special training be carried out in India or in England? If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England? If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service? If so, what form should such encouragement take? Should it be offered before, or during, or after, the probationary period, if any, through which nominees or selected candidates may be required to pass? Should it be offered before or after the nominees or selected candidates enter on their duties? Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service? If so, how would you connect such a scheme with the selection of Natives for employment in the higher administrative posts in India? Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not? If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent? If the system of examination in England were revised with the result that Natives availed

Vol IV. Sec III. Sub-Sec B. *Bombay.*

Dinsha Ardeshir Tuleyar khan, Esq

themselves of it in considerable numbers, would it still be necessary to retain the Statutory system? If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—In the general scheme I have described answers to many of these issues will be found. My reply here will, therefore, be brief.

I think probation should follow all nominations made in the absence of University or technical tests, excepting nominations made in consequence of proved merit and ability. The latter nominees may be encouraged to visit England to keep pace with administrative progress.

The time is not come when all Uncovenanted posts could be thrown open to competition pure and simple. An open unreserved system of this sort would be prejudicial to the interests of many capable Uncovenanted servants, and would also prove a source of public annoyance.

I need here only allude to what should constitute physical fitness. There are various modes by which it may be ascertained, which need not be here detailed.

I would, however, beg to suggest one which I believe to be the most important method that may be adopted in connection with all Uncovenanted Servants of any importance

These officers are devoid of one most important qualification. In times of emergency and danger they could not be expected to take a personal share in restoring order or staving off a public calamity. Physical fitness, merely certified through a school, University or even medical agency, is not the only assurance needed to convince us as to the real nerve of a public officer, whether a Native or a European. Men in apparent physical vigor shut themselves up in their houses when their town or district is placed in any danger, great or small. I do not think any healthy feeling exists among the general public on the subject. Taking my own instance as a public officer of the Baroda State, all, excepting my worthy Chief and official superiors, blamed me for exposing myself to swords and bullets while endeavouring to prevent a horrible carnage, which was on the point of being stopped but for the indiscretion of some unknown excited menial intervening just when I had nearly, after prolonged and most anxious efforts, succeeded in persuading the rebels to lay down their arms and surrender themselves to the authorities. I no doubt had most marvellously escaped death, and was wounded, but the high and sacred faith which impelled me to the task, unaided with any arms, fell flat upon the people at large. So such character of official readiness has not been much in request in India, and I respectfully desire to draw the serious attention of the Commission to this dangerously neglected virtue in Indian officialism, especially Native.

Avoiding all delicate or debatable region of politics I beg to offer a suggestion which I am sure will be held feasible all round. If we could not just now form a purely national volunteer corps, let us have an official volunteer corps, formed of both Covenanted and Uncovenanted officers There should be a compulsory enlistment only for a certain set of officials, whose status and character of office should be defined To all others, whether great or small, the enlistment should be voluntary.

The official volunteer corps should, wherever possible, form appendages to the regular volunteer corps. A real province can then be opened to test the physical fitness of public officers—which ought to be generally one of their important qualifications—and to cultivate that moral and physical courage in which Native officers are generally so sadly deficient. This would be one of the safest methods by which the national aspirations for volunteering can be partly fulfilled and experimented upon by the Government, while inducing essential cultivation of the physical, and, in a certain measure, the moral, capacity of its own trusted servants. The measure under notice is also essential to produce that *esprit de corps* which the whole ranks of the Government services—Covenanted or Uncovenanted—are now in utter want of. A substantial improvement in the moral tone of the services—superior or inferior—must very decidedly follow the creation of an official volunteering system, which can then provide openings to the non-official but entirely trusted Natives to join the corps as honorary or active members. The Covenanted or Uncovenanted officials being always respected by the common lot of our people, such an agency is the only suitable one to produce wholesome dread among the *budmashes*, who are treated as the refuse of society by the peaceful populations at large, and to create an abiding current of loyalty in the people themselves. They will thus have a reliable standard of duty to be guided by in times of popular or other excitement, when caste or sectional considerations will surely be held at a discount by their own acknowledged leaders. It is a miserable sight to find all classes of British subjects, belonging to the populations proper, permanently deprived of the use of fire-arms. The official volunteers, knowing something of discipline and modes of defence and attack, must indeed prove of great service, not only to themselves, but to villagers, townsmen or citizens in general. I need not speak much of the mental and substantial health which could be imparted to Government Native officials by rendering certain instructions compulsory and continuous in

the line of the volunteers' bodily and armorial exercises. The mixed lot of the volunteer corps, which can be thus formed all over the country, without any discouraging delay, will strike at the root of all wavering loyalty, create an additional trust in the motives of the British Government, and a standing menacing reply to all denominational, or even racial, fanaticisms and hatreds. There is thus not a nobler and more extensive opportunity for the Government to multiply the national resources of self-defence and self-reliance directly and emphatically under the Imperial ægis than the one I have here humbly indicated.

In the case of superior candidates selected by University and other competitive tests, their probation, I think, can be desirably attached to the Covenanted ranks under some special conditions. All Uncovenanted officers, up to a certain age, should, I also think, be allowed to compete for any test attached to their service To facilitate competitive tests the various classes of practical Uncovenanted officials of any importance should have conferred on them honorary College, University, or other distinctions, on the recommendation of their highest European authorities, who will have had ample opportunities of testing their literary or educational abilities, the academical degrees or distinctions being defined in harmony as much as possible, with the character and capacity of the department represented by eligible officials. The privilege of according all such honorary degrees or distinctions should only be exercised to meet practical difficulties as sparingly and as efficiently as possible, and with a view to strengthen all superior practical elements. It would certainly be desirable to have the recommendations made by competent and superior European Civilians borne out by a Board of Examiners connected with the Universities. Great practical difficulties can be obviated by thus specifying the merits and talents of numerous really-deserving Uncovenanted officers, in whose early days there were no degrees to be competed for, or who were otherwise unfortunate in the early portion of their life. I do not think there would be any difficulty in devising special distinctions as being equivalents, legally, of those regularly acquired in School, College or University careers. The founding of the new distinctions to recognise practical learning, in its universal, and not exclusive, scope, will take the place of deserved academical honors conferred on worthy and learned officials, who could not be otherwise decorated, or who may be averse to being decorated for any reason, which, in all cases, can of course be only really commendable. The constitution of such honorary distinctions will tend to considerably elevate the tone of one of the most important branches of the public service now existing as a matter of fact, and which ought not to suffer in comparison with the superior service in any way in which it would be worthy enough, in public interests, to prevent it, I am therefore humbly, but decidedly, of opinion that in these days, when the outturn from our schools and colleges is so great and there is such fear of these graduates, unduly perhaps, overwhelming the practical courses of the public service, the Uncovenanted officers, as a class, ought to be academically recognised and restored with a view not only to give a little of healthy quietus to the most promising of the modern elements, though sometimes perhaps too forward, but also to prevent the quiet practical ranks from being swamped in any undue sense of the term only This would only be a fitting recognition of the existing worth of a certain description when it is remembered that a practical official of some learning—drawing, say, two or three hundred rupees a month—is capable of bringing up perhaps eight out of every ten graduates put under him. I, therefore, earnestly desire to prevent the depreciation of practically learned officials by academical students in that their greater prominence, practically suffered to go on in increasing degrees, can only tell on the efficiency and moral tone of the service. It would be positively unfair on public grounds to have successful Uncovenanted officers to be in any way superseded by untried, young and untrained Native gentlemen even of high University distinctions.

Note.—Owing to pressure of official work Mr. Dinsha is unable to answer the remaining questions at present.—*10th February*, 1887.

No. XXIV.

T. S. TAIT, ESQ., PRINCIPAL, BARODA COLLEGE.

Vol IV. Sec III. Sub-Sec. B. *Bombay.*

T. S Tait, Esq

HAVING spent the whole of my time in India in the service of a Native State I have not had the opportunity of seeing much of the working of the Civil Service, and I am also not well acquainted with the general feelings of the people in British territory with regard to that service. For these reasons I do not consider myself competent to discuss Issues Nos. I and III, and shall therefore confine my remarks to a portion of Issue No. II.

II.—Covenanted Civil Service.

1 to 7. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service? Should any, and if any what, change be made in that system? Do Natives of India labor under any, and, if any, what disadvantages in competing for employment in this branch of the service? By what changes may those disadvantages be minimised or removed, *e g*, (*a*) by the establishment of scholarships and allowance of passage money to Native candidates, (*b*) by altering the limits of age; (*c*) by adding to the subjects of examination, or by altering the maxima marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India? If an examination is held in India? (1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several Administrations, respectively, or between the members of the principal religious sects? If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training? Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—Assuming that it is essential that Native aspirants for the Covenanted Civil Service should be men of the highest culture obtainable, I do not think that the educational institutions of this country are, at present, of such a nature as to be able to impart to Native candidates that high education which the circumstances of the case demand. On this ground, and altogether apart from other valid and obvious reasons, I consider that Natives who desire to enter the Civil Service should be compelled to go to England for at least two or, better still, three years. Of course the easiest way for a Native to enter the Civil Service would be to pass the open examination in this country and then go to England for his probationary period of two years before appearing for the final examination there But I consider that to this plan there are decided objections, for it would involve the holding of the first examination simultaneously in England and India, and, should these examinations be of the same order of difficulty, I consider that, from a deficiency of the requisite teaching power in this country, the Indian candidate would be seriously handicapped in comparison with the English one. There are moreover practical objections to the plan of simultaneous examinations, for instance (*a*) there would be a danger of leakage as regards the questions, and (*b*) the important oral examinations could not be held by the same set of examiners

In the interests of all the plan of holding simultaneous examinations should, therefore, I think, be regarded as scarcely worthy of consideration.

But bearing in mind the obvious disadvantages which Native candidates are subjected to, I would try to minimise their difficulties by some such changes as the following. The suggestions are meant to refer to the first or open competition only: (1) I think the superior limit of age for a Native of India might be fixed at twenty-two, and this too quite independently of the age of the English candidates. If the Civil Service Commissioners consider that the present limit of age for English candidates is the most suitable, I would not alter it; but, in the case of Native candidates, I would allow them some years extra. (2) Considering also the enormous amount of time that must have been spent by Native candidates in learning English, I think that it would only be fair to allow a Native of this country to have the option of presenting himself for examination in one of the vernacular languages of India; such examinations to be on a par as

regards marks with French or German. (3) I would also advocate the placing of Sanskrit and Arabic on an equality with Greek and Latin. Great care would have to be taken to keep up the standard of examination in Oriental languages to the same order of difficulty as in the case of French, German, Latin or Greek. (4) I think also that a limited number of scholarships might be granted to such candidates from India as might be found after examination worthy of encouragement on condition that they went to England to prepare themselves for the first examination. These preliminary examinations might be held by the Universities in the different Presidencies. Public associations and generous-hearted individuals would also doubtless come forward to swell the number of scholarships, either for the general benefit or for the interests of special communities. (5) Having granted these privileges I do not think that it would be necessary or even desirable to throw open each year a certain percentage of appointments for Natives only. There would, therefore, be no need to retain the Statutory Civil Service.

No. XXV.

SITARAM HARI CHIPLANKAR, ESQ., SECRETARY TO THE SARVAJANIK SABHA, AND EDITOR, "DNYAN PRAKASH," PUNA.

I.—*Statutory Civil Service.*

Vol. IV. Sec. III. Sub-Sec B. *Bombay.*

S H Chiplankar, Esq.

1 & 2. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved? If it is not, what are the grounds of disapprobation?—The existing system of appointing Natives of India as Statutory Civilians to posts reserved for the Covenanted Civil Service is not approved, mainly because it does not provide antecedent guarantees of the fitness of the persons appointed thereunder. The Committee of the Sabha are humbly of opinion that the rules, sanctioned in 1879 to give effect to the policy of the Statute of 1870, have violated both the letter and the spirit of the Statute. The preamble of Section 6 of the Statute deservedly laid great stress on the expression "of proved merit and ability," though it is not clear from the wording of the Section whether a young person who distinguishes himself in an examination improvised for the purpose can be regarded as a person of "proved merit and ability" under that Section. The most natural meaning of that expression appears to the Committee of the Sabha to be that the Section in question contemplated principally, if not altogether exclusively, the appointment to posts reserved for the Covenanted Civil Service of persons who, either in the Uncovenanted Service or in a profession, had distinguished themselves in a way to merit special recognition. This is a view which, the Committee of the Sabha submit, is supported by the early history of this question. The immediate cause which presumably led to the enactment of this provision in the Statute of 1870 would appear to be the immense difficulty experienced by the Government of India in duly recognising such conspicuous merit and ability, as is clear from one or two appointments which had to be revoked about that time in this Presidency; and the Committee of the Sabha are inclined to think that the principal, if not the sole, object of enacting the section in question was to remove the difficulty in question. Mr. Grant Duff in moving the second reading of the Bill, now known as the Statute of 1870, made the following remarks on this subject. He said: "It had, however, been gradually borne in upon the minds of the authorities in India that the present system of competition required to be supplemented by some provisions for the benefit of the Natives. Young Natives who had a little means could come to England and compete with the English for appointments, and were doing so. Then, again, if clever young Natives had not means, they would be helped by the Gilchrist and Government scholarships, assuming these last to be continued—a point, however, not yet settled. All that was good—nay, excellent for the young, but it was quite inadequate, even for them, and *it did not meet the case of the old at all* * * * * This clause left very considerable latitude to authorities in India, and *by no means excluded the power of appointing Natives to Civil offices after a competitive examination*" (*Vide* Hansard's Parliamentary Debates, Third Series, Vol. CXCIX, p. 562.) The italicised portion of the foregoing extract will, it is respectfully submitted, show that, although the increased admission of young Natives to the Covenanted Service was not altogether lost sight of, the class of old deserving servants of the Crown in the Uncovenanted Service, men of "proved merit and ability," formed the principal object of the deep solicitude of the Legislature. In support of the same view the attention of the Commission is respectfully solicited to the following extract from a Minute recorded by the Hon'ble Sir Alfred Lyall, Lieutenant-Governor of the N.-W. Provinces. In paragraph 1 of that Minute, which is dated 10th July, 1884, it is stated: "The original intention thus expressed appears to have been to enable the Local Governments, under proper restrictions, to recognise merit and ability by appointing from time to time Natives of special acquirements or distinction to any office for which they might be especially fitted—the Statutory privileges of the Covenanted Service notwithstanding The idea, in fact, may be thought to have been to relax the system of a close service, and to approximate in some small degree our administrative constitution to the practice of European countries, where the selection of men for the higher civil offices has little to do with service rules." It may be added here in a general way that the Committee of the Sabha agree in the main with the contention ably set forth in the remaining paragraphs of Sir A. Lyall's Minute regarding the original object of the Legislature in passing the Statute of 1870.

3 & 4. Are the defects of the existing system (if any) susceptible of remedy (*a*) by an amendment of the rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed? If the provisions of the Statute 33

Vic., Cap. 3, Sec. 6, are not repealed nor substantially amended so as to take away the power conferred on the local administrations, should they be amended in respect of the description of the persons on whose behalf such powers may be exercised, or in respect of the sanction required for appointments made thereunder?—The Rules of 1879—passed nine years after the Statute was enacted—may be said to have altogether ignored this test of "proved merit and ability," and substituted in its stead a test in no way warranted by the Statute, namely, the test of aristocratic or *quasi*-aristocratic descent. It is true that since the close of 1884 there are some indications of some modification in the policy of the Government of India in this respect; but it is not known whether the old rules have been modified, and if so in what direction Be that as it may, the Committee of the Sabha are distinctly of opinion that the Rules of 1879 ought to be entirely repealed, and that nominations under the Statute of 1870 should be strictly confined to persons of "proved merit and ability" in the Uncovenanted Service or in the practice of a profession. So far the Committee of the Sabha would maintain the Statute, but would repeal the existing rules.

But assuming for the sake of argument that the Legislature in enacting the Statute of 1870 contemplated the employment in the Civil Service of Her Majesty in India not only of persons of "proved merit and ability" in the Uncovenanted Service or in the practice of a profession, but also of persons who proved their merit and ability in a competitive examination or otherwise, the Committee of the Sabha are humbly of opinion that such an object as this of employing fresh Native youths in the Covenanted Service will be better secured by adopting the system to be described later on than by any amendment of the rules under the Statute of 1870.

5. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—It is needless to add that, if the appointments under the Statute of 1870 are confined, as suggested above, to persons of "proved merit and ability" in the Uncovenanted Service or in the practice of a profession, there is no necessity whatever of requiring the persons so appointed to proceed to England.

II.—Covenanted Civil Service.

1 to 3. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service? Should any, and, if any, what change be made in that system? Do Natives of India labor under any, and, if any, what disadvantages in competing for employment in this branch of the service?—The existing system of recruitment for the Covenanted Civil Service, *viz.*, the system of open public competition in England, is one that has undoubtedly caused the greatest amount of dissatisfaction. The Committee of the Sabha are humbly of opinion that the fact of the existence of this widespread dissatisfaction is so patent as to stand in no need of any definite proof beyond a bare reference to the fact that, with a view to remove in one sense all legitimate ground for this dissatisfaction, Lord Lytton, the then Viceroy and Governor-General of India, strongly urged upon the attention of the Secretary of State for India the advisability and necessity of declaring by law that Natives of India were disqualified for competing at the examination for the Indian Civil Service. The grounds of this dissatisfaction also are equally self-evident, for the confidential despatch of Lord Lytton referred to above describes very accurately and faithfully the grounds of this dissatisfaction. Almost every change made in connection with the competitive examination for the Indian Civil Service has had the effect of more and more effectually closing that door against the Natives of India, and more and more nearly in the same proportion in which they were becoming qualified to openly and honorably compete with their English fellow-citizens. The only step that the Government of India took for affording direct encouragement in this direction was the establishment in 1868 of nine scholarships to be annually given to deserving Indian students, enabling them to proceed to England to complete their education and to qualify themselves for the Indian Civil Service or some other career. This is the only isolated exception to the general policy described above, and if these scholarships had been allowed to continue till the present time, or at any rate till the Rules of 1879 for giving effect to the provisions of Section 6 of the Statute of 1870 had been issued, and if also in the meantime the maximum limit of age for the competitive examination had not been lowered, it stands to reason to assume that every year at least three or four Indian candidates would have succeeded in effecting their entrance into the Covenanted Service. But these scholarships were discontinued almost immediately after their establishment on the ground that they—"nine scholarships for a Government of 180,000,000 of people"—constituted too meagre a provision; and that "to speak of nine scholarships distributed over the whole of India as any fulfilment of our pledges or obligations to the Natives would be a farce." (*Vide* Hansard's Parliamentary Debates, Third Series, Vol. CXCIV, p. 1061) The Duke of Argyll, the then Secretary of State for India, in moving on the 11th March, 1869, the second reading of the Bill,

which subsequently became the Statute of 1870, succeeded in persuading the British Parliament that Section 6 of the Statute of 1870 would constitute an adequate provision and would be the best substitute for the nine scholarships. But strange as it may seem, it is none the less a fact that, long before any action was taken under Section 6 of the Statute of 1870, the so-called "farce" of the nine scholarships was put a stop to, and for nine long years India had simply to be content with the mere sentiment that Section 6 of the Statute of 1870 was enacted in place of the undoubtedly meagre but none the less real and substantial provision afforded by the nine scholarships. So also before the policy of the Statute of 1870 was given effect to in some shape or other, the maximum limit of age was suddenly lowered from twenty-one to nineteen, which threw an additional obstacle, as if the previously existing ones were not enough, in the way of Indian candidates seeking to enter the Civil Service of their own country.

The Charter Act of 1853, in throwing the Civil Service of India open to free and unlimited competition, desired the Native Indian subjects of Her Majesty to take as full an advantage of this policy as they would from time to time be enabled to do. Though a small minority in both the Houses of Parliament, even then, sought to have at least some proportion of appointments in the Covenanted Service secured to the Natives of India, the suggestion was opposed by Her Majesty's Government on the ground that its acceptance was inconsistent with the principle and spirit of competition. When a distinct amendment to the above effect was moved, fixing the maximum for Natives at one-third of the total appointments, or rather of the admissions to the Haileybury College, Sir Charles Wood, the then President of the Board of Control, said that "the door was thrown open to them, practically, to a far greater extent than before by the general admission of Natives to Haileybury College." Subsequently Mr Robert Lowe, the then Secretary to the Board of Control, during the course of the debate on the same motion, said: "The Honorable Gentleman proposed also that one-third more or less of the Civil Servants should be drawn from the Natives. Why did he make that limitation? If it was possible to find, according to the Honorable Gentleman's proposal, one-third, why not extend it to one-half or two-thirds of the offices? Why should they stop at one-third? When he took up a principle he liked to carry it out to its utmost extent. The principle of the Bill was that, if Natives could be found to enter into competition, and to undergo the test of examinations with the educated youth of Haileybury, they were to be allowed to do so. But the express object of the clause proposed by the Honorable Member for Richmond was to vitiate that competition. That was not the intention of the Government. What the Government proposed was to throw open the whole of the service to every Hindu, to place him in a position to compete with the other subjects of Her Majesty, whatever his religion, his color, or his race. In doing this they were only acting in accordance with the true spirit of the 87th Section of the Act of 1833. By this clause the Government had, for the first time, broken down the monopoly, and rendered it possible for the Natives of India to obtain as much power, as much influence and as much employment as their own merits enabled them to deserve." (*Vide* Hansard's Parliamentary Debates, Third Series, Vol. CXXIX, p. 787)

Here then we have an authoritative exposition by a responsible member of Lord Aberdeen's government of the policy which in this respect found favor with that administration, and which, having been then ratified by the Legislature, continues to this day to be the acknowledged principle of guidance with the British Indian Administration.

As against this principle of the legislation of 1853 the Rules of 1879, which were accompanied by the Government of India Resolution, dated the 24th December, 1879, explanatory of the policy and principles of those Rules, were declared to have for their "main" object "to attract to the service of Government young men of good family and social position, possessed of fair abilities and education, to whom the offices open to them in the inferior ranks or the Uncovenanted Service have not proved sufficient inducement." That the recognition of this principle by an executive order of Government was as violent a departure as can be conceived from the principle of the legislation of 1853 will be clear from the following extract. Sir Charles Wood, during the course of his speech in support of his motion for leave to bring in a Bill to provide for the Government of India, said: "It is a remarkable feature in the Government of India, as stated by Mr. Mill, that it is carried on chiefly by what are called the middle classes, as distinguished from the aristocracy. Mr. Mill was asked by some member of the Committee in the House of Lords if he thought it a fitting thing that the son of a horse-dealer should be sent out to India; and he very properly answered that, if he were fitted for the situation, he did not see why he should not go as well as anybody else. I quite agree with Mr. Mill. Lord Ellenborough stated his wish that a greater number of the aristocracy should be introduced into the Indian service. I see no objection to that proposition; I should be glad to see members of the aristocracy

taking their share in the Indian service, but they must be introduced into it by merit, and not by patronage. With regard, then, to appointments to Haileybury, we propose altogether to do away with nomination—that no person should be admitted by favor to the Civil Service of India. We propose that under such regulations as may be framed by the Board of Control, subject to the approval of Parliament, the admission to Haileybury shall be thrown open to unlimited competition. If the aristocracy are able by their merits to introduce themselves to the Indian service I shall be exceedingly glad. If the son of a horse-dealer can introduce himself in that way I wish to see him also in that service. But there is to be no exclusion and no favor. Merit, and merit alone, is to be the door of introduction to the Civil Service of India." (*Vide* Hansard's Parliamentary Debates, Third Series, Vol. CXXVII, p. 1157.)

And though there is nothing in Section 6 of the Statute of 1870 or in the debates that took place in both the Houses of Parliament in connection with that legislation tending to show, in howsoever remote a degree, that the Legislature desired any departure whatever from the principle of the legislation of 1853 as clearly set forth in the foregoing extract from Sir Charles Wood's speech—nay more, the preamble of Section 6 of the Statute of 1870 clearly enjoined that persons to be admitted to the Civil Service under it must be men of "proved merit and ability"—the Government of India, by a mere executive order, purporting to contain instructions to the subordinate Local Governments and Administrations regarding the manner in which effect was intended to be given to the Rules under the Statute and by a procedure of very doubtful propriety, subverted the cardinal principle, and substituted in its stead a principle based upon favoritism, and which for the first time recognised high descent and family connections as the leading factor in disposing of the patronage at its disposal.

4. By what changes may those disadvantages be minimised or removed, *e g*, (*a*) by the establishment of scholarships and allowance of passage money to Native candidates; (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India?—The Committee of the Sabha are humbly of opinion that the principle of the legislation of 1853 in respect of the Covenanted Civil Service of India should be scrupulously maintained intact. This principle is two-fold: firstly, that "there is to be no exclusion and no favor," and that "merit, and merit alone, is to be the door of introduction to the Civil Service of India;" and, secondly, that it is opposed to the principle of competition to recognise and lay down any maximum or minimum proportion of appointments in that service to British and Indian subjects of Her Majesty, the Charter Act of 1853 having, in the words of Mr. Robert Lowe, "thrown open *the whole of the service to every* Hindu," meaning by that term a Native of Hindustan, whether Hindu or Mahomedan. But, while fully approving of both these leading principles, the Committee of the Sabha are distinctly of opinion that material alterations in the existing regulations giving effect to the forementioned principles are absolutely necessary to enable Her Majesty's Indian subjects to practically avail themselves to the fullest possible extent of the reform inaugurated in 1853. No special favor, no undue concession, is prayed for; what is prayed for is that the artificial barriers in their way may be removed, thus enabling them to be "in a position to compete with the other subjects of Her Majesty." It may be here added that the material alterations so prayed for do in no way conflict with the forementioned essential principles, but relate only to matters of detail and of secondary importance. These alterations are as under: (*a*) That the competitive examination for the Covenanted Civil Service of India should be held simultaneously in India and in England; (*b*) that the maximum limit of age be raised to twenty-three years; (*c*) that the Oriental classical languages be placed on a footing of equality with the Western classical languages in respect of the maxima marks obtainable for them; (*d*) that the leading vernacular languages of India, such as Urdu, Bengali, Marathi, Gujarathi, &c, should be recognised and placed on a footing of equality with the European continental languages in respect of the maxima marks obtainable for them.

Such are the leading material changes which are essentially necessary to place the Indian subjects of Her Majesty in a position to compete with their British fellow-citizens on a perfect footing of equality. It seems desirable to say a few words on each of the foregoing points.

As regards the first point the attention of the Commission is respectfully solicited to the fact that as early as 1860 a Committee of the India Council, consisting of Sir J. P. Willoughby, Mr. Mangles, Mr. Arbuthnot, Mr. Macnaughten and Sir Erskine Perry, unanimously supported this proposal in a report dated the 20th January, 1860. The following paragraphs extracted from the Committee's report set forth the case as clearly as it can possibly be put:—

"4. Practically, however, they (the Natives of India) are excluded The law declares them eligible, but the difficulties opposed to a Native leaving India and residing in England for a time are so great

Vol IV. Sec III. Sub-Sec. B. *Bombay,*

S *H. Chiplankar,* Esq

that, as a general rule, it is almost impossible for a Native successfully to compete at the periodical examination held in England. Were this inequality removed, we should no longer be exposed to the charge of keeping promise to the ear and breaking it to the hope.

"5 Two modes have been suggested by which the object in view might be attained. The first is by allotting a certain portion of the total number of appointments declared in each year, to be competed for in India by Natives and by other natural-born subjects of Her Majesty resident in India; the second is to hold simultaneously two examinations, one in England and one in India, both being as far as practicable identical in their nature, and those who compete in both countries being finally classified in one list according to merit by the Civil Service Commissioners. The Committee have no hesitation in giving the preference to the second scheme as being the fairest and the most in accordance with the principles of a general competition for a common object."

Whether the competitive examination should be held in England or in India, or simultaneously in both, is a question which does in no way affect the main principle of the reform introduced in 1853. But by the examination being confined to England only the Natives of India have been practically prevented from availing themselves to the fullest possible extent of the great privilege which was secured to them along with their other fellow-citizens in other parts of the British Empire by the Charter Act. This circumstance has placed in their path an artificial barrier of an almost insuperable character; and even in 1853 Lord Stanley (now Lord Derby), when he supported cordially the special clause moved by the Honorable Member for Richmond (Mr. Rich), pointed out this injustice with a remarkable appreciation of the situation His Lordship, who heartily supported the principle of competition, said: "For himself he thought the proposal of the Government, which professed to throw open the Civil Service to unlimited competition, but which at the same time absolutely excluded Natives of India, was a retrograde step. He did not say that because he approved of the old system of patronage, but because, while the old system could not have been permanent, the present plan would not be felt to be an abuse in this country, whatever it might be in India, and it would, therefore, be allowed to continue without improvement"

How remarkably true the prophecy proved to be can be seen from the fact that, even after the Committee of the India Council had unanimously recommended the necessity and justice of holding the competitive examination in India simultaneously with that in England, twenty-seven years have elapsed without the desired improvement taking place! But to proceed. His Lordship continued to add: "He confessed he did not think it at all likely that many of the Natives of India would come over to be educated at Haileybury, but that was the less to be regretted, because the educational establishments in Calcutta and other large towns in India were of a very superior character. Let them suppose, for instance, that, instead of holding those examinations here in London, they were to be held in Calcutta. Well how many Englishmen would go out there, or how many would send out their sons, perhaps to spend two or three years in the country on the chance of obtaining an appointment? Nevertheless that was exactly the course proposed to be adopted towards the Native of India." (*Vide* Hansard's Parliamentary Debates, Third Series, Vol. CXXIX, p. 784)

The Committee of the Sabha think that nothing more need be said in support of the first point.

As regards the second point it is a great pity that in 1853 the Legislature did not treat it as a question of sufficient importance to make it the subject of a Statutory provision. Rightly or wrongly a widespread impression prevails among the middle classes of India that the lowering of the maximum limit of age on three different occasions during the last thirty years was one of those "transparent subterfuges," referred to by Lord Lytton in his confidential despatch, and having for one of its objects the effectual closing of the said door against the Natives of India. The Committee of the Sabha are humbly of opinion that the principle of competition, though a very sound principle in itself, is liable to be deprived of its chief redeeming feature if the competition is to be not between sufficiently grown-up or advanced young men, but between precocious lads. On this very subject Lord Stanley in 1853 spoke as follows: "But there was one point upon which the President of the Board of Control had not given them sufficient or satisfactory information—he meant with respect to the period at which the competition was to be introduced. Now everything, in his opinion, turned upon that. He did not think that, on the whole, they could have a better or fairer test than that which was furnished by competition at the age at which academical degrees were usually granted, namely, at about twenty or twenty-one years of age; but it would be a different thing if the test were applied three or four years earlier, and if the competition was a competition between boys, and not between young men. He did not believe that the accidental distinction which one might obtain at the age of seventeen or eighteen was any great test of real ability, because obviously distinctions at that age depended more frequently on the effect of

cramming and artificial training than on the spontaneous efforts of the mind. He thought, then, that the principle of competition, as against the principle of nomination was one which deserved the sanction of the House; but at the same time it was very important to see that the period of the competition was not fixed at too early a period of life." (*Vide* Hansard's Parliamentary Debates, Third Series, Vol. CXXIX, p. 664.).

Apart from this general objection to the existing maximum limit of age, in the case of the Native Indian candidates for the competitive examination there is this additional objection, that it is hardly fair to them that at such an early age they, who have to learn one of the most difficult of foreign languages, should be required to compete with those whose mother-tongue that language is. The objection on this ground is so great that, even if the competitive examination were held in India simultaneously with that in England, but the maximum limit of age were kept as low as it is, such a measure would still be open to the reproach "of keeping promise to the ear and breaking it to the hope."

As regards the remaining two points it seems scarcely necessary to advance any special reasons in their support. The main object of a competitive examination being to test intellectual superiority, that superiority can be tested by a variety of means of almost analogous character; and when such varying means of an analogous character are used they should be rated equally.

5. If an examination is held in India (1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition by the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several Administrations, respectively, or between the members of the principal religious sects?—If the examination be held in India simultaneously with that in England, there would be no necessity whatever for establishing any scholarships. The examination in India should be identical with that held in England; and, as far as possible, such examination should be held at the different Presidency towns. Both the English and Indian examinations should be open to all classes of Her Majesty's subjects, and the successful candidates should be arranged in one list in their respective order of merit. As has been already pointed out above, any apportionment of the admissions to the service between the two examinations, so to say, would be a distinct violation of the principle of competition

The Legislature having by distinct and special vote and in unequivocal language rejected a special clause recognising the principle of such an apportionment between British and Indian candidates on the ground of its being inconsistent with the principle of free and unlimited competition, it is superfluous to state that an apportionment of such appointments between the residents in the territories of the several Administrations respectively, or between the members of the principal religious sects, would be still more objectionable. The Committee of the Sabha would, with all due deference, point out that, if any such pernicious principle were once recognised, it would land Government in a series of troubles, the gravity of which cannot be exaggerated. The Committee of the Sabha are aware that a strict adherence to the principle of competition would for a time result in some inequalities of both the kinds referred to in the question, just in the same way as it would undoubtedly do, even with all the forementioned barriers removed, in the case of Europeans and Natives, but they are firmly convinced that in course of time these inequalities will adjust themselves as a result of the new-born spirit of honorable emulation and rivalry. Indications of such an honorable emulation and rivalry are even now clearly visible all around us, and this spirit is bound to increase under the stimulus which would necessarily be afforded by the effectual removal of the barriers now complained of.

The Committee of the Sabha are further aware that, in the event of the forementioned barriers being removed and in the absence of any intra-Provincial apportionment, the Natives of Bengal and, perhaps, of Madras also may for some time to come, owing to their decidedly superior educational advantages, deprive Bombay of its proper share of the Covenanted appointments, but the Committee of the Sabha are greatly mistaken if such a result would give rise to any feelings other than those of emulation among the Natives of this Presidency, impelling them to strive to attain the same educational standard which prevails in the two sister-Presidencies. Again the Committee of the Sabha are in no way prepared to endorse the view, which underlies the "intra-Provincial apportionment" theory, that, so far as the Natives of this Presidency at any rate are concerned, they would much rather see a European in a Covenanted appointment than see it occupied by a Native of another Presidency. The Committee of the Sabha would only add that the firm and loyal adherence to the principle of competition, when once the artificial barriers are ungrudgingly removed, will soon result in

S. H. Chiplunkar, Esq.

raising the standard of education all round, even in backward Provinces.

6. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—The Committee of the Sabha are decidedly of opinion that the successful candidates at the Indian competitive examination should be required to proceed to England to complete their training. They firmly believe that such a condition is essentially necessary in the interests of the successful candidates themselves, and that, although for some time to come a small but influential minority may not be able to reconcile itself to this condition, all will eventually acquiesce in it with perfect cheerfulness. It is no doubt true that there are some difficulties of a religious character to a Hindu, and more especially a Brahman, proceeding to England; but it is equally true that under the ever-increasing influence of education and modern civilisation the objection on the score of religious difficulty is fast losing its hold and is destined at no distant date to die out altogether. Under these circumstances the Committee of the Sabha feel no hesitation whatever in distinctly stating that they do not in the slightest degree share the view attributed to the British Indian Association of Calcutta, and prominently referred to in the Resolution of the Government of India appointing this Commission.

7. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—As regards the last question in this chapter the Committee of the Sabha see no good reason whatever to think that the young Natives obtained under the existing system of the open competition in England are not "the best as regards character and capacity who could be obtained under any system." Having regard to the immense nature of the difficulties under which these gentlemen have with a single-mindedness of purpose fought their way to an honorable position, the Committee of the Sabha cannot but regard them as an honor to the communities to which they respectively belong, and especially to the Native community generally. By removing the artificial barriers complained of you will only increase the quantity or the number of those who by the cultivation of English literature would be victorious in competition with European candidates, and would thus, "in the most honorable manner, by conquest, as a matter of right, and not as a mere eleemosynary donation, obtain access to the service."

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Chapter 3, Section 6, or from all natural-born subjects of Her Majesty?—The Committee of the Sabha are of opinion that the Uncovenanted Service should be recruited, not from all natural-born subjects of Her Majesty, but only from Natives of India as defined in Section 6 of the Statute of 1870. The definition of the term "Native of India" should, the Committee of the Sabha think, be amended in a way so as to include the subjects of Native States in India.

2 & 3. Should the recruitments be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices? Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The recruitments for the Uncovenanted Service should be by competition, which should be confined to each separate Province, though special power should be reserved to the Provincial Government to appoint, with the previous sanction of the Government of India, a Native of India, but resident in another Province, to any such post. The power should be very sparingly used, and for good urgent reasons, in each case.

4. If the existing Statutory Service is abolished, should the portion of offices assigned to that service be allotted to the Uncovenanted Service?—If, as has been recommended above, the existing Statutory Service be abolished the posts said to have been assigned to that service should not be allotted to the Uncovenanted Service, but should be re-allotted to the Covenanted Service. The Committee of the Sabha are, however, not quite sure if they have understood this question rightly; but if it is meant that a portion of some class of offices, reserved for the Covenanted Civil Service, were assigned to the Statutory Service, they are not aware when and what offices were assigned to the Statutory Service, for there is nothing in the Statute or in the Rules of 1879 indicating in the remotest degree that any particular offices, open to a Covenanted Civil Servant, were assigned to the Statutory Service. The Statute only opened another door of entrance to the Covenanted Service, and, as the Committee of the Sabha understand it, a Native of India, when once admitted by that door, became eligible to hold any of those offices which are by right open to Covenanted Civil Servants. Under any such circumstances the Committee of the Sabha do not see

what it is that can be allotted to the Uncovenanted Service when the existing Statutory Service is abolished. If, however, it is meant whether the annual recruitments for the Covenanted Civil Service should be reduced by one-sixth, the proportion fixed by the Rules of 1879 and regulating the number of admissions to the service by nomination under the Statute of 1870, the Committee of the Sabha are distinctly of opinion that the number should not be so reduced.

IV.—Pay and Furlough Rules.

1 & 2. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branch? If such distinction should be made, on what principle should it be regulated?—The Committee of the Sabha are humbly of opinion that no distinction of the nature referred to in the first question under this chapter should be made. There is, however, one reform connected with this subject which the Committee of the Sabha would earnestly and respectfully commend to the careful consideration of the Commission. The reform referred to is the one described in question No. 110 of the set of questions marked E. The Committee of the Sabha would approve of an arrangement by which the salaries of all offices reserved for the Covenanted Civil Service were revised and fixed from the Indian point of view. In thus revising them due consideration should be given to all those reasons which justify large salaries as a guarantee of the incorruptibility and of loyal devotion to duty of their recipients. And whenever any such office is filled by a member of the Covenanted Service other than a Native of India in the Statutory sense of the term, he should receive a staff allowance not exceeding fifty per cent. of the salary so fixed for such post. The Committee of the Sabha are aware that in this respect the view they hold is opposed to that warmly advocated by some English and Native gentlemen of great influence, but with all deference due to their high authority the Committee of the Sabha think that after all there is very great force in the argument that, while an English member of the Indian Covenanted Civil Service has to serve the best portion of his life in a foreign country, far from his home and under various other unfavorable conditions, a Native member of the same service does not undergo the same inconvenience. The only objection to the reduction of salaries in the case of Native members of this service appears to be that it may lead to the institution of an invidious distinction between the English and Native members of the same service who have fully satisfied the same antecedent tests of qualification; but the Committee of the Sabha feel that, if the object in view be effected in the way proposed above, the objection will be effectually removed.

3. Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other and what ground?—No such distinction as that alluded to in this question should be made. The Committee of the Sabha believe that under existing orders no person other than a Native of India in the Statutory sense of the term, is eligible for any post in the Uncovenanted Service the salary of which exceeds Rs. 200 per mensem except with the previous sanction of the Secretary of State for India. These orders recognise the principle, and, in the humble opinion of the Committee of the Sabha, very wisely too, that the Uncovenanted Service should be recruited from Natives of India in the Statutory sense of that term. It is true that since its recognition this principle has not been given effect to in a very liberal spirit, but it is hoped that in future wide effect will be given to it ungrudgingly. Accordingly, when any person other than a Native of India is for special reasons admitted to this service, he must be content with the favor thus shown to him, and should not expect any privileges specially favorable to him on the ground of his nationality or otherwise.

4. Are the privileges in regard to pay, promotion and retiring annuity and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory rules?—The Committee of the Sabha have not sufficient information to give any definite opinion on the subject referred to in this question. They are, however, inclined to think that, except in the matter of pay, already referred to in the first paragraph under this chapter, and, perhaps, of pensions also, all other privileges mentioned in this question should be made equally applicable to Uncovenanted Servants or professional men of proved merit and ability admitted to the Covenanted Service under the Statute.

Replies to select questions from the set marked E.

28. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of

Vol IV. Sec. III. Sub-Sec. B. Bombay. 3

S H Chaplankar, Esq.

nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social, and physical fitness ?—The maximum limit of age for the open competitive examination should be raised to twenty-three years for all classes of Her Majesty's subjects, and in respect of intellectual capacity and of moral and physical fitness the Indian candidates should be required to satisfy the same tests that the English candidates do. No test should be required of the Indian candidates which is not required of the English candidates also.

66. What is the average age at which Natives at the Indian Universities pass the examinations for F. A., B. A., and M. A., respectively ?—The average age at which Natives at the Indian Universities pass the examinations for F A and B A. is nineteen and twenty-one respectively.

67. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province ?—The persons who graduate at the Indian Universities are usually drawn from the middle classes.

72. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure ?—In the humble opinion of the Committee of the Sabha the educational institutions available in India are capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure. The Committee of the Sabha are glad to be able to refer the Commission to a strong independent testimony in support of this view A Haileybury Civilian (the Hon'ble Mr Justice Warden of the Bombay High Court), who was well acquainted with the Elphinstone Institution during the administration of the late Board of Education (that is before 1855), recorded his opinion that "the Native youths annually sent forth from it into the world need not fear to challenge the Haileybury boys to a contest in every branch of education except the study of Greek and Latin, which have not been introduced here." (*Vide* Report of the Bombay Provincial Committee of the Education Commission, p. 12.) The educational institutions in this Presidency have not surely deteriorated, if they have not been considerably improved and strengthened, since the foregoing testimony was recorded But the real truth is that the educational institutions in this Presidency have not only not deteriorated in efficiency, but have been considerably improved. In support of this statement the Committee of the Sabha would respectfully solicit the attention of the Commission to the testimony borne by Hon'ble Sir M R. Westropp, the late Chief Justice of the Bombay High Court. (*Vide Ibid*, pp. 144-5). That what has been stated above is, not applicable to the Bombay Presidency only, but is more or less applicable to the whole of India generally, will be seen by reference to the General Report of the Education Commission (*vide* that Report pp. 301-4)—"And it is hoped it will not be deemed out of place if the prominent attention of the Commission is respectfully solicited to the testimony of one who has had large and varied experience—we mean Sir Charles Turner, who, in his Convocation address delivered in 1881, before the University of Madras, remarked: "Modern India has proved by examples that are known to, and honored by, all in this assembly that her sons can qualify themselves to hold their own with the best of European talent in the Council Chamber, on the Bench, at the Bar, and in the mart. The time cannot be far distant when she will produce her philosopher, her moralist, her reformer." And as almost all the Indian gentlemen who are held to have *proved* by their example that their countrymen can "hold their own with *the best of European talent* in the Council Chamber, on the Bench, at the Bar, and in the mart," were qualified to so distinguish themselves by the education they had received in our modern educational institutions, the Committee of the Sabha are humbly of opinion that they can, without any impropriety or without being liable to the reproach of having formed an exaggerated estimate of the capability of our modern educational institutions, answer the question in the affirmative.

75. Do you think there are any objections on political or administrative grounds to open competition in India?—The Committee of the Sabha are not aware of any objections on political or administrative grounds to open competition in India. If there had really been any such objections, the *primâ facie* presumption appears to the Committee of the Sabha to be that the Committee of the India Council, which reported on the subject in January, 1860—composed as it was of retired Anglo-Indian officers of vast experience—would not have given their ungrudging assent to a proposal to hold open competition in India for the Covenanted Civil Service. There is, however, another consideration which points to the same conclusion. The Subordinate Executive and Subordinate Judicial Services are virtually and practically, if not technically, recruited by an open and unlimited competition in the several Provinces, and the Committee of the Sabha are not aware of any inconvenience whatever, political or administrative, having resulted from the practical recognition of such a principle. Nay more; the Committee of the

Sabha believe that they are justified in regarding the system as a success pure and simple, so much so that our Native States, which even in old days followed the same system, of course unconsciously, have been gradually adopting it in a conscious and more intelligent manner." Another practice now followed by some of our leading Native States, namely, of selecting Native gentlemen of conspicuous merit and ability from all parts of the country to be the executive heads of the administration, irrespective of their caste, color, creed, or nationality, affords, in the humble opinion of the Committee of the Sabha, the best and the most effective answer to the apprehension expressed in this question. Even so conservative a Native Prince as the late Maharaja of Indore did not hesitate to select for the post of his Chief Minister two distinguished Native gentlemen from the Southern Presidency and one from the Bombay Presidency, and now his son has followed in the footsteps of his illustrious father by re-selecting for the post of his Chief Minister Dewan Bahadur R. Raghunathrao. Other higher posts in the Indore administration have been similarly conferred upon gentlemen of proved merit and ability in the British service, though they belong to parts of the country which may at first sight be regarded as differing in very important particulars from the Indore territory. The Baroda State in the Western Presidency affords a still more striking illustration, though, like Indore, it is emphatically a Hindu State. In its new career this latter State commenced with a Parsi gentleman for its Chief Minister, followed by a Hindu gentleman from the Southern Presidency, who in his turn was succeeded by a Mahomedan gentleman. The selection of the last named gentleman was made by the Prince himself on his own responsibility and of his own free will. It is unnecessary to multiply instances of this character, which show very clearly that, whatever may be the state of public opinion in Northern India, that is, in that part of the country which lies to the north of the Nerbudda, on this side of the country, at any rate, there are no objections whatever, either on political or administrative grounds, to a conscious and more intelligent and also more systematic introduction of the salutary principle of competition into India for filling the higher appointments in the administration. Again it is often said that this competitive principle, howsoever well suited to western countries, is not suited to the genius and character of Oriental nations. That this belief is altogether unfounded will be clearly evident from the following extract from the speech of Lord Granville, President of the Council in Lord Aberdeen's administration, who, during the course of his speech in support of his motion for the second reading of the Government of India Bill of 1853, made the following observations on this subject:—

"I remember, my Lords, having referred a short time since,* somewhat irrelevantly, to the system of examination which I understand takes place in China and which enables persons *of the lowest origin* to obtain *the highest appointments* in the Empire. Since I made that statement I have had the opportunity of conversing with the gentleman who has lately returned from China—I mean Dr. Bowring—and who, during his residence in that country, has made himself intimately acquainted with the habits and customs of the Chinese. He entirely concurred with me in what I had stated on the subject, and informed me that respect for the literary character in China is carried to the greatest possible extent; and *he attributed the maintenance of the small dynasty like that of the Tartars on the throne of China for so many years entirely to the manner in which by this means it had secured to itself so many adherents*. So strongly has this feeling in favor of the literary character taken root and incorporated itself among the institutions of the people that Dr Bowring informs me that in some of the proclamations lately put forward by the rebels it is one of the grievances charged against the Government that they have tampered with the degrees which had been obtained, and the insurgents promised, if victorious, to restore the ancient system in its pristine purity. It is probable we may not be required to carry out our examinations in the same strict manner as in some instances is adopted in China, Dr. Bowring having informed me of a case in which the examiner was sent down to one of the Provinces locked up in a box" (*Vide* Hansard's Parliamentary Debates, Third Series, Vol CXXIX, pp 1340-1).

The British rulers of India, like the Tartar dynasty of China, may not improbably find in the steady and firm adherence to the competitive system by far the best means of securing to themselves many adherents and of placing their rule on a firm and solid basis. Any further observations on this subject appear to be superfluous.

76. Would the introduction of an open

* This was on June 13, 1853, when his Lordship made the reference in question. He said "I have heard it stated that one of the principal reasons why a small Tartar dynasty has governed the immense empire of China for upwards of 200 years has been that they have got the talent of the whole Chinese population by opening every official situation to competition." (*Vide* Hansard's Parliamentary Debates, Vol. CXXVIII, p. 38).

Vol IV, Sec. III, Sub-Sec. B, *Bombay*.

S. R. Chiplankar, Esq.

competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—The introduction of an open competitive examination in India, so far from deterring cadets of leading families from aspiring to enter the ranks of the Civil Service, will, in the humble opinion of the Committee of the Sabha, eventually lead them to shake off their attitude of apathy and indifference and to attain the object in view by their own exertions. But while on this subject the Committee of the Sabha cannot help observing that, if the British Indian Government be really anxious to turn over a new leaf in its treatment of this class and to do a good turn to the cadets of leading families, it cannot do better than open a useful military career to this class of the Indian population, for they have a natural and traditional partiality for such a career, and have no very earnest desire to take any active part in the civil administration of the country. Their aptitude also for a military career is greater than for a civil career, which necessarily requires a different set of qualifications than those necessary for the former.

101. If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of 1st November, 1858, is this to be justified?—In our reply to the first question in Chapter III of the issues framed by the Commission it has been stated that the Uncovenanted Service of India ought not to be open to all natural-born subjects of Her Majesty, but only to Natives of India in the Statutory sense of the term. Such a measure is easily justified. It is an unwritten law recognised by all nations that the service in any given country ought to be recruited only from those who own it as their native land, either by birthright or by adoption, owing to their having permanently settled in it. In countries situated as India the exigencies of the administration require the importation of a foreign element, principally, if not solely, on the ground that "skilled labor" of the required quality is not locally available. Ordinary prudence accordingly imposes a limit on such importation, because such imported labor is necessarily more costly. And it cannot certainly have been the intention of the Legislature when it enacted Section 87 of the Charter Act of 1833, or of those responsible ministers of the Crown under whose advice Her Majesty was graciously pleased to issue the Proclamation of 1858, to direct that, when cheap local agency of the requisite skill and quality was available, the more costly foreign labor was to be availed of. The Committee of the Sabha firmly believe that in the country there is an ample supply of this requisite skill and quality for the whole demands of the Uncovenanted Service, and provided natural-born subjects of Her Majesty are willing to accept offices in the Indian Uncovenanted Service on the same pay on which Natives of India of the same qualifications would accept them, there would be no objection to declaring them open to them along with the latter; but, as this is an impossibility, it is highly objectionable to make any portion of the Uncovenanted appointments so lucrative as to attract persons of that class for the mere sake of the salary. In such a case it becomes a costly luxury at the expense of the poor taxpayer. And hence the necessity of openly restricting the Uncovenanted Service to Statutory Natives of India, so that there may be no temptation to introduce an unnecessarily costly agency in lieu of the cheap agency available. The services ought to exist for the country, and not the country for the services. This is the normal condition of things in every civilised and well-governed State; but in India this rule is reversed in not a few cases.

121 How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvement?—As has been already pointed out above in our reply to question No. 72, the existing system of education in the higher schools and colleges in India is perfectly well adapted for training young men to the public service, provided only that Government does not, contrary to the advice of the Education Commission of 1882, take any step calculated to impair the efficiency of the existing Government institutions or to discourage private effort by refusing to liberally co-operate with it. What is wanted is that, while the existing Government institutions should be maintained and even strengthened, aided institutions should be more liberally subsidised. Any economy in this direction is short-sighted, and all temptation to attempt it should be strongly resisted. While on this subject, the Committee cannot help, in reply to the last part of this question, impressing on the Commission, with all the earnestness in their power, the great advisability and necessity of helping the backward races, for a time at any rate, by the establishment for their special benefit of some additional free studentships and scholarships. Such a measure would be a reform in the right direction, and would be a *real* kindness to the backward races and also to deserving but poor persons of the middle classes. The Committee of the Sabha are in a position, owing to their experience based upon actual knowledge, to state that some such measure as the one briefly indicated above would be considerably availed of by those in whose interests it is urged, and

would be the best means of enabling them to take their fair share in the administration. Finally, the Committee of the Sabha humbly submit that such a measure will effect the object in view, *viz*, of helping the backward races and others named above, and enabling them to take their fair share in the administration far better than the shedding of useless tears over their backwardness, or withholding from their advanced countrymen their fair share on the pretext of the backwardness of the former.

122 & 123 In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard? Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—Both these questions have been already answered in reply to question No. 72. If our existing schools and colleges had not developed the force of character and other qualities required for English administration, none of the beneficial results referred to in that reply would have followed.

124. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country?—We do obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country.

128 to 132. Are the Natives who go to England from your Province for purposes of education limited to the wealthier classes? Are they limited to any particular section of the community, or to any particular creed? Does a voyage to, or residence in, England involve the loss of social position or other unfavorable consequences in the case of any section of the Native community? Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India? Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—The Natives who go to England from this Presidency for purposes of education are not limited to the wealthier classes, nor to any particular section of the community, nor to any particular creed. A voyage to and residence in England did at one time involve very unfavorable consequences, in the case of Brahmans especially; but now difficulties of this nature, although they cannot be said to have altogether ceased, are gradually disappearing. The Committee of the Sabha are accordingly of opinion that the requirement of a temporary residence in England as a condition following on appointment to the Government service will not result in excluding from such appointment any considerable or important section of the community. It is an error to suppose that the simple fact of a voyage to, and temporary residence in, England places those who undertake it in any way "out of touch and sympathy with their fellow-countrymen." Actual experience is contrary to such a supposition.

141 Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grade for political or other reasons?—Should Government deem it necessary *now* to have a provision of the character described in the question, and should a fair case in favor of the reservation of such a power be made out, it should, no doubt, be made. The very fact, however, that, until 1870 at any rate, if not down to the very present day, no such provision has been deemed necessary raises a strong presumption that it cannot really be necessary now

145 to 154 How would the following scheme be regarded by the Native community: (1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible? How would you regard such a scheme? How would the Native community regard the following: (1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England, to which Natives and Europeans alike would be admitted; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible? How would you regard such a scheme? If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India? How would you view such a proposal? How would the Native community regard the following scheme: (1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India; (3) the remainder to be filled

Vol. IV. Sec. III. Sub-Sec. B Bombay.

S H Chiplankar, Esq

by competition in England? How would you regard such a scheme? Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favor of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order, to (*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M. A.? What is your opinion as to giving such preference?—After what has been stated in reply to questions Nos. 1 to 5 of Chapter II of the issues framed by the Commission, it is hardly necessary to discuss any of the schemes formulated in these questions. They are all based on the "appointment" theory, and are consequently inconsistent with the principles of the legislation of 1853—principles which are accepted by the Native community as satisfactory; and the Committee of the Sabha cannot understand how any of these proposals can *now* be entertained when an analogous proposal was distinctly negatived by the Legislature in 1853.

164. What system, if any, is at present adopted in your Province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship?—The Committee of the Sabha are not aware of any such system as the one referred to in the question being in force in this Presidency. Towards the close of Sir James Fergusson's administration two or three scions of aristocratic or Sardar families were at once appointed as Deputy Collectors in the Revenue branch of the Uncovenanted Service, and, so far as the Committee of the Sabha are aware, no such appointments have been made since then. The Committee of the Sabha are not aware whether or not the Bombay Government has been satisfied of the impropriety, in the interests of the public service itself, of making such appointments without any antecedent guarantees of the aristocratic nominees so favored possessing the necessary minimum of fitness for such posts. So far as they are concerned the Committee of the Sabha are not prepared to pronounce an opinion upon this experiment mainly on the ground that it has been so short-lived. It is a remarkable circumstance, however, that, while a few appointments of this character were made in the Executive branch of the Uncovenanted Service, the members of which ordinarily enjoy Magisterial powers of the first class, no such appointments were made in the Judicial branch of that service, the members of which exercise civil powers only and no Magisterial powers.

166. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—The present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services is regarded by all sections of the Native community as satisfactory.

167 & 168. To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judicial Services respectively? To what extent do Natives of good family and education in your Province offer themselves as candidates for Subordinate Judicial and Executive appointments?—The persons who accept appointments in the two services belong to the middle classes. They are all men of good family and education if the expression "good family" is used as synonymous with "respectable family."

172. Whatever system or systems may at present be adopted for the purpose of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, are any class or classes of persons expressly or practically excluded from such appointments?—No class of persons is expressly excluded from appointments in these two services, and as for the partial exclusion of some class in practice that class is principally responsible for such a result.

174. Is it the case that certain classes of Uncovenanted appointments are practically reserved for Natives of pure descent owing to the fact that conditions are imposed which have resulted in shutting out Eurasians and other Statutory Natives of mixed descent?—The Committee of the Sabha are not aware of any such cases as those referred to in the question.

176 & 177. Are you in favor of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions? If so, what test would you apply?—The Committee of the Sabha are decidedly of opinion that high educational capacity should be regarded as an essential qualification for appointment to these two services. The test should gradually be raised until a degree in Arts was made the *sine qua non* of entrance into these two services in addition to the departmental examinations.

184. If an open competitive examination were held in India for the Covenanted

posts reserved for Natives would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—The Committee of the Sabha think that such persons would form suitable nominees for subordinate executive appointments, and should, as far as possible, have a preferential claim to them.

Concluding Observations.

The Committee of the Sabha beg leave to conclude their statement in reply to the questions issued by the Commission with a few general observations. They strongly hold that no change in the policy of Government regarding the Civil Service question, so far as the principles of that policy, as laid down in 1833 and 1853 by the Imperial Legislature are concerned, is either necessary or desirable, and further that while that policy should be scrupulously maintained intact, the necessary changes in the regulations giving effect to that policy should be made. Some of the more important of these changes should, the Committee of the Sabha are strongly of opinion, be made the subject of Statutory provisions. It grieves the Committee of the Sabha most painfully to request the earnest attention of the Commission to the following extract from a confidential despatch repeatedly referred to above:—

"We all know that these claims and expectations never can, or will, be fulfilled. We have had to choose between prohibiting them, and *cheating* them; and we have chosen *the least straightforward course*. The application to Natives of the competitive examination system, as conducted in England, and the recent reduction in the age at which candidates can compete, are *all so many deliberate and transparent subterfuges for stultifying the Act and reducing it to a dead letter*. Since I am writing confidentially I do not hesitate to say that both the Governments of England and of India appear to me, up to the present moment, unable to answer satisfactorily *the charge of having taken every means in their power of breaking to the heart the word of promise they have uttered to the ear*"

It will be admitted that the wildest suspicions of the Native community regarding the frequent changes in the regulations governing the competition for the Indian Civil Service are more than amply confirmed by the foregoing extract from a despatch written by Lord Lytton in his capacity as the representative of Her Majesty in India. And the Committee of the Sabha will leave it to the Commission to decide whether or not the Native community is justified by the sad experience of the past in demanding that no discretion should be left to the Executive in respect of some of the more important regulations, and that they should be made the subject of a Statutory provision. The Committee of the Sabha accordingly think that to this extent only the Statutory provisions regarding the Covenanted Civil Service of India require to be amended, while in all other respects they should be scrupulously maintained intact.

Finally the Committee of the Sabha confidently trust that both the Commission and Government will not allow any imaginary dangers to interfere with the acceptance by them of the principles laid down in 1833 and 1853. Sir James Graham (First Lord of the Admiralty in Lord Aberdeen's Government), who, it must be remembered, had taken a very prominent part in preparing the measure of 1833 also, spoke as follows on this subject during the course of the debate on Sir Charles Wood's motion in 1853 for leave to bring in a Bill for the Government of India. Sir James Graham said: "I entirely agree with the Right Hon. Gentleman the President of the Board of Control that no apprehension of imaginary dangers should induce us to act with injustice to the people of that country in withholding from them that fair share of power for which their education fits them; and that the jealousy of their own fellow-countrymen ought not to furnish us with a pretext for not giving them that share" (*Vide* Hansard's Parliamentary Debates, Third Series, Vol. CXXVIII, pp 856-7) The Committee of the Sabha need hardly dwell on the significance of the last portion of this passage. And in the same way the Committee of the Sabha beg to be excused for requesting the prominent attention of the Commission to the following extract from the speech of one who may not inaptly be designated as one of the founders of the competitive system in connection with the Indian Civil Service:—

"One word more. It seems to me that this plan provides the best means that can be imagined for effecting an object upon which much has been said, and which I admit to be desirable—the gradual admission of Natives to a share in the higher offices of the Government. Legally, they are now admissible; practically, none have been admitted I do not blame those who do not admit them, for it is my belief there is not in India a young Native whom it would be a kindness to the Native population to place, at the present moment, in your Civil Service. I can conceive nothing more unfortunate for the people of India than that you should put into the Civil Service a Native, because he is a Native, *if he is to*

S H Chiplankar, Esq

be the last man in that service, a man decidedly inferior in attainments to all other members of that service, and who would be looked down upon by his European colleagues. Above all I cannot conceive anything more pernicious than the suggestion which has been made, that before you admit any Native to the service at all—before any Native has been an Assistant Collector or Judge—you should take some Native and appoint him a member of the Legislative Council. That, of all propositions, would seem to me least likely to promote the real benefit of the people of India. Under the proposed system it would depend on the Natives themselves, and upon them alone, at what time they should enter into the Civil Service. *As soon as any young Native of distinguished parts should by cultivation of English literature have enabled himself to be victorious in competition over European candidates, he would in the most honorable manner, by conquest, as a matter of right, and not as a mere eleemosynary donation, obtain access to the service. It would then be utterly impossible for his European fellows to look down upon him;* he would enter the service in the best and the most honorable way. And I believe that in this mode, and in this mode alone, can the object, which so many friends of the Native population have in view, be attained in a manner at all satisfactory. I differ, I am well aware, as to the effect of the admission of Natives to such situations, from a noble Lord (the Earl of Ellenborough), whom I mentioned a short time ago. That noble Lord is of opinion not only that we ought to exclude Natives from office, but that, even by encouraging them to study the arts and learning of Europe, we are preparing for the utter destruction of our power in India. I must leave it to the noble Lord to explain what seems to me a rather singular inconsistency in his opinion I am at a loss to understand how, while utterly condemning education when it is given to Europeans, he should regard it with dread when it is given to Natives. This training, we are told, when given to a European, makes him a book-worm, a twaddler, a man unfit for the active duties of life; but give the same education to the Hindu, and it arms him with such an accession of intellectual power that an established Government with an army of 250,000 men backed by the army and navy of England are to go down inevitably before its irresistible power. I do not pretend to explain how the knowledge, which is power in one race, can be absolutely impotent in another; but *I can only say for myself, with regard to this question, that, in my opinion, we shall not secure or prolong our dominion in India by attempting to exclude the Natives of that country from a share in its government or by attempting to discourage their study of Western arts or learning, and I will only say further that, however that may be, I will never consent to keep them ignorant in order to keep them manageable, or to govern them in ignorance in order that we may govern them long.* (*Vide* Hansard's Parliamentary Debates, Third Series, Vol. CXXVIII, pp. 757-9)

This one brief extract contains an eloquent and forcible expression of the views and principles which commend themselves to the Native community, and which also accurately supplies the reasons for the feelings of disapprobation with which the Native community regard the existing Statutory Service and also the existing system of recruitment for the Covenanted Civil Service.

No. XXVI

KHAN BAHADUR NASARWANJI KHARSHEDJI, GENERAL MERCHANT AND MUNICIPAL COMMISSIONER, AHMEDNAGAR.

The Statutory Civil Service.

1. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—So far as I know nothing has been said against the Statutory system itself. But there are some grounds to speak against the ways in which the system is worked; this feeling against the way in which the system is worked is mostly shared by the educated class

2 What are the grounds upon which any such feeling is based?—The grounds are that the selections of the nominees are made without their merits and abilities being put to any test or trial; and that the nominees do not enjoy the same privileges as the Covenanted Civil Servants.

3. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic, Cap. 3, Sec. 6), or is it directed against the rules framed thereunder?—The feeling of dissatisfaction is directed against the rules framed under the Statute, which in my opinion require modifications

6 If a desire is felt for enrolment in a general service, what are the reasons for this desire?—In order to see that the Statutory nominees carry the same influence, respect and position as the Covenanted Civilians it is desirable that they be enrolled in the list of the organised Civil Service

7 What amendments do you advocate in Section 6 of the Statute?—Section 6 of the Statute in my opinion requires no modification, in fact it provides all that is necessary, and defines the term "Natives of India" in a desirable way.

10 & 11. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted? Do they relate to the general conditions in regard to pay, promotion and retiring annuity under which Statutory Civilians hold their offices?—The objection is generally directed against the mode of selection made under the rules, as also to pay and promotion given to the Statutory Servants

12 Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—The rules should in my opinion be so amended as to admit of the following suggestions: (1) The nominees should be from amongst families of known respectability, or from those who have worked for public or Government in successfully carrying out works of public utility; (2) the candidates should be graduates, or at least under-graduates, of a University, and selection should be made by competition from amongst them; (3) the standard and subjects of their examination and the general test should be laid down in the rules, or the rules must provide for their being laid down by Government.

13 & 14 Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel? If such a feeling exists, on what grounds is it based?—The Statutory Civilians are regarded as inferior to the Covenanted Civil Servants, because they cannot keep up their position like the latter, who enjoy better emoluments and greater privileges.

15 & 16 Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers? If so, on what grounds?—The Statutory Civilians are regarded in a slight measure superior to the Uncovenanted Servants, the cause being that they are termed Civilians and no other that I know of.

17. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your Province?—If the rules are modified as suggested above all sections of the community will, I think, view the Statutory system with greater satisfaction

18 & 19. How would a system of nomination to be followed by a period of probation be regarded by the same classes? Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—The nomination of candidates followed by a period of probation will be satisfactorily viewed and would secure better qualified officers for the Statutory Service

21 & 22. Do you consider that nomination should be confined to persons of proved merit and ability? If so, how do you consider that merit and ability should be held to have been proved for this purpose?—Certainly nominations should be confined to persons of proved merit and ability, the test being the one stated in my reply to question No. 12.

Khan Bahadur *Nasarwanji Kharshedji*

23. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—Limited competition amongst persons nominated by Government in the manner stated above will, in my opinion, be regarded as most satisfactory.

24. In preference to either of the above systems (nomination and limited competition) would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community?—No, an open competition for the Statutory Service will not secure the object with which the system was introduced.

25. If competition (whether limited or open) is preferred, should there be one competition for all India, or separate competitions in each Province?—There should be a separate competition from limited candidates for each Province.

28 & 29. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social and physical fitness? If so, what should be the tests under each of the heads specified?—Candidates for limited competition should be (1) not older than twenty-five years of age; (2) at least undergraduates of a University; (3) from respectable families; (4) able to ride and swim; and should produce certificates of physical fitness from a qualified medical officer

30 & 31. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation? If so, what should be the duration of the probationary period?—After selection by limited competition there should be a period of probation of at least twelve months

32. Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—The period of probation should be passed in the ranks of the Revenue or Judicial Uncovenanted Servants, as thereby a considerable experience would be gained.

33 Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—No. Sufficient training would be given during the period of probation.

36. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service?—Approved candidates should be encouraged to go to England, but it should not be compulsory.

37. If so, what form should such encouragement take?—If special attention were given in giving promotion to the Statutory Servants who have had a training in a recognised college in England it would be a good inducement for candidates to avail of the high class training obtained in England.

38 to 40. Should it be offered before, or during, or after, the probationary period, if any, through which nominees or selected candidates may be required to pass? Should it be offered before or after the nominees or selected candidates enter on their duties? Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—*It* should be left to the option of the candidates to go to England either before or after they enter the service when they are once selected, but they might be given any encouragement in the shape of scholarships, &c., even before their period of probation.

41. If so, how would you connect such a scheme with the selection of Natives for employment in the higher administrative posts in India?—Scholarships being given by an examination, those scholars who would pass the Covenanted Civil Service should be treated as such, and those who fail or do not appear for the Civil Service examination should be allowed to compete with those mentioned in my reply to question No. 12.

42. Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not?—No distinction is necessary in the emoluments of those who have had training in England and those who have had not, if at the time of giving promotions training in England is favorably considered it would be enough.

43 If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—Advantage will be taken to a large extent by the selected candidates if free residence at a college in England with suitable allowance were offered to them.

44. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—Even if the system of examination in England were so revised as to enable the Natives of India to avail themselves of it in larger numbers it would yet, for some time to come, be necessary to retain the Statutory system.

45. If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—I would not restrict any particular appointments to the one or the other system; of course those who pass the Covenanted Service examination should take rank above those who pass the Statutory test during the same year.

Competition in England for the Indian Civil Service

46. Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—The competition of Natives of India in the examination in England is not favorably looked upon by the important classes, because it has so many disadvantages.

47. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—Increased facilities should be given to Natives for proceeding to England and entering the service through the channel of the English competition.

48 If so, what form or forms should such facilities take?—The facilities should consist of giving scholarships, and an increase in the limit of age for the candidates for the service; not particularly for the Natives but for all the candidates, Europeans included.

50. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—In selecting candidates for the Statutory examination preference should invariably be given to those candidates who have failed at the English competition but have shown *merit* there.

51 & 52. Assuming it to be advisable to appoint to the Statutory Service in India Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England and be subject to the same final examination? Should they on appointment to the Statutory Service in India be subject to the same incidents as apply to other persons appointed under the Statutory rules?—The persons selected for the Statutory appointments from amongst those who have failed at the English competition should undergo the same training and be subject to the same final examination as the successful candidates at the Covenanted Service examination; they should likewise be subject to the same incidents as apply to other persons appointed under the Statutory rules.

54. What class or classes of Natives in your Province readily go to England?—Parsis, Brahmans, Bohras, Hindus and Mahomedans generally go to England from the Bombay Presidency.

55. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Orthodox Hindus have religious objections to go to England, besides the risk of failure, young persons going wrong, sudden change of climate affecting the health of persons going, &c

56 Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—There should be one and the same standard and the same conditions of examination applicable both to the Natives and the Europeans; no distinction would be justifiable

62 & 63 Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates? If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—The Natives are put to disadvantage as compared with the Englishmen owing to their being required to pass the examination in a language not their mother-tongue, and that at a very early age, and they not having the facilities of being trained in colleges specially suited for the examination; they have also to undergo a long sea voyage just before they sit for the examination, and the like. If the maximum limit of age were fixed at twenty-five years for all candidates, no other alterations would be necessary till further experience is derived.

64. If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates, and, if so, what should the limits for Native candidates be?—The limit of age should be the same for both the Europeans and the Natives.

67. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province?—Brahmans, Gujaratis and other Hindus, as also the Parsis, Mahomedans and Christians, are the classes that graduate at the Bombay University in large numbers annually.

Competition in India for the Indian Civil Service.

68 & 69. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations? How would this method of selection

Khan Bahadur *Nasarwanji Khurshedji.*

be regarded by the Native community generally?—I would strongly recommend a simultaneous examination in England and India for the Civil Service, the same question papers being used at both the places; if this were done such a system would be regarded as highly satisfactory by *all* classes of Natives.

70. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—Both the Europeans and the Natives should be freely admitted to the examination to be held in England and India.

72. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—The present educational institutions in India are not capable of giving the high class education necessary for the Civil Service, but they may be made to do so by introducing certain reforms and changes in their constitution; besides, if once the examination is started in India simultaneously with that in England, necessity will find its way, and before long Indian colleges will be giving their special attention to the requirements of such an important examination

73 & 74. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others? Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Open competition in India will in a great measure give greater advantages to the forward classes, and especially to those who reside in the Presidency towns, and have greater facilities to acquire higher education over those who reside in the districts.

75. Do you think there are any objections on political or administrative grounds to open competition in India?—There could be no objections on political grounds against an open competition in India.

76 Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—I do not think the introduction of an open competition in India will deter cadets of leading families from aspiring to enter the Civil Service if sufficient inducements are held out to them in general along with the others.

77 Under such a system how would it be possible to provide against the Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province?—Special facilities for giving the requisite higher education to persons residing in Provinces where education is in a backward state should be, in my opinion, given by Government, to prevent such persons from being excluded from the appointments for want of means in their district to prosecute studies.

78. Would a system of provincial examination be preferable to one examination for the whole of India?—The examination in India should be held in one place in any one year, in a principal town of a Presidency, the several Provinces being chosen for the place of examination by turn each year.

79. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—The mere fact of passing the examination in England would not give candidates any superiority over their fellow candidates who pass in India.

80. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—It would not confer the full and equal benefits upon the Natives if a proportion were fixed for appointments between the candidates who appear in England and those who appear in India for the competitive examination, although it would give a greater opening to the Natives than exists at present, to the service by a fair and wider-open door.

81 to 83 If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age; in regard to minimum educational attainments; and in regard to moral, social and physical fitness?—The maximum limit of age for candidates should I think be twenty-five. The candidates should not be of inferior abilities at least than being undergraduates of a recognised University. If he be from the family of a respectable person, and if he is certified by the highest Civil officer of the district in which he resides as to his moral and social fitness, it should be sufficient to admit him for the examination, and if certified by a Civil Surgeon he should be considered physically fit and should be allowed to appear.

85. Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different?—The subjects and conditions for the examinations in England and India should be the same.

87. Circumstances being different in the case of persons who enter through the exam-

ination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c, should not also be different?—There are no reasons why there should be different rules for pay, pension and leave of those who pass in England and for those who pass in India.

88 to 92. Should successful candidates go through a period of special study in India like the English candidates who spend two years in special preparation; or would it be preferable (*a*) to require them to go to England; or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there? Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment? If so, what should be the duration of the probationary period? How should it be passed—in the ranks of the Uncovenanted Service, or otherwise?—There should be a period of probation of about two years for all candidates who pass in England or India. It should be left to the option of the candidates as to whether the period should be spent in India or England, if in the former, it should be amongst the ranks of the Uncovenanted servants, which will enable them to acquire practice and experience; if in the latter, it should be spent in the training given at the special college there; the period of probation may be before or after the final appointments but the same in both the cases.

No. XXVII.

THE HON'BLE SIR WILLIAM WEDDERBURN, BART, C S, FIRST GRADE JUDGE AND SESSIONS JUDGE, PUNA; MEMBER OF THE BOMBAY LEGISLATIVE COUNCIL.

Vol IV Sec. III Sub Sec B. *Bombay*

The Hon'ble Sir *William Wedderburn.*

I have carefully considered the questions proposed by the Commission, and from my point of view there is not much difficulty in giving categorical replies. But a serious preliminary difficulty arises if it be held that, in giving these replies, I am acquiescing in the existing system of a close Covenanted Service recruited for a long period of years. It appears to me that the questions assume the existence of such a service as the basis of our system, and that the enquiry is directed to enlarging and strengthening it rather than to ascertaining whether it is the method best suited to the requirements of the country. To illustrate my meaning, a military expert might be examined on the details of the German military system, and might make suggestions for improving the strength, discipline and efficiency of the standing army, and yet he might be of opinion that the existence of a large and perfect standing army is the greatest evil for Germany, financially and politically Looking at the history of the Covenanted Civil Service it is evident that its present form arose from many accidental circumstances little connected with the essential requirements of India. The existence of the East India Company, the exigencies of political parties in England, the long voyage to India, the want in India of an educated class as we now understand it, and the anarchical condition of the country—all had a share in shaping the existing system And even the important reform of throwing open the service to competition was carried out as much to put down jobbery as from a belief that in this way the best material available would be secured My own idea is that the system is now obsolete, like long service recruitment in the army; that it is in great measure unsuited to Indian requirements; and that to strengthen the existing bureaucracy by removing its defects and drawing into it the flower of the educated Native community, will tend to perpetuate a Mandarin style of administration and have a very mischievous effect on the progress of healthy local self-government in the country. Experience in Continental Europe proves that a powerful official class, though not foreigners, develop interests antagonistic to the general welfare. I would, therefore, with much respect, submit that, in considering what arrangements should be adopted for recruiting the public service, the first thing is to ascertain what are the wants to be supplied. Before going into the market to engage skilled labor of a very costly kind we should distinctly understand what is the work to be done, and what is the agency best qualified to do it. Without this preliminary understanding the answers to the special questions may be quite misleading, as though we determined the best method of getting smooth-bore muskets and old fourteen-pounders when, in reality, we need Krupp's guns and repeating rifles.

As regards the requirements of India, it is in the first place manifest that there are two kinds of official agency employed: (1), men required for the general administration; and (2), men with special and technical qualifications; while the classes from which they are drawn are (*a*) European, and (*b*) Native And the first thing that strikes one is that the original intention of the Covenanted Civil Service was to provide only one kind of agency, *viz*, (1) officials for the general administration, and to draw these from only one class, *viz*, (*a*) the European class. When, therefore, we take this Covenanted Civil Service as the basis of our system, we must bear in mind that three parts out of four of the agency required do not properly come within its scope, and that to recruit the main body of the officials through this system is to overlook the changed condition of the country, and to burden the finances with a very heavy outlay without clearly realising that it is really required. Even as regards the general administration the duties of District Officers have become altered, and in some respects much narrowed. Formerly, the Collector and his Assistants represented the Government or "Sirkar" in all departments, the district being the unit of administration. The Collector was not only the head of the revenue system to whom the people looked to settle their rents, but he also managed the roads and bridges, the forests, the schools, and the canals. Now, however, by the growth of the special centralised departments, he has been gradually ousted from almost all these duties. The Revenue Survey and Settlement Department has relieved him of all his most important revenue functions, so that the annual "Jummabundi" is little more than a formality—a declaration of rates settled by an authority over which he has little or no control. So also the other departments have developed ever-increasing activity, absorbing his functions one by one, and filling the district with

their large subordinate establishments; until the Collector has been left a mere *simulacrum* representing to the popular eye all the authority of Government, but in reality deprived of all real power. Even as regards ordinary administrative duties, he has been superseded by the increased authority of the Commissioners. And finally there has come the policy of local self-government with the legislation which has given effect to it, building up the municipalities and local Boards, and giving them quasi-independent management of their own affairs. Such being the reduced and altered functions of the Collector and his Assistants who form the bulk of the Covenanted Civil Service, it seems evident that even as regards the supply of Europeans for the general administration, the existing system has become obsolete and requires revision. Also it is found that the effective demand for European agency in this country is now in the direction of special qualifications, whether legal, educational, agricultural or scientific; and whereas there is a real desire to secure from England the services of a first class professor of English and History, or of a trained manager of a technical school, there is little demand for Englishmen merely of general culture such as are selected by a competitive examination of the kind now in force.

The question then arises, what is the agency best fitted for the general administration, how much of it is required, and how can it be best obtained? The answer to this question must, of course, depend upon the nature of the administration to be carried out. And it appears to me that, in order to carry the policy of decentralisation and local self-government to its logical and effective conclusion, it is necessary to retain the district as the unit of administration, and to give it a limited autonomy analogous to that of the Native States. As in a Native State there is the Raja and his Diwan, so in each district I would have an English and a Native Collector, with joint powers and equal pay and position, and they would administer the district with the aid of the rural and urban municipalities, forming the link between the local organisations and the central Government, representing the "Sirkar" in the eyes of the people, while towards the Government they would stand responsible for the welfare of the district and its development on the lines best fitted to its special circumstances. To make this scheme complete, it would be necessary to exclude absolutely from the district the executive power of all the centralised departments, these departments restricting themselves to supplying such skilled labor as the joint administration might be willing to indent for, and to inspecting the results. Each district would then employ such special officers as the local resources required, and could bear. Thus, in one district, where the forests are an important matter, a more highly-paid forest establishment would be entertained, while in another wells might be the chief special expenditure, in another the construction of roads and bridges. This would, to a certain extent, be a return to the condition of things when I came first to India. The Collector represented Government in all departments, and was assisted by a very experienced "Dufterdar" or Native Collector, who was in touch with the people, and who could give him full information regarding local wants and feelings. At the present day, owing to the progress of education, and the high moral tone of the upper ranks of Native official a colleague for the English Collector could be found with all the necessary experience, and with the addition that he could be thoroughly trusted In this way the best qualities of the European and Native character would co-operate and supplement each other, and a fair field be open to both sections without jealousy or clashing of interests. This arrangement would also insure the presence in each district of one responsible Englishman, and provide sufficiently for the political and social connection with England. In recent times a very successful example of such a joint administration was carried out in Bhavnagar, where Mr. Percival and Mr. Gourishankar brought the State to a high condition of prosperity, and although Mr. Percival held a casting vote, I believe he never exercised it during all the years he shared in the administration.

Supposing some such scheme were adopted, a very limited number of Europeans of general culture, and with some knowledge of agriculture, law, and political economy, would be required every year to fill vacancies, for, as the English Collector would be associated with an experienced and trustworthy colleague, he would not require to serve as long an apprenticeship as at present, and a small number of Assistants would be sufficient to be in training for vacancies. I think that this class might be obtained by open competition under conditions somewhat similar to those already existing, except that the prize for success should not be entry into a close service claiming a monopoly of appointments, but the right to draw a certain personal allowance according to length of service in addition to the pay of the appointment The competitive system appears to be the only way to shut out jobbery in these appointments. In the case of the selection of the Native Collector the case is different, and I think the choice should be made from among those who have served for a certain number of years in certain upper subordinate grades, and who are of "proved merit and ability." Appointment into those upper subordinate grades should be made from a list similar to that of Subordinate Judges who undergo a severe pass examination.

During actual service in these lower grades, the Native officer has an opportunity of showing the characteristics of judgment, temper and discretion, which cannot be tested by an examination, and experience shows that, when a Native officer thus distinguishes himself, his claims are in little danger of being overlooked in favor of other Native officials of inferior qualifications.

I have submitted the above remarks in illustration of the initial difficulty I have experienced in answering the questions of the Commission. They have been very roughly put into shape, as my replies have been called for by telegram. I proceed now to submit my replies upon the printed "Issues."

I.—Statutory Civil Service.

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service is not approved as being a departure from the principle of "detur digniori."

2 If it is not, what are the grounds of disapprobation?—The grounds of disapprobation are, that the nominations provide no guarantee of the fitness of the persons appointed; it has been generally believed that they are obtainable mainly by favor and personal solicitation; and it is felt that such valuable prizes being in the gift of officials tends to discourage independence among those who may hope to obtain them for themselves or their relations. A system of this sort fosters servility and intrigue, and is unfair to those who qualify themselves by honest independent work.

3. Are the defects of the existing system (if any) susceptible of remedy—(*a*) by an amendment of the rules, (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—The defects of the system are not susceptible of remedy by an amendment of the Rules or Statute. At the same time both Rules and Statute are susceptible of amendment. It is believed that the Rules are illegal, as they provide for appointing young untried men, whereas the Statute contemplates the appointment of men of "proved merit and ability." The redeeming feature of the Rules is that they provide for the appointment of a minimum proportion of Native Civilians. It must also be admitted that since 1884 the appointments have been more satisfactory to the community, the men being for the most part of University training:

(*a*) If the Rules are amended they will have to conform to the provisions of the Statute requiring the choice of men of "proved merit and ability," and certain qualifications will have to be introduced, such as University degrees and approved Government service for a certain number of years in certain grades. A minimum of appointments should be retained for the whole of India, and if the men of the required qualifications are not forthcoming in one Province, the appointment might be transferred to another; (*b*) in the Statute the definition of Natives of India might be amended so as to include the subjects of Native States within India proper. The provisions of the Statute should not be repealed.

4. If the provisions of the Statute 33 Vic, Section 6, are not repealed, nor substantially amended so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—No.

5 If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—If the Statutory Service is retained in its present form the selected candidates should be required to proceed to England for training. This would not be the case if, according to what seems the original purpose of the Statute, the men selected were those who had already proved their fitness by actual service.

II.—Covenanted Civil Service.

1—3 Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service? Should any, and if any what, change be made in that system? Do Natives of India labour under any, and if any what, disadvantages in competing for employment in this branch of the Service?—Dissatisfaction is felt with the existing system of recruitment for the Covenanted Civil Service. Changes should be made.

4. By what changes may those disadvantages be minimized or removed, *e. g.* (*a*) by the establishment of scholarships and allowance of passage-money to Native candidates; (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India?—(*a*) The establishment of scholarships and allowance of passage money to Native candidates are not sufficient remedies. The persons sent to England by these means might fail at the examination and the money would

be wasted. Also a sufficient number of persons could not be sent in this way so as to satisfy popular requirements without excessive cost; (*b*) the limit of age should be altered from nineteen to twenty-three, the limit at which it was fixed in earlier years of the competition. I think this alteration is a matter of justice to the Natives, and that it will be beneficial as regards the English candidates, bringing in a class of men of more mature judgment and faculties; (*c*) Persian might be added as a classic, with fewer marks than Sanskrit or Latin. The principal modern Indian languages should be added to the list of modern languages, Indian candidates not being allowed to select their own language; (*d*) examination should be held simultaneously in England and in India.

5. If an examination is held in India; (1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects?—(1) If an examination is held in India it should be identical with that held in England (2) It might be held in each of the Presidency towns, but if this caused difficulty, it might be held in Bombay. All should compete together and be selected in order of merit. (3) and (4). There should be no apportionment, which would be against the principle of open competition. If one province, such as Bengal, obtained an advantage at first, this would act as a healthy stimulus to the other provinces. Bombay and Madras do not think they would be left behind in the long run.

6. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—Successful candidates in India should be required, as a condition obligatory, to proceed to England to complete their training

7. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—The young Natives obtained under the existing system of the open competition in England are of good character and capacity. They belong to the right class, and the obstacles they have overcome proves that they are of strong material. It would be too sweeping an assertion to say they are the best that could be obtained "under any system."

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Cap. 3, Section 6, or from all natural-born subjects of Her Majesty?—I believe the people of this country are willing that the Uncovenanted Service should be recruited from all natural-born subjects of Her Majesty, provided there is no difference in the rates of pay

2. Should the recruitment be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—The system as now worked in Bombay for Subordinate Judges gives satisfaction. It is by nomination from a list of men who have taken a degree in law or passed a severe examination, that of High Court Pleaders.

3. Whatever system be adopted, should the recruitment be made by the several administrations only from persons resident in the territories under such administrations, respectively, or with a preference for such residents?—The recruitment by the several administrations should be only from local residents, except in special cases, to be approved by the Government of India.

IV.—Pay and Furlough Rules.

1. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the Service, or by members of the Statutory or Uncovenanted branches?—The salaries attached to all posts, whether reserved for the Covenanted Civil Service or not, should be fixed at the ordinary market rate, *i.e.*, at the rate for which a suitable person could be obtained on the spot. The prize offered for open competition should be a personal allowance varying according to length of service. This would be the Covenanted Civilian's "pay of his rank," and would be drawn by him in addition to the pay of the appointment. The advantages of this system are explained in detail in a letter which I addressed on 13th July, 1875, to the Government of Bombay, when the Government of India were making an enquiry into the best mode of selecting and training Indian Civil Servants. Unfortunately I have not a spare copy at hand, but the letter was reprinted by direction of His Excellency the Marquis of Ripon, in the office of the Viceroy's Private Secretary, and a copy could, no doubt, be obtained thence.

No. XXVIII.

THE HON'BLE NANABHAI HARIDAS, JUDGE, HIGH COURT, BOMBAY.

I.—Statutory Civil Service.

Vol IV Sec III Sub-Sec B. *Bombay.*

The Hon'ble *Nanábhai Haridas.*

1 to 3. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved? If it is not, what are the grounds of disapprobation? Are the defects of the existing system (if any) susceptible of remedy: (*a*) by an amendment of the Rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—The existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service is not generally approved. It is, however, not the Statute that is disapproved so much as the Rules framed under it. The Statute is an enabling Statute. Its object, as expressed in Section 6, is to afford "additional facilities for the employment of Natives of India, of *proved merit and ability* in the Civil Service of Her Majesty in India," and it enables Government to appoint *such Natives* to any offices or employments in that service, dispensing in their case with the necessity of any certificate from the Civil Service Commissioners, but subject to rules to be, from time to time, framed and sanctioned in the manner therein provided. The rules so framed, however, have almost ignored the claims of those for whom the Statute was evidently intended, and given preference to "birth" and "social position" over "proved merit and ability," with the result now manifest that, instead of getting men of "*proved merit and ability*," we got men who had afforded no proof whatever of either Under better rules far superior men—men of mark and distinction—might have been easily obtained: (1) from among officers in the Uncovenanted Service, (2) from among our professional men, and (3) from among the graduates of our Universities. I would, therefore, amend the rules so as effectually to carry out the object of the Statute. I would not compel any selected persons to go to England, but would leave it to them to do so or not as they chose. In the case of those selected from the first two of the above classes on the ground of proved merit and ability, no further training would seem to be necessary.

II.—Covenanted Civil Service.

1. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Considerable dissatisfaction is felt with the existing system of recruitment for the Covenanted Civil Service.

2. Should any, and, if any, what change be made in that system?—Several radical changes should be made in that system: (1) the limit of age for admission to the examination should be raised to twenty-three; (2) the examination should be held not in England alone, as at present, but in India also; (3) the Indian vernacular languages should be added to the subjects of examination, and treated like the European vernacular languages; and the Indian classical languages, Persian included, should be put upon a footing of equality with Latin and Greek as regards the maxima marks obtainable in them.

3. Do Natives of India labor under any, and, if any, what disadvantages in competing for employment in this branch of the service?—The Natives of India at present labor under very serious disadvantages in competing for employment in the Civil Service. They are as follows: (1) going to England to study there for three or four years, at an early age, when parents and guardians are least willing to send them; (2) the cost of the voyage to England and back, and the expense of a stay there; (3) the unsuitableness of the climate; (4) residence in a foreign land, among strangers, surrounded by unusual dangers and temptations, without adequate protection against them; (5) social and religious difficulties; (6) examination in a foreign language, under conditions more favorable to English candidates. Some persons are disposed to make very light of the social and religious difficulties, but they seem to ignore the feelings of high caste Hindus—the intellectual aristocracy of India for centuries—the class likely to furnish the best men for the service.

4. By what changes may those disadvantages be minimised or removed, *e.g.*, (*a*) by the establishment of scholarships and allowance of passage-money to Native candidates; (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India?—Some of these disadvantages cannot be altogether removed, but may be minimised by the establishment of scholarships and allowance of passage-money to Native candidates, and by making the changes suggested above in my reply to question 2.

5. If an examination is held in India:

(1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects?—If an examination is held in India, (1) it should be identical with that held in England; (2) it should be held at one centre in India; (3) the candidates in England and India should compete with one another, and be selected in order of merit; (4) there should be no apportionment of appointments; but if it is determined to apportion them, let the candidates in the two countries share alike—half and half—those in England having one moiety, and those in India the other, in each case according to merit.

6 If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—The candidates who pass in India should not be compelled, but may be encouraged to go to England to study there, if they are desirous of doing so. I myself do not think it absolutely necessary that they should go there. During their probation for two years, which the passed candidates have, under the present rules, to spend in England before coming out to India to join their appointments, they are required to study there: (1) Oriental languages (Sanskrit and Indian vernaculars), (2) the history and geography of India, (3) Law, and (4) political economy* At the Presidency towns in India there are Arts Colleges and Law Schools maintained by Government, where all these subjects are taught by well paid and competent Professors, and the selected Indian candidates may well be allowed, if they prefer it, to study them there There are certainly greater facilities for studying the first three of them in India than there can be in England; and the results of the periodical examinations and the "final examination," which should be the same for the English and the Indian candidates, will soon show whether a better knowledge of them may not be acquired in India than in England. At all events let the Indian candidates have their choice. If it be deemed desirable to remove them from home influences, let those residing in one Presidency be sent to another Presidency Instead of compelling them to go to England for studying the above subjects, it may be a question whether the English candidates may not, with advantage, be compelled to study them in India Persons finally appointed to the Civil Service, have, during the whole of their official career, to deal with the Natives of India in ninety-nine cases out of a hundred, to appreciate Native evidence, to dispose of disputes between Natives and Natives; and it seems to me that requiring the English candidates to spend their two years of probation in India would better fit them for such their future duties, enabling them to learn in India the Indian languages (classical and vernacular) from Indian Pandits, and Indian Law in Indian Law Schools and High Courts, and, at the same time, by unofficially mixing with the people to acquire a knowledge of their manners, habits and customs—a knowledge more useful to them than a knowledge of English manners, habits and customs to the Indian candidates, so far as those duties are concerned.

7. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity, who could be obtained under any system?—The young Natives obtained under the existing system of the open competition in England are not, in my opinion, the best as regards character and capacity, who could be obtained *under any system* Under the system of simultaneous examination in England and India, far better men are likely to be obtained. Our highly-educated men, including University Graduates who are at present prevented from offering themselves as candidates by the difficulties lying in their way under the existing rules, will no longer be so, and the result will be India will get the best and the most intellectual Indians available for her administrators, along with the best and the most intellectual Englishmen.

III.—Uncovenanted Service.

1 to 3. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Cap. 3, Section 6, or from all natural-born subjects of Her Majesty? Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices? Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations respectively, or with a preference for such residents?—In this Presidency appoint-

* See the papers on the Civil Service presented to Parliament in 1876, p 46.

* The Hon'ble *Nanabhai Haridas.*

ments as Subordinate Judges are made under Act XIV of 1869, Section 22, and under certain Rules* made by the High Court. The fitness of candidates for office is determined by very strict competitive examinations. The competition is open to all subjects of Her Majesty. The Act and the Rules have worked well, and the result is we have secured very competent Subordinate Judges. I see no reason to change the existing system, and can confidently recommend its adoption wherever it does not prevail. I have no experience as to how appointments are made in the Land Revenue Department, and with what result; but I think all Subordinate Magisterial appointments, like all Subordinate Judicial appointments, should be made from among our LL B's and High Court Pleaders, and other persons who, after examination, may be declared by the High Court to be fit for such appointments, and not otherwise. To do this it may be necessary to separate the Judicial from the Executive branch of the Uncovenanted Service An impression would seem to prevail in some quarters that Native judicial officers appreciate evidence better in Civil cases than European judicial officers, but that the latter do it better in criminal cases than the former. My experience, however, does not support the latter part of such impression. Where Native judicial officers have both Civil and Criminal Jurisdictions, I doubt whether their decisions in criminal cases are more frequently reversed in appeal than those of European officers. I would require some reliable statistical information before accepting such a statement. Our First Class Subordinate Judges, whose decisions are found more often correct than those of the District Judges, have never had any criminal cases given them to try; and if the Native Subordinate Magistrates are found not to be as good as European Magistrates, the severe test of a High Court or University Examination is never applied in their case.

4. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—If the existing Statutory Service is abolished, the proportion of offices assigned to that service should be given to deserving members of the Native Bar and of the Uncovenanted Service.

IV.—Pay and Furlough Rules.

1 & 2 Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the Service, or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated?—When any posts reserved for the Covenanted Civil Service are held by members of Statutory or Uncovenanted branches, the salaries attached to those posts ought to go with the posts.

3. Should any distinction be made in the Furlough Rules applicable to the Statutory and Uncovenanted branches of the Service according to the nationality of the officer, or on any other, and what ground?—No distinction should be made in the Furlough Rules applicable to those branches of the service on the ground of the nationality of any officer, or on any other ground. They must apply to all alike.

4 Are the privileges in regard to pay, promotion, and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service, suitable to Natives obtaining office under the Statutory Rules?—I do not see any reason to suppose that the privileges in regard to pay, promotion, and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service, are unsuitable to Natives obtaining office under the Statutory Rules.

Examination of Candidates for the offices of Subordinate Judge, of Pleader of the High Court, and of District Pleader.

The Honorable the Chief Justice and Judges of Her Majesty's High Court of Judicature are pleased, in supersession of all former orders on the subject, to lay down the following rules for the examination of candidates for the offices of Subordinate Judge, of Pleader of the High Court, and of District Pleader:—

Rules.

1. An examination of candidates for the offices of Subordinate Judge and Pleader of the High Court and of candidates for the office of District Pleader will be held annually in the month of February or March, or at such other convenient time as may be, determined by the High Court, on a date of which due notice will be given in the *Government Gazette*. There will be two standards of proficiency, the examinations for which will be held simultaneously, but with different papers for each standard.

* A copy of those now in force accompanies.

Candidates for the offices of Subordinate Judge and Pleader of the High Court must pass the examination according to the Higher Standard; candidates for the office of District Pleader must pass the examination according to the Lower Standard

2. The examinations will be conducted by a Committee appointed by the Honorable the Chief Justice and Judges of Her Majesty's High Court. Each candidate desiring admission must submit, in writing, a separate application addressed to the Registrar of the High Court, Appellate Side.

3. Any subject of the Empress, desirous of qualifying himself for any of the above offices, is entitled to be examined at any such examination, provided he has not been prohibited from appearing by any former Committee, and provided he shall, on or before the first day of February preceding the examination, have transmitted to the Registrar with his application satisfactory certificates to the following effect: (*a*) that he is a subject of the Empress, together with the place of his birth, and his exact age, which, at the date of the examination, must be more than twenty-two years; (*b*) that he can speak, read and write, with ease and correctness, one of the vernacular languages which are used in the District Courts of the Bombay Presidency, *viz*, Marathi, Gujarati and Kanarese, and also that he has passed the Matriculation Examination of the University of Bombay; (*c*) that he is of good moral character, dated not earlier than the 1st October immediately preceding the examination; and (*d*) a fee of Rs. 10, for which a receipt will be furnished by the Registrar. (The fee will be returned if the candidate's certificates are not considered satisfactory. If the candidate before the beginning of the examination satisfy the Registrar that he is unavoidably prevented by sufficient reasons from presenting himself for examination, the fee will be reserved, and will be available for the next examination.)

4. The certificates mentioned in para. 3 may be signed by a District Judge, by the First Judge of the Court of Small Causes, at Bombay, by the Principal of a College or other Institution recognized by the University of Bombay, by a Professor of the Government Law School, by the chief Judicial, Executive, or Political Officer of the British Government in a District outside the limits of the Bombay Presidency or Native State, or by the Registrar of the High Court.

5. A candidate who has once been admitted to the examination under these or previous rules will, subject to the provisions of Rule 13, be allowed to appear again on production only of the certificate of good moral character required under Rule 3(*c*), and on payment of the fee required by Rule 3(*d*).

6. In cases in which the eligibility of a candidate in respect of age or character appears doubtful, such inquiries as may be necessary will be made by the Registrar for consideration and decision by the Honorable the Chief Justice and Judges.

7. The Registrar will publish, in the *Government Gazette*, under the orders of the Honorable the Chief Justice and Judges, at a reasonable time before the date fixed for the examination, a list of the candidates whose applications have been admitted.

8. The examination will be conducted in writing (and if necessary *viva voce* also) in the English language, want of proficiency in which, as shown in the candidate's answers, will be held to disqualify him.

9. In each standard six papers will be set to the candidates, as follows; the maximum number of marks obtainable is shown opposite each subject:—

I.	Hindu and Mahomedan law ...	100
II.	The Laws of Civil Procedure and Limitation ...	100
III.	The Law of Contracts and Torts ...	100
IV.	The Law of Specific Relief, Transfer of Real Property, Mortgage and Trust ...	100
V.	The Law of Evidence, Registration and Stamps ...	100
VI.	Criminal and Police Laws ...	100

10. In addition to the Acts and Regulations, and the Reports of the High Courts, the following Text Books are recommended; the examiners however not being in any way confined to these Text Books in setting their questions:—

Mayne on Hindu Law and Usage.
West and Buhler's Digest of Hindu Law.
Macnaghten's Principles and Precedents of Mahomedan Law.
Field on the Law of Evidence in British India.
Cunningham's Commentaries on the Indian Evidence Act.
Cunningham's Commentaries on the Indian Contract Act.
Collett on Torts.
Smith's Equity Jurisprudence or Snell's Principles of Equity.
Broome's Legal Maxims

11. In order to pass the examination according to either Standard, the candidate must obtain at least 30 per cent. of the marks obtainable in each paper and 60 per cent. of the aggregate number of marks obtainable in all the papers

12. A list of successful candidates, arranged in the order of merit, in the Higher and Lower Standards, respectively, will be published (in the *Government Gazette*) under the orders of the Honorable the Chief Justice and Judges.

13. If the Committee are of opinion that any candidate has come up for examination without due preparation, they may prohibit his appearing at the next examination.

14. Each candidate who has passed the examination according to the Higher Standard will, on application and on payment of the stamp duty prescribed by law, be admitted as a Pleader of the High Court. Each candidate, who has passed the examination according to either standard, will, on application and payment of a fee of Rs. 5, receive a sanad authorizing him to practise in the Courts of such one District of the Bombay Presidency as the Honorable the Chief Justice and Judges may think fit.

15 Nothing in these rules shall interfere with any rule which has been or may be made for the admission of Graduates of the University to the office of Pleader, or shall prevent the appointment, as Subordinate Judge, of any person who has already held the office of Munsif or has passed the examination for the office of Subordinate Judge or High Court Pleader under the rules of 13th August, 1869, 19th December, 1876, and 2nd October, 1878.

16. The Honorable the Chief Justice and Judges may, in consideration of the particular merits of an applicant in the public service or other special reasons, dispense with any of the rules hereinbefore prescribed as to the qualifications for admission to the examination.

17. These rules will come into force on, and after, the 1st January, 1887.

(Published at pages 718 and 719 of the *Government Gazette*, for 1886, Part 1.)
17*th August*, 1886.

To

THE SECRETARY,
PUBLIC SERVICE COMMISSION.

BOMBAY, *3rd February*, 1887.

SIR,

In continuation of my letter, dated 24th ultimo, I have the honor to forward the following remarks to supplement my answer to Questions 1, 2, and 3 in Part III of the printed questions accompanying your letter of the 8th idem. In that answer I have slightly referred to what seemed to me an unfounded impression as to the relative fitness of European and Native Judges in the Mufasal, Magistrates included, to appreciate evidence in criminal cases Since the date of my above letter I have collected some information on the subject from perfectly reliable sources, which completely accords with my own impression, the result of actual experience on the Appellate Side of the High Court, now extending over a quarter of a century, and which it is desirable the Commission should have before them That information I have tabulated in the accompanying Statements marked A, B, and C, respectively. I also annex two more Statements marked D and E, respectively, prepared at my request by the Registrar.

2. It will be seen from Statement A that, in disposing of appeals from convictions by Courts of Session, the High Court, during the four years therein mentioned, confirmed 72 79 per cent. of those convictions Now, during that period, with two exceptions, all the Judges presiding in those Courts were Europeans. Therefore the result may well be accepted as accurately indicating the quality of appreciation of the evidence by such Judges. I will now contrast this result with that shown in Statement D for the years 1884 and 1885 It shows that in 1885, 80 per cent. of the convictions by Mr Tagore, a Native Civilian, were confirmed, and that in 1884, of the convictions by Mr Thakur, another Native Civilian of a much lower standing (only ten years) in the service, so many as 66 per cent. were confirmed. It also shows a most remarkable fact, namely, that, in 1878 and 1879, all the convictions (cent. per cent.) by Mr. Deshmukh, who had never been out of India (*a*), and had served only as an Uncovenanted Servant (*a*), were confirmed, none being reversed or modified, though 20 per cent. of his sentences were modified. So far, therefore, as the confirmations go, the impression above referred to as to the relative fitness of European and Native Judges to appreciate evidence in criminal cases appears to be utterly unfounded. Now, what do the reversals of such convictions show? Statement A shows the average to be 9 45 per cent., whereas Statement D shows that in the case of convictions by one Native Judge, as already observed, not one was reversed, and that, in the case of those by the other two such Judges, the reversals were 11 and 16 per cent, respectively, giving an average for the three of 9 per cent. Statement E, exhibiting the results of appeals against convictions by two of the best and most careful European Sessions Judges—both of them senior in rank and pay to the above Native Judges—shows that of the convictions by one of them 89 per cent. were confirmed, and that of those by the other 56 per cent. Thus both the confirmations and the reversals falsify the impression above referred to.

(*a*) Note this in connection with my answer to Question 5 in Part I., and to Question 6 in Part II.

3. Statement B shows that of the convictions by Assistant Sessions Judges and First Class

(*b*) There were 86 Europeans and 50 Native Officers in 1882, and 86 European and 77 Native Officers in 1885, concerned in these cases See Reports for those years, p 1, para. 5.

Magistrates 70·48 per cent. were confirmed, and 17 72 per cent. reversed on appeal. (b)

4. Statement C shows that of the convictions by Second and Third Class Magistrates 59 55 per cent. were confirmed, and 26 40 per cent. reversed. (c)

(c) Of the Second Class Magistrates in 1882, 6 were Europeans and 238 Natives In 1885 the numbers were 7 and 237, respectively. Of the Third Class Magistrates, 4 were Europeans and 235 Natives in 1882, and in 1885 the numbers were respectively 7 and 258. See Reports for those years, p. 1, para. 5.

5. No data are available to determine the relative quality of work done by the European and Native Officers mentioned in the two above paragraphs It would, therefore, be unfair to make any presumption in favor of either, but one might well presume that the work done by the latter was, on the whole, at least as good as that done by the former. The comparative inferiority of the work shown in those paragraphs is attributable to the shortness of those officers' experience compared with the experience of the officers mentioned in the earlier paragraphs, and not to any inherent superiority of European to Native Magistrates. This view is confirmed by the inferiority of the work done by Assistant Sessions Judges and First Class Magistrates to that done by Sessions Judges and Joint Sessions Judges, whether Europeans or Natives.

6 I have seen some disparaging remarks made by a witness of high position about the work of Subordinate Judges as compared with that of District Judges, and to test their accuracy I have prepared Statement F, which shows how first appeals were disposed of by the High Court and District Courts during the period therein embraced. It appears therefrom that of the decrees made by the Barrister and Civilian Judges presiding on the Original Side, and appealed against, 62 66 per cent. were confirmed or left unaltered, and 37 33 per cent. were reversed, or modified, or otherwise interfered with on appeal. It also shows that of the decrees made in original suits by the District and First Class Subordinate Judges, and appealed against, 67 33 per cent. were confirmed or left unaltered, and 32·66 per cent were reversed, or modified, or otherwise interfered with by the High Court on appeal; whereas of such decrees made by both the First and Second Class Subordinate Judges—who are almost all Natives—63 61 per cent were confirmed or left unaltered, and 36 39 per cent. were reversed, or modified, or otherwise interfered with by the District Judges on appeal. Any comment upon these facts is unnecessary. It may be noticed, however, that appeals were preferred against a very small portion of all the decrees made by the Subordinate Judges, and that a very small portion of original suits was tried by District Judges

I have the honor to be,

SIR,

Your most obedient Servant,

NANABHAI HARIDAS.

A.

A STATEMENT showing how Appeals preferred to the High Court from convictions by Courts of Session were disposed of during a period of four years

	(a) 1882.	(b) 1883.	(c) 1884.	(d) 1885.	4 years' average.
Abated, rejected or confirmed ...	74 9	82 8	68 9	65 16	72 79
Modified	18 3	11 3	17 7	12 01	14 8275
Reversed	7 4	5 9	13 4	11 11	9 4525

(a) Report on the Administration of Criminal and Civil Justice in the Bombay Presidency for 1882, p 9, para 40.
(b) Ditto for 1883, p 9, para 40
(c) Ditto for 1884, p 9, para 41.
(d) Ditto for 1885, p 9, para. 40.

B.

A STATEMENT showing how Appeals preferred to the Courts of Session from convictions by First Class Magistrates and Assistant Sessions Judges were disposed of during a period of five years

	(a) 1881.	(b) 1882	(c) 1883.	(d) 1884	(e) 1885	5 years' average.
Appellant died, escaped, or appeal transferred ...	1 07	33	2 3	21	...	782
Rejected or confirmed ..	72 13	71 72	70 9	68 43	69 24	70 484
Sentence enhanced or modified	9 88	8 57	9 4	14 05	9 53	10 286
Sentence reversed, proceedings quashed, or new trial ordered .	16 92	19 38	17 4	17 31	17 70	17 742

(a) Report on the Administration of Criminal and Civil Justice in the Bombay Presidency for 1882, p 11, para 49
(b) Ditto, p 11, para 48.
(c) Ditto for 1883, p 11, para 48
(d) Ditto for 1884, p 11, para 49
(e) Ditto for 1885, p 11, para. 48.

C.

STATEMENT showing how Appeals preferred to Appellate Magistrates from convictions by Second and Third Class Magistrates were disposed of during a period of five years.

	(a) 1881	(a) 1882	(b) 1883	(b) 1884.	(b) 1885.	5 years' average.
Appellant died, or escaped, or appeal transferred ...	·4	...	·04	·08	·04	·112
Appeal rejected, or sentence confirmed ...	55·5	55·7	61·37	64·26	60·93	59 552
Sentence enhanced or modified ...	14·6	18·9	11·3	11·67	10 36	13 366
Sentence reversed, proceedings quashed, or new trial ordered ...	29·5	25·4	27·29	23 99	25 85	26 406

(a) Report on the Administration of Criminal and Civil Justice in the Bombay Presidency for 1882, p. 12, para 52.
(b) Ditto for 1885, p. 12, para. 52

D.

A STATEMENT showing how Appeals from convictions by three Native Sessions Judges were disposed of by the High Court in the years mentioned.

Results.	Rao Bahadur Gopalrao Hari Deshmukh, Joint Sessions Judge, Nasik		S. N Tagore, Esq., Sessions Judge.	S. B Thakur, Esq., Joint Sessions Judge.
	1878.	1879.	1885.	1884
Rejected or dismissed ...	12	8	21	4
Conviction and sentence reversed	.....	.....	3	1
Sentences modified	3	2	2	1
TOTAL ...	15	10	26	6
Percentage of results ...	80 per cent. rejected or dismissed. 20 per cent. modified.	80 per cent rejected or dismissed. 20 per cent. modified.	80 per cent. rejected or dismissed. 11 per cent. reversed. 7 per cent. modified.	66 per cent. rejected or dismissed. 16 per cent. reversed. 16 per cent. modified

E.

A STATEMENT showing how Appeals from convictions by two European Sessions Judges were disposed of by the High Court in the year mentioned.

Results.	1883	1883
	A. C. Watt, Esq	S H Phillpotts, Esq.
Rejected and dismissed	17	14
Conviction and sentence reversed	2	1
Sentences modified	.....	10
TOTAL ...	19	25
Percentage of results	89 per cent. rejected or dismissed. 10 per cent. reversed.	56 per cent. rejected or dismissed. 4 per cent. reversed. 40 per cent. modified.

F.

A STATEMENT showing the results of first Appeals disposed of by the High Court and District Courts respectively during a period of three years.

Courts and modes of disposal	1883 (a)		1884. (d)		1885 (g)			
	Total No	Percentage.	Total No.	Percentage	Total No.	Percentage	Three years' average percentage.	
HIGH COURT.								
I.—ORIGINAL SIDE.								
Appeals disposed of ..	12(a)	...	27(d)	...	22(g)	...	...	
Decrees confirmed or left unaltered	...	67(a)	...	63(d)	...	58(g)	62 66	
Decrees reversed, or modified, or suit remanded ...	...	33(a)	...	37(d)	...	42(g)	37 33	
II.—APPELLATE SIDE.								
Appeals disposed of ...	127(b)	...	87(e)	...	61(h)	...	...	
Decrees confirmed or left unaltered	...	68(b)	...	65(e)	...	69(h)	67 33	
Decrees reversed, or modified, or suit remanded ...	...	32(b)	...	35(e)	...	31(h)	32 66	
III.—DISTRICT COURTS.								
Appeals disposed of ...	4,061	...	4,015	...	3,881	...	...	
Dismissed for default ..	287(c)	7 06	252(f)	6·28	298(i)	7·68	7 00	
Decrees confirmed under s 551 of the Civ Pro. Code	159(c)	3 91	146(f)	3 64	151(i)	3 89	3 82	63·61
Decrees confirmed after proceedings sent for ...	2,181(c)	53 71	2,087(f)	51 98	2,044(i)	52 67	52 79	
Decrees modified ...	560(c)	13 79	589(f)	14 67	597(i)	15 38	14 61	
Decrees reversed ...	676(c)	16 65	711(f)	17 70	588(i)	15·15	16 50	36·39
Suits remanded ...	198(c)	4 88	230(f)	5 73	203(i)	5 23	5·28	

(a) Report on the Administration of Criminal and Civil Justice in the Bombay Presidency for 1883, p 26, para 54, and p. 27, para. 59.
(b) Ditto, paras 55 and 59.
(c) Ditto, p 27, para 58.
(d) Ditto for 1884, paras. 53 and 58.
(e) Ditto for 1884, paras. 54 and 58.
(f) Ditto, para 57.
(g) Ditto for 1885, paras 47 and 51.
(h) Ditto, paras. 47 and 51.
(i) Ditto, para. 50.

No XXIX.

ITCHARAM SURYARAM DESAI, ESQ, EDITOR OF THE GUJERATI NEWSPAPER.

I.—Statutory Civil Service,

Vol IV. Sec III Sub-Sec B. *Bombay*

Itcharam yaram Desai

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—The existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service is *not* approved. On the other hand it has created general and great dissatisfaction among all sections of the Native community who are able and qualified to form an opinion on this and other public questions.

2. If it is not, what are the grounds of disapprobation?—The grounds of disapprobation are chiefly these: (*a*) It injuriously affects the principle of competition for the Indian Civil Service. (*b*) It is calculated to encourage and promote nepotism, protegism and favoritism in various forms. (*c*) It has tended to excite feelings of jealousy between competition Civilians and those gaining appointments by nomination, as also feelings of embitterment and heart-burning between the latter and others who were, or considered themselves to be, their equals in every respect, academically, socially or otherwise (*d*) It has lowered the reputation of the Indian Civil Service in the public eyes as opening a back-door to what may be called political jobbery, the Statutory Civilians being regarded as in the service more by favor and influence than by right. (*e*) It is unfair and unjust to the Native community as a whole, besides having the tendency to check intellectual progress amongst, and to demoralise, certain sections of the community from among whom the nominations under the present system have been chiefly made. (*f*) From the point of view of pay, promotion and their implied exclusion from all superior Executive and other appointments, the Statutory Civilians are regarded as meant to be inferior to their Covenanted brethren.

3 & 4 Are the defects of the existing system (if any) susceptible of remedy · (*a*) by an amendment of the Rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed? If the provisions of the Statute 33 Vic, Cap 3., Section 6, are not repealed, nor substantially amended so as to take away the power conferred on the local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—In view of the grounds stated in reply to Issue 2, Statute 33 Vic, Cap 3, Section 6, ought to be repealed and the changes herein below, proposed in regard to the Covenanted Civil Service, to be made. Until then, however, and until the practical results of such changes have definitely been ascertained both by Government and the public generally, the Statutory system may be retained, but only to reward proved merit and ability either in Government service or in the practice of a profession. It cannot be too strongly urged that the Statute was meant only for rewarding men of proved merit and ability; that such was clearly the intention of both Sir Strafford Northcote and the Duke of Argyll, as expressed in their Despatches prior to the enactment of the Statute; that the whole subject arose from the case of Rai Ajodhyanath, an Uncovenanted officer of proved merit and ability; that on the second reading of the Bill, Mr. (now Sir) Grant Duff explained the intentions of Government with reference to Section 6 to be to reward Uncovenanted Native Officers of proved merit and ability (*vide* Hansard's Parliamentary Debates, Vol. CXCIX, p. 556); that before framing the Rules under which the present nominations have been made, Lord Lytton's Government felt the difficulty very strongly of how to depart from the intentions of the Statute in favor of untried persons. I feel that the Rules, in so far as they admit untried persons, are a clear infringement of the intentions of the Statute, and in so far they must be amended. If, however, it be determined to keep to the present system of nominating untried persons, the nominations should be made by limited competition, a certain academical status (say the B A degree) being held *inter alia* to be a *sine quâ non* for the purpose.

5. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—I would require all Statutory Civilians to proceed to England within three years after being confirmed in their appointment, and to stay there for at least six months and preferably a year, employing their time in that country towards better fitting themselves for the discharge of the duties of their office under rules to be framed for the purpose, and under the general supervision and orders of the Secretary of State for India in Council.

II—Covenanted Civil Service.

1 to 3. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service? Should any, and, if any, what change be made in that system? Do Natives of India labor under any, and if any what, disadvantages in competing for employment in this branch of the service? —The dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service is general and a source of deep discontent and heart-burning with the Native community, inasmuch as it practically excludes, and is believed by many to be meant to exclude, Natives of India from competing on account of the extreme low limit of age and the fact of the open competition being unnecessarily confined to London. Thus candidates of real worth but without means are prevented from the mere chance of appearing, and the middling and well-to-do have to undergo unnecessary expense, trouble, and misery, often life-long, in cases of failure, which are most common; the chances of success being extremely rare and hardly more than one. Whatever reasons may have induced the Marquis of Salisbury in 1876 to reduce the limit of age from twenty-one to nineteen, I feel strongly of opinion that the question was considered entirely from the stand-point of the English candidate, not paying the slightest heed, in spite of protests to the contrary from high officials of the British Indian Government, to the circumstances and difficulties of the Native candidate laboring under recognised disadvantages of language, studies, loss of family control at a tender age, and the consequent unwillingness of parents to send their children to a foreign cold climate thousands of miles away from their homes, as also to the results likely to ensue therefrom. These results may be summarised under the three main heads of (*a*) the almost entire exclusion of the Natives of India from the competitive Civil Service; (*b*) the conspicuous absence of the flower of the English Universities from the Civil Service, especially since the suspicious reduction of the age limit in 1876; and (*c*) physical unfitness on account of over-cramming at an early age. I admit that in the Bombay Presidency (though not in the whole of India) there have been more Native Covenanted Civilians since the reduction in age than prior thereto, but that has been in spite of the said measure on account of the general advance of education and the determination of several Indian parents to send their precocious sons to England in spite of all difficulties and *at all hazards*. The principal changes which ought to be made in the existing system of recruitment for the Covenanted Civil Service are as follows: (*a*) The limit of age should be extended to twenty-three. On this question of raising the age limit the opinion of the Native community is unanimous. The present limit for a Gujrati boy finishing his vernacular school studies varies from nine to eleven and averages ten; after which his English education begins, and, though a precocious boy here and there might matriculate at fifteen, the average age for matriculation among Native boys is seventeen and for graduation in Arts twenty-one (*b*) The open competition should be identical and held simultaneously in India and in England. (*c*) Due consideration should be given to Indian languages, vernacular and classical, and Indian History.

4 By what changes may those disadvantages be minimised or removed, *e g*, (*a*) by the establishment of scholarships and allowance of passage-money to Native candidates; (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects, (*d*) by holding simultaneously examinations in England and in India?—(*a*) The establishment of scholarships and allowances of passage-money to Native candidates would be unnecessary with the change in the open competition proposed in reply to Issues 1, 2 and 3 (*b*) The limit of age must be altered. It must be extended to twenty-three, as already proposed (*c*) The Indian Vernaculars, Persian and the History of India should be added to the subjects of the open competition, and the marks for Sanskrit and Arabic should be placed on an equality with those for Greek and Latin. (*d*) Simultaneous examinations should be held in India and in England On this point I lay the very greatest stress, and until very recently I did not know of any difference of opinion on this subject among the Native community. It is in fact the key-stone of the demands of the majority of the Native community I do not understand why for the *purely intellectual test* a Native of India should be compelled for a mere chance, and, under the present age limit, an *extremely doubtful* chance, to go to London; nor do I see any practical difficulties in the way of carrying it out. The Civil Service Commissioners might well send out to India three of their body with the examination questions in manuscript, which might be put into print in India one day before the examination The *viva voce* examination also should be conducted by these Commissioners. As to whether there are sufficient appliances in India at present for preparing candidates, this, I submit, is the lookout not of Government but of the Native community itself to redeem its word and prove the justice and practicability of its demands On the simultaneous exam-

ination scheme being sanctioned by Government, the men stigmatized by the term "Crammers," but whom Lord Salisbury showed in 1876 to be "the most efficient private tutors in England" and whose careful training, in the opinion of Sir Erskine Perry, "cannot be too highly estimated," will, I believe, open branch establishments in the Presidency cities and give all the intellectual, physical and even moral training which may be needed.

5. If an examination is held in India: (1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several Administrations, respectively, or between the members of the principal religious sects?—The examination held in India should be identical with that held in England, and it should be held at any one centre in India, to be fixed in rotation by the Government of India from the cities of Calcutta, Madras and Bombay. The competition should be free and open to all, and equal justice and fair play should be the ruling principle. The candidates in India and England should compete with one another and be selected in order of merit. There should be no apportionment of appointments unless Government is satisfied that the principle of no-apportionment may prove prejudical to the stability of English rule in India in the shape of excluding a sufficiently large number of Englishmen from the service, in which case, for some years to come, as a purely tentative measure, the appointments may be apportioned *half and half* between English and Native candidates.

6. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—I think every successful candidate in India should be compelled to proceed to England to complete his training there, as a visit to, and stay in, that country is likely to (*a*) free him from all prejudices of caste, race or creed; (*b*) bring him into contact with English life and civilization and intercourse with English society, not at the unripe and tender age of fifteen or sixteen, but at an age when he can understand and appreciate them and benefit by them both himself and his country on his return; (*c*) tend to a complete feeling of equality and harmony among the English and Indian members of the service, which is greatly to be desired; (*d*) tend to the acquisition of habits of self-respect and moral courage and of strength of character, which habits are, for various reasons, but chiefly on account of loss of political power and influence, sadly wanting among those classes of the Native community from whom the public service at present is, and the competitive Civil Service is likely to be, chiefly, recruited. (*e*) In general, give him a wide and all-round training.

7. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—The young Natives obtained under the existing system of the open competition in England are, I believe, the best specimens of their class, able and worthy men both as regards character and capacity, though, perhaps, in some instances, physically not as fit as could be desired on account of the present very low limit of age. But, under a system of open competition, as above advocated, there being a much wider field to choose from, the probability of securing *the best* men is much greater.

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic, Cap 3, Section 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service should be recruited only from Natives of India, as described in Statute 33 Vic, Cap 3, Section 6.

2. Should the recruitment be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—The recruitment to the Uncovenanted Service should be made by free and open competition for first appointments, any University examination or other equally testing examination being held to be the open competition test for the same, as is the case regarding the Subordinate Revenue and Judicial branches of the service in the Bombay Presidency. The present system works very well, and, especially in the Subordinate Judicial Service, has tended to great efficiency.

3. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The recruitment to the Uncovenanted Service should be made by competition in each Province, to be confined

to residents of the Province. This would secure for the particular Province public servants thoroughly conversant with its special circumstances and requirements, and would, besides, contribute to a healthy administrative growth of each particular Province, which is greatly to be desired, especially if it is a comparatively backward Province.' In Provinces 'specially backward Government may appoint officers from outside their respective limits.

No. XXX.

CURSETJI RUSTUMJI THANAWALA, CHIEF JUSTICE OF BARODA CHIEF COURT, HIS HIGHNESS THE GAEKWAR'S SERVICE.

Vol IV. Sec III. Sub-Sec B. *Bombay.*

Cursetji Rustumji Thanawala, Esq.

I am a servant of the British Government, and my services have been lent to the Baroda State. I have been in the service for about thirty years.

I.—Statutory Civil Service.

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—I have not the pleasure of knowing the Statutory Civil Servants personally. From all accounts which I have received, I am led to believe that the existing system of appointing young men as Statutory Civilians is not approved

2 If it is not, what are the grounds of disapprobation?—I believe that they do not command that respect of the public which it was expected they would command. They are generally regarded as inferior to the regular Civilians, and not superior to the higher class of the Uncovenanted Service, and I think the system of appointing young men to the service has not met the object which the Government of India had in view, nor has it satisfied the aspirations of the Natives. The Civilians do not consider the Statutory Civilians now appointed as their equals, and the higher grade of the Uncovenanted Service do not consider them as superior to themselves. Again, University men do not look upon them as men of superior calibre. Hence, I have reason to believe that the prevalent feeling regarding the existing system of appointing young men to the service is one of dissatisfaction.

3. Are the defects of the existing system (if any) susceptible of remedy: (*a*) by an amendment of the Rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—I would amend the Statutory system by discontinuing the appointment of young men to the service, and by limiting it to the appointment of those of the Uncovenanted Service or in the practice of a profession who are of proved merit and ability. I would amend the rules to the above extent, without disturbing any of the provisions of the Statute itself.

4. If the provisions of the Statute 33 Vic., Cap. 3, Section 6, are not repealed, nor substantially amended so as to take away the power conferred on the local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—Members of the Uncovenanted Service who are of approved merit and ability, and who have already served in the higher grade of the service for at least five years, should be taken into the Civil Service on a salary which will at least be nearly the same as they drew in the Uncovenanted Service. This should be done by nomination with or without any probation or subsequent examination at the discretion of Government.

5. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—I would retain the Statutory Service as regards the appointment of officers of the Uncovenanted Service or of those in the practice of a profession, as aforesaid. In the case of these experienced persons a visit to England should not be made compulsory, but they should be encouraged to visit the country by payment to them of passage money, allowance, &c.

II.—Covenanted Civil Service.

3. Do Natives of India labor under any, and, if any, what disadvantages in competing for employment in this branch of the service?—The Natives of India do labor under disadvantages in competing for the Covenanted Civil Service. These advantages arise principally on account of the present limit of age, and on account of the Native candidates having at a very early age to go to England to take their chance of competing for the service. I agree with the following views expressed in the Indian Civil Service Memorial to the House of Commons:—

"Your Memorialists do not deem it necessary to dwell at length upon the hardship, not to say the unfairness, of requiring Indian candidates to proceed to England, at an early age, at great sacrifice, at an immense cost, upon the mere chance of passing successfully a most difficult examination, with competitors who have the advantage of being examined in their own language, and in events connected with their own history."

4. By what changes may those disadvantages be minimised or removed, *e.g.*, (*a*) by the establishment of scholarships and allowance of passage money to Native candidates; (*b*) by altering the limit of

age; (c) by adding to the subjects of examination, or by altering the maxima marks obtainable in certain subjects; (d) by holding simultaneously examinations in England and in India?—The disadvantages would be removed by: (1) raising the limit of age to twenty-three years. This should be equally for all the candidates, whether British or Native; (2) adding to the subjects of the competitive examination the Persian and the Urdu and other vernacular languages; (3) raising the marks obtainable for Sanskrit and Arabic to the standard of marks obtainable for Latin; (4) holding simultaneously examinations in England and in India.

5. If an examination is held in India: (1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another, and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated?—The examination held in India should be identical with that held in England It should be held at one centre. The candidates should be examined on the same day and in the same papers, and those passing in England and in India in the same year should hold rank in the order of merit taken together. For the present, a certain number of appointments should be apportioned for competition to the candidates at the examinations held in England and in India. Every year half the number of Civilians should be selected from those who pass in England, whether British or Native, and the other half should be Natives, consisting in equal proportions of those who have passed the competitive examination in India, and of those who have been appointed from the Uncovenanted Service, or from a profession.

4. Should there be an apportionment between the residents in the territories of the several Administrations, respectively, or between the members of the principal religious sects?—The apportionment between the residents in the territories or between the members of the principal religious sects should be left to the discretion of the Government of India in consultation with Local Governments. In my opinion the apportionment should be between the residents in the territories, irrespective of the religious sects to which they may belong.

There should be established in India an institution for giving the special training necessary to qualify candidates for the Civil Service. To begin with, one institution, either at Calcutta or Bombay, should be established. No one who has not studied at the institution should be allowed to compete in India for the Civil Service. The candidates to be admitted to the institution should be selected by the Government of India after considering their family connections, education, &c, just as young men are now appointed to the Statutory Service. This mode of selection will serve as a check on indiscriminate admissions to the institution, and Government will be in a position to see that persons of the same class or caste do not preponderate in the service, and that there is a fair proportion of candidates of different classes and castes This will be necessary for some years, until persons of all castes begin to take equal advantage of the institution.

6 If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—After the selected candidate has passed his final examination in India, he should be appointed as Assistant Collector and Magistrate, and after he has served for a time, and passed his departmental examinations, he should be required to visit England. He should stay in England for about two years, and the expenses of his visit to England should be paid by Government in addition to his allowance, just as selected British candidates get certain allowances during their residence in England

Native Civilians should be precluded from rising beyond Second Assistant Collectorship, unless they shall have visited England. Their visit to England at a comparatively mature age and as officers of Government will do great good both to themselves and to the public service

Though objection to visit England on the ground of caste prejudices is gradually dying away in all classes, it is considered not safe but a great risk to send young boys to England, but the case would be different when Native Civilians of comparatively mature age visit the country. Again, arrangements can now be easily made for the prevention of loss of caste, which loss in certain classes operates to the social disadvantage of the visitors on their return to India, and greatly impairs that influence and respect which they would otherwise command in the Native community. Arrangements might easily be made like those made by the Oriental Institute at Woking near London, where it is possible for a Native to keep caste owing to intra-mural and other arrangements made there. Persons holding the high position of Civilians should, if they desire it, be enabled to return to India with unimpaired influence amongst their fellow-countrymen, and be thus of real use to Government, and be the trusted pioneers in the Native community. I agree with the opinion that "it has yet to be proved that a Native of this country who defies or ridicules his religious or caste obli-

Vol IV. Sec III Sub Sec B. *Bombay*

Cursetji Rustumji Thanawala, Esq

gations (with which morality is intimately connected) necessarily makes a good public servant."

7. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—I think that the young Natives obtained under the existing system of open competition in England occupy a very high position as regards character and capacity. In regard to this, I may quote here with advantage a passage from the report of the Committee appointed to frame rules for the open competition and presided over by Lord Macaulay. The passage which was quoted with full approbation by the Civil Service Commissioners in their report to Her Majesty is as follows: "Early superiority in science and literature generally indicates the existence of some qualities which are securities against vice—industry, self-denial, a taste for pleasures not sensual, a laudable desire of honorable distinction, a still more laudable desire to obtain the approbation of friends and relations We, therefore, believe that the intellectual test which is about to be established will be found *in practice* to be also the best moral test which can be devised" (Civil Service Blue-Book of 1876, p. 29)

In my opinion the young Natives passing their examinations in India and then visiting England would certainly be equal, if not superior, as regards character and capacity, to those Natives who may pass in England itself.

162 & 163. Should subjects of Native States be eligible for appointment to Covenanted posts in British India? If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—Subjects of Native States in India in subordinate alliance with the Crown should be admitted to the Civil Service. The educated sons of the wealthy zemindars, noblemen, and Savkars, as well as educated relatives of Native Princes, will be an acquisition to the service. Their entrance into the Civil Service will be a stimulus to others of their class in different Native States to receive good education, and to be useful to their own States. Again their services might be lent by British Government to Native States, just as many officers of the British Service are now lent to Native States. It is an admitted fact that one way of improving the administration of Native States is to provide them with properly-qualified officers.

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Sec 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service should be recruited mostly from Natives of India as described in the Statute. I take it that subjects of Native States in subordinate alliance with the Crown are included in the words "Natives of India."

The Uncovenanted Service should be reserved generally for Natives, and though a few Anglo-Indians may be admitted to the service, their introduction into it should be guarded with certain limitations, otherwise they would, in course of time, exclude Natives from the higher grades of the service, notwithstanding that Native agency is, as far as possible, very desirable for the Uncovenanted Service in all its grades.

There should be a rule that no appointment of Rs. 150 and upwards should be given to Anglo-Indians unless they have passed the tests which the Natives have to pass before getting such appointments.

2. Should the recruitment be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices, or classes of offices, or should the system be varied with the class of offices?—The recruitment should be by nomination of persons who have passed the tests prescribed for different grades of the service. The present system has, in my opinion, worked well.

3. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The recruitment should be made by the several Administrations only from persons resident in the territories under such Administrations, it being left to the discretion of the Government of India to transfer officers from one Administration to another.

4. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—If the Statutory Service be abolished, and if a competitive examination be not opened in India, the proportion of offices assigned to that service should be allotted to the Uncovenanted Service.

As regards the Uncovenanted Service, it has been very much improved now-a-days, and the rule of regularly taking up persons of merit and ability from the service into the regular Civil Service would give general satisfaction to the Uncovenanted branch of the public service.

IV.—Pay and Furlough Rules.

Cursetji Rustumji Thanawala, Esq

1 to 4 Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated? Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other, and what ground? Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory Rules?—As regards pay, allowances, &c, there should be no distinction between the British and the Native Civilians Any distinction between the privileges of the two classes would be disliked by the public, and would brand the Natives with a certain degree of inferiority. The fact that there is no distinction whatever between the two will exceedingly improve the status of the Native Civilians, who would then be in a position to command the desired respect and influence as regards the Native community generally, which is so much necessary for the proper administration of the country It is necessary that to the good education which the Natives might receive the advantage of equal status with their brother Civilians should be added, and this can hardly be secured unless the Native Civilians have the same pay and allowances as the British Civilians. If this be considered not practicable just now, the pay of all Civilians, whether British or Native, should be the same, but a special allowance, say, of about 25 per cent., may be given to the British Civilians coming out from Great Britain after passing their examination in England, in consideration of their having to serve at a long distance from their homes

No. XXXI.

BHAISHANKAR NANABHAI, SOLICITOR, BOMBAY HIGH COURT.

Vol IV. Sec III Sub-Sec. B *Bombay.*

Bhaishankar Nanabhai

The Statutory Civil Service.

The existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service is generally disapproved The Statutory Service is looked down upon as an inferior service, and one to which admission is to be had by the side door of Government-house influence. The creation and maintenance of a service bearing such a distinctive mark of inferiority, and promoting favoritism, are opposed to the principle and policy of the solemn promises graciously vouchsafed to us from time to time. Nor does the system in question afford any compensation for the practical exclusion of the Natives of India from the Covenanted Civil Service under existing regulations. Among other objections to the system are: (1) that the area of selection is unduly restricted; (2) that the mode of selection is calculated to lead to a misuse of patronage and to the perpetration of jobbery, (3) that as the result of (1) and (2) essential qualifications, such as intellectual capacity are subordinated to, if they are not practically superseded by, accidental and comparatively unimportant considerations of birth and family interest. The necessary consequence of such a system is that the best available talent is not secured, and instead of men of "proved merit and ability," mediocre men having influential relatives and friends get in. A system so wrong in principle and so objectionable in practice is indefensible and ought not to be maintained, if it is intended; as doubtless it must be, to satisfy the legitimate aspirations of the Natives of this country, and to give effect to the policy enunciated in the Royal Proclamations and Acts of Parliament and solemnly and deliberately emphasised and re-affirmed from time to time This can only be done by removing, as far as may be, the difficulties under which Native candidates now labor in competing for employment in the Covenanted Service, and which, whatever the object, have certainly had the effect of practically shutting them out of the service altogether. These difficulties will be best removed by adoption of reforms in the existing regulations for admission to the Covenanted Service by open competition on the lines to be hereinafter indicated. But the Statutory system may be maintained till such time as a fairer and more liberal policy on the basis of these or similar reforms governs the conduct of the open competition for the Covenanted Service. I would recommend, with the view of remedying the graver defects of the existing system of nomination, that the field of selection be enlarged so as to embrace distinguished University men, among others, and the mode of selection altered so as to secure men possessing the necessary mental, moral and physical fitness, of which an open competition is perhaps the best available test; for it is as true now as it was in the days when Lord Macaulay delivered his memorable speech on the Government of India Bill in 1833 that, though examinations may not be infallible tests of what men would prove to be in after-life, yet those who attain high distinction in the world in every walk of life are generally men who were distinguished in their academic career The successful candidates must be obliged to proceed to England and required to pass the subsequent tests to which candidates selected by open competition in England are now subjected. The present limit of the total appointments reserved for the Statutory Service must also be enlarged

The Covenanted Civil Service.

But the dissatisfaction with the existing system of recruitment for the Covenanted Civil Service, with its practically prohibitory conditions, is too wide and deep-seated to be effectually removed, except by removing the conditions which now so severely handicap Natives in the race for competition. The very low limit of the maximum age, the difficulty of mastering a difficult foreign language like the English at such an early age, the obligation of submitting to the test in England, the heavy outlay which the obligation involves on the slenderest chance of winning the coveted prize, the grave dangers of sending boys of tender ages to England,—these are among the most serious difficulties in the way of Native candidates to which the feeling of dissatisfaction is directed. These difficulties, and especially the gradual reduction of the limit of the maximum age in direct opposition to the most competent, unbiassed and unimpeachable testimony, certainly seem to give color to the suspicions entertained in many quarters which ought to be well-informed, that these are so many expedients deliberately devised "for breaking to the heart the words of promise uttered to the ear." With true prophetic vision did Lord Monteagle observe in the debates in the House of Lords in 1853—"if the only door of admission to the Civil Service of India is a competitive examination carried on in London, what chance or

what possibility is there of Natives of India acquiring that fair share in the administration of their own country which their education and abilities would enable them to fulfil, and therefore entitle them to possess?" It is also an open question whether the present limit of age does not discourage culture and promote "specialised general cram," and unduly tax the mental and physical powers of the candidates so as to lead to a premature breakdown I would therefore strongly advocate the raising of the maximum age to twenty-three for all candidates, Native and European, and the holding of simultaneous examinations in England and India as the most crying and indispensable reforms. The latter reform was proposed and strongly advocated by a Committee of the India Office itself so far back as 1860, and has since been strongly pressed by competent and independent judges from time to time for adoption The equalisation of the Indian with the European classes in regard to the maxima marks prescribed and the introduction of the more important Indian vernaculars into the present curriculum would also be a reform in the right direction I am decidedly of opinion that the successful candidates should be required, as a condition obligatory, to proceed to England and reside there for at least two years to complete their training, Government providing facilities for the purpose. The examination in England and India must be absolutely identical, European and Native candidates competing with one another and being selected in order of merit, and conducted under precisely the same conditions for testing the requisite standard of fitness, intellectual, moral and physical, and it must be held at one centre only. That there are difficulties in the way of holding the examination in India may be conceded, but I am satisfied that they are not insuperable and will be easily overcome with the sympathetic co-operation of Government. Adequate educational agency will spring up in the country, and in time work up to the necessary degree of efficiency This in its turn will react on the character of the education and training imparted in our High Schools and Colleges, which by itself will be an incidental but distinct gain of immense value. When Native candidates thus compete on absolutely equal terms with European candidates, no distinction should, on principle, be made in the salaries attached to the posts held by the selected candidates, be they Native or European, and the salaries should have reference not to the nationality of the holders of the office but solely to their fitness and competence to hold them. An extra personal allowance may, however, be fairly made in the case of European members of the service in view of their greater social wants. The present scale of salaries must, however, be revised, for whatever justification there may have been for fixing the scale originally at the present standard, it has ceased to exist under the altered conditions of modern times A reduction of 25 per cent all round is not only reasonable but essential, and I am persuaded that the reduction will not lead, as seems to be sometimes apprehended, to a deterioration of the efficiency of the service, or impair its popularity, and it will still continue to attract candidates from the classes from which under existing regulations for the open competition candidates are drawn.

There is an *a priori* probability that the young Natives obtained under the existing system of the open competition in England are the best as regards character and capacity who could be obtained under that system; but I am not prepared to say that they are the best obtainable under any system, there being no sufficient and reliable data to warrant such a generalisation.

No. XXXII.

C. M. BHAT, RAO BAHADUR, SUBORDINATE JUDGE.

Vol IV
Sec III
ib-Sec. B.
Bombay.

M Bhat,
o Bahadur.

The Statutory Civil Service.

1. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—The prevalent feeling regarding the Statutory system is one of general dissatisfaction.

2. What are the grounds upon which any such feeling is based?—Because the appointments under that system are due to nomination and not to a generally recognised test of merit; and because the status of Statutory Civilians is inferior to men who enter the service by passing an open competitive examination.

17. Has the Statutory system had the effect of securing men, who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—The Statutory system has not secured men who, in point of education and natural ability, are superior to the average of those promoted to the higher ranks of the Uncovenanted Service.

18. Has the result of the Statutory system been to secure the services of men of better social position and better family than those who usually accept posts in the Uncovenanted Service?—Nor has it secured the services of men of better social position and better family than those who usually accept posts in the Uncovenanted Service. As a matter of fact some Statutory Civilians were members of, or candidates for, appointments in the Uncovenanted Service.

26. In preference to either of the above systems (nomination and limited competition) would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community?—A system of open competition, pure and simple, for the Statutory Service would commend itself to the Native community, on the assumption that the Statutory system is to be retained only so long as the Natives are not able to avail themselves of the Covenanted Civil Service Examination in considerable numbers.

46 If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—If the system of examination in England were revised with the result that the Natives availed themselves of it in considerable numbers, it would not be necessary to retain the Statutory system.

The Covenanted Civil Service.

64 & 65. Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates? If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—Age and other matters place Native candidates at a disadvantage as compared with English candidates.

Natives are not able to master English and to complete their education in that language at the age now fixed for the Covenanted Civil Service Examination. Less marks are assigned for the knowledge of those classical languages which Natives have means of studying, and which are sure to be of use to those who have to serve in India, namely, Sanskrit and Arabic, than other classical languages. The cost of a voyage to England and the chances of failure deter many suitable candidates from competing for the Civil Service examination.

To remedy these disadvantages the limit of age of candidates should be raised to twenty-three years; (2) marks for proficiency in Arabic and Sanskrit should be greatly raised; and (3) examinations should be held in England and India simultaneously.

69. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province?—Persons who graduate at the Indian Universities are drawn from all classes of Native society.

70. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used for both examinations.

71. How would this method of selection be regarded by the Native community generally?—This system would be regard-

ed with approval by the Native community generally.

72. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—I would admit both classes freely to either examination.

74 Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system, as introduced in 1855, to secure?—The educational institutions available in India are capable of giving high class education in those subjects that are taught in them. Provision will have to be made for teaching those subjects which are fixed for the Indian Civil Service and are not taught in the educational institutions in India This improvement will be made as soon as necessity arises for it

75 & 76 Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others? Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Open competition in India is not likely to give decided advantages to any particular class or caste in the public service.

77. Do you think there are any objections on political or administrative grounds to open competition in India?—There are no objections on political or administrative grounds to open competition in India

83 to 85. If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age; and in regard to moral, social and physical fitness?—The maximum limit of age of candidates should be raised to twenty-three years Certificates of good moral character should be produced by candidates, and their physical fitness should be ascertained.

91. Would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there?—Successful candidates in India should be given an option of going to England, suitable allowances being given to enable them to prosecute their studies there.

The Uncovenanted Service.

106. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—The Uncovenanted Service, equally with the Covenanted Service, should be open to all natural-born subjects of Her Majesty who possess the necessary qualifications.

General.

127. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—The existing system of education in the higher schools and colleges in India is well adapted for training young men to the public service But provision will have to be made therein to teach certain subjects fixed for the Civil Service, but not taught in colleges in India.

128 In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—Indian schools and colleges at present supply an education of a high standard, but it would be advisable to give a finishing stroke to it by residing in England for a few years.

129. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—Indian schools do develop the force of character and other qualities required for English administration.

130. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country?—We obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country.

148. Would it be desirable to rule that the proportion of persons, being Hindus and Mahomedans respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any Province, should bear a certain relation to the number of the two classes composing the population of the Province concerned?—It is not desirable to fix the proportion of Hindus and Mahomedans who should enter the Covenanted ranks.

151. How would the following scheme be regarded by the Native community: (1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible.—The Native community would not approve of the scheme alluded to in question 151.

152. How would you regard such a scheme?—I would not like it, as introducing unnecessary complications.

153. How would the Native community

C. M. Bhat, Rao Bahadur.

regard the following:—(1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England to which Natives and Europeans alike would be admitted. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible?—The Native community would approve of the scheme alluded to in question 153.

154. How would you regard such a scheme?—I would not approve of it for the reason given above.

Recruitment of the Subordinate Services.

179. To what extent do Natives of good family and education in your Province offer themselves as candidates for Subordinate Judicial and Executive appointments?—Many Natives of good family and education offer themselves as candidates for Subordinate Judicial and Executive appointments.

194. Are you in favor of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions?—High educational capacity is an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services.

197. Generally, what system do you advocate for filling appointments in the Subordinate Executive and Subordinate Judicial Services as above defined?—Qualifications required at present on the part of candidates for those appointments are sufficient.

No. XXXIII.

K. B. NANJIANI, ACTING DEPUTY EDUCATIONAL INSPECTOR, URDU SCHOOLS, NORTHERN DIVISION.

I.—Statutory Civil Service.

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—Not fully.

2. If it is not, what are the grounds of disapprobation?—Grounds of disapprobation: (*a*) paucity of the number selected; (*b*) insufficiency of pay and pension.

3. Are the defects of the existing system (if any) susceptible of remedy: (*a*) by an amendment of the Rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—(*a*) By an amendment of the rules in respect of the points suggested above. Besides, leave and furlough rules ought to be revised.

4. If the provisions of the Statute 33 Vic., Cap. 3, Section 6, are not repealed nor substantially amended so as to take away the power conferred on the local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—The provisions may be amended so as the selection of the candidates may chiefly be made from members of the Uncovenanted Service, who are highly spoken of by their official superiors. The head of every Department may be instructed to suggest names, from time to time of persons serving under him who may have proved their ability and aptitude for work. A separate register ought to be kept of such names. The qualification of noble parentage may be left undisturbed.

5. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—The selected candidates should only be encouraged to proceed to England by: (*a*) paying their passage money; and (*b*) other necessary expenses.

II.—Covenanted Civil Service.

1. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Yes.

2. Should any, and, if any, what change be made in that system?—Change in the direction of (1) raising the limit of age; (2) redistribution of marks assigned to the classical languages of India; (3) introduction of Persian, Urdu, and the vernaculars of India in the open competitive examination (for details *vide* answer to question 4).

3. Do Natives of India labor under any, and, if any, what disadvantages in competing for employment in this branch of the service?—A Native student has, in the first place, to get up his vernacular, reading and writing. The average age at which he begins his English studies may be laid down at 13, his appearing for the Matriculation at 19, and F. A. at 23. A Mahomedan student is at a greater disadvantage. For, besides Hindustani, he has to devote two or three years exclusively to religious education, and at least in the Bombay Presidency a couple of years to the study of the district vernacular, either separately or side by side with his English studies. The study of Latin or Greek is almost obligatory to make up the total number of marks. Secondly, he has to undertake an expensive and risky voyage, *i.e.*, in point of success.

4. By what changes may those disadvantages be minimised or removed, *e.g.*, (*a*) by the establishment of scholarships and allowance of passage money to Native candidates; (*b*) by altering the limit of age; (*c*) by adding to the subjects of examination, or by altering the maxima marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India?—(*a*) Adequate scholarship and allowance of passage money. (*b*) By altering the limit of age—above nineteen and under twenty-three. (*c*) Addition (in the open competition examination) of Persian and the vernacular languages of India, with the restriction that no candidate be allowed to take up his own vernacular.

(2) Redistribution of marks as under:—

	Marks.
History of England ...	300
History of India ...	300
Geography of India... ..	200
Latin, Arabic, Sanskrit, and Persian; each	800
Vernacular language of India, each	500
French	500
German	400

the rest remaining unaltered.

Along with the other subjects prescribed, the selected candidate ought to be examined in the vernacular of the district in which he is to be employed, even if it happens to be his own vernacular.

Vol. IV. Sec III Sub-Sec B., *Bombay.*

K. R Nanjiani.

5 If an examination is held in India: (1) Should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? Should there be an apportionment between the residents in the territories of the several administrations, respectively, or between the members of the principal religious sects?—If an examination is held in India, which is hardly necessary when sufficient facilities are given to the candidates to proceed to England, and when the defects of the existing Statutory system are amended: (1) It should be identical with that held in England, preference being given to those passing in England in apportioning appointments. (2) At one centre. (3 & 4) Apportionment between the members of the principal religious sects.

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Section 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service, I think, should be recruited exclusively from Natives of India.

2. Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—The recruitment should be by competition.

3. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations, respectively, or with a preference for such residents?—The recruitment ought to be made by the several Administrations, with a preference for persons resident in the territories under such Administrations respectively.

4. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—Yes, if it is unfortunately abolished, instead of its being amended

IV.—Pay and Furlough Rules.

1. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—If the Statutory servants are recruited from experienced Uncovenanted officers of proved merit and ability (which I advocate) there should be no distinction in the salaries attached to posts reserved for the Covenanted Civil Service, or granted to members of the Statutory branch.

3. Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other, and what, ground?—No.

4. Are the privileges in regard to pay, promotion, and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory Rules?—Yes, when the Statutory system is amended as proposed.

Further Answers to Questions from Set D of the Questions.

19. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your Province?—Appointments to the Statutory Service by nomination will be favorably regarded by influential sections of the Native community in Gujarat, if selections were made in a majority of cases from experienced Uncovenanted officers of proved merit and ability.

20. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—The system of nomination to be followed by a period of probation is, I think, only necessary in the case of new comers. Those that are selected from the ranks of the Uncovenanted Service need no probation when they are held eligible by the head of the Department in which they are employed.

23. Do you consider that nominations should be confined to persons of proved merit and ability?—Yes.

24. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—The recommendation of the head of a Department to that effect should be held sufficient for this purpose.

30 & 31. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social, and physical fitness? If so, what

should be the tests under each of the heads specified?—(1) Age, which may be fixed at twenty-five, can easily be ascertained from the school registers. In the case of persons who are already in Government employ, no limit of age is necessary. (2) Intellectual capacity can be certified to as suggested in the answer to question 24. In the case of those that are to be newly admitted, a certificate to that effect after due enquiry by the teacher or professor under whose direction the candidate may have prosecuted his studies during the last preceding twelve months should be held sufficient. (3) Remarks made under head (2) apply *mutatis mutandis*, except that the usual certificate for physical fitness which persons entering Government service are required to produce, would do well

32 Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—Yes. In the case of new comers.

35. If so, should the special training be carried out in India or in England?—In India.

37. If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—It is advisable to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England

38. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service?—Yes

39. If so, what form should such encouragement take?—Allowance of passage money.

42. Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—Yes.

43. If so, how would you connect such a scheme with the selection of Natives for employment in the higher administrative posts in India?—A specific class of appointments may be set apart exclusively for those that are appointed under the Statutory system—for instance, sub-judgeship to begin with.

45. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—Yes.

46. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—Yes.

47. If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions, over and above those already existing would you impose?—Sub-judgeships and Judgeships of Small Cause Courts and the like may be reserved for those appointed under the latter system.

48. Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—No. It would be favorably looked upon if the suggested additional facilities are given them.

49 Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—Yes

50 If so, what form or forms should such facilities take?—*Vide* answer to question 4, II—Covenanted Civil Service (under the heading of Issues).

52 What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—Those who have failed to secure a place amongst the successful candidates, but have shown merit in the English competition, may be provided for in the Uncovenanted Service with half the emoluments that they would have been entitled to had they been successful

57. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Yes. But only by orthodox Hindus

58. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—There should be one and the same examination for all.

65. If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—If Native candidates are granted passage-money, suitable scholarships (half of which they may be made to refund if unsuccessful) and the marks for the classical and the vernacular languages of India are redistributed as previously suggested, and the maximum limit of age raised to twenty-three, the other minor disadvantages would be too insignificant to be removed.

66 If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be?—The limits of age for Natives as well as for Europeans ought to be the same—above nineteen and below twenty-three.

68. What is the average age at which Natives at the Indian Universities pass the examinations for F. A., B. A., and M. A.,

respectively?—F. A., twenty-one; B. A., twenty-three; and M. A., twenty-five.

69. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province?—From the middle classes.

70. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—Assuming no facilities are given to the Native candidates for competing in England, I strongly advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations.

72. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—Both classes may be admitted freely to either examination.

75. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—Yes. To the forward classes, such as Parsis and Parbhus.

76. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Yes.

77. Do you think there are any objections on political or administrative grounds to open competition in India?—The only objection is that an undue preponderance would be given to the forward classes or castes in the public service; but it may be remedied by retaining the Statutory system as a sort of neutralising force, so that there may be no overbalance in favor of any particular class or caste.

78. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—Yes. But it may be remedied as suggested above.

80. Would a system of provincial examinations be preferable to one examination for the whole of India?—One examination for the whole of India is preferable.

83 to 85. If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age; in regard to minimum educational attainments; and in regard to moral, social and physical fitness?—The limit of age ought to be the same as that for open competition in England, *viz.*, above nineteen and below twenty-three. F. A. Examination. The usual certificate to that effect will suffice.

87. Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different?—The subjects and conditions of the examination are to be the same for both.

91. Would it be preferable (*a*) to require successful candidates to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there?—It will be preferable to require successful candidates to go to England, so that they may be acquainted with European manners, and be imbued with a higher sense of duty, uprightness, truthfulness and the like laudable qualities.

92. Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment?—Yes.

93. If so, what should be the duration of the probationary period?—Two years.

94. How should it be passed—in the ranks of the Uncovenanted Service, or otherwise?—The probationary period should be passed in the same way as it is now passed by the successful candidates in the competition in England.

Concluding Remarks.

The best system is an open competition in England with all facilities afforded to Natives proceeding to England for that purpose that have been previously suggested.

Failing that, I am for an open competition in India, the Statutory Service being retained as a sort of supplement; even in the former case the Statutory system may be retained with advantage, at least for a period of ten years, and may be recruited, in the first place, from Uncovenanted officers, and, secondly, from cadets of leading families not in Government employ.

As regards the apportionment of appointments among successful candidates with a view to preserve supremacy of British administration, I think the high posts of Collectors and the like should be reserved for Europeans.

The answer to question 38 in the affirmative applies only to those that are selected from Uncovenanted officers. As regards those that are newly admitted, they should be required to go to England.

No. XXXIV.

RAO BAHADUR BEHECHARDAS VIHARIDAS, DESAI OF NADIAD.

The Statutory Civil Service.

1. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—So long as the proposals made in answer to Nos. 63 and 64 or in answer to Nos. 147 and 148 are not adopted, the general feeling is and will be one of partial satisfaction, inasmuch as the Natives are thereby made eligible for admission into the Covenanted Service without going to England.

13. Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel?—Yes.

14. If such a feeling exists, on what grounds is it based?—To the indiscriminate selection and the comparatively small pay.

15. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted Officers?—Yes.

16. If so, on what grounds?—Because Uncovenanted Officers are not eligible to posts which Statutory Civilians are held qualified to occupy in the Covenanted Service.

17. On the assumption that the Statutory system is retained, how would appointment to the Statutory service by nomination be regarded by influential sections of the Native community in your Province?—Intelligent influential sections do not regard appointments by the present mode of nomination with satisfaction.

18. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—Not with favor.

19. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—Yes.

20. Has experience actually shown such a system to secure well-qualified officers?—Sufficient time has not elapsed to form a definite opinion.

21. Do you consider that nominations should be confined to persons of proved merit and ability?—Yes, but preference should be given to those of the candidates of equal merit and ability whose social position deserves consideration.

22. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—Either by free competition or by a fixed standard of education.

23. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments, or by the Universities, or by those authorities concurrently or alternately, be regarded?—The system proposed would not satisfactorily succeed.

24. In preference to either of the above systems (nomination and limited competition) would a system of open competition pure and simple for the Statutory Service commend itself to the Native community?—Yes, subject to the proviso in answer to No. 21.

25. If competition (whether limited or open) is preferred, should there be one competition for all India or separate competition in each Province?—The standard of competition should be one for all India, but the examination might be simultaneously held at convenient centres.

26. If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several Provinces?—Consideration of the proportion is not necessary.

27. Having regard to the varying educational standards reached in the several Provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some Provinces being more or less excluded from a due share of appointments?—No, unless the standard fixed is uniform.

28 & 29. Under any of the three systems of nomination, limited competition and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age; (2) intellectual capacity; (3) moral, social, and physical fitness? If so, what should be the tests under each of the heads specified?—Age from twenty-one to twenty-five years; educational capacity, say the passing of the B. A. examination; moral, social and physical fitness the same as required for the higher grade of the Uncovenanted Service.

30. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation?—Yes, for obtaining departmental qualifications only.

31. If so, what should be the duration of the probationary period?—Say two or three years.

32. Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—Covenanted Service.

33. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—No.

36. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service?—Yes, it should be optional with the candidate.

37 If so, what form should such encouragement take?—Adequate allowance for expenses to be incurred by the candidate, who should be required to travel with a view o get an idea of the principles on which he several systems of administration are arried on.

38 & 39. Should it be offered before, or urng, or after the probationary period, if ny, through which nominees or selected andidates may be required to pass? Should t be offered before or after the nominees or elected candidates enter on their duties?—)uring the probation

40 Are you in favor of the establishent of scholarships tenable by Natives in England for the purpose of enabling them to ualify for the Civil or Statutory Service?—Yes, for the Civil Service only

41. If so, how would you connect such scheme with the selection of Natives for employment in the higher administrative osts in India?—The scholarship holder hould compete with other candidates for admission into the Covenanted Service.

44. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—No, if the system of admission to the Covenanted Civil Service be adopted as proposed in answers to Nos 63 and 64

Competition in England for the Covenanted Civil Service

46 Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—No.

47 Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—Yes, subject to answers to Nos 63 and 64.

48 & 49. If so, what form or forms should such facilities take? What conditions, if any, should be attached to them?—By raising the period of age, by substituting Oriental languages, *vide* answers to Nos. 63 and 64, and by offers of stipends.

50 What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—They may be given.

51. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—By all the Hindus of high class on account of religion.

56 Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—One and the same examination for all, subject to the modification with regard to languages, *vide* answers to Nos 63 and 64

62. Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—Yes

63 & 64 If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage? If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be?—Age and place of examination. Age twenty-three years, and examination should also be held in India. If possible choice should be given to the Indian candidates to take Sanskrit, Arabic or Persian for Latin, Greek and French as their second language.

65 If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—The age of European candidates may also be raised to twenty-three years.

66. What is the average age at which Natives at the Indian University pass the examination for F. A., B. A., and M. A., respectively?—This can best be answered by reference to University statistics.

67. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province?—Brahmans and Banias.

Competition in India for the Covenanted Civil Service.

68. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same questions papers being used at both examinations?—Yes, subject to the modifications with regard to languages, *vide* answers to Nos 63 and 64.

69. How would this method of selection be regarded by the Native community generally?—With satisfaction

70. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—Both classes freely to either examination.

72. Do you consider that the educational institutions available in India are at present capable of giving the very high class

education which it was the object of the competitive system as introduced in 1855 to secure?—Yes.

73. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—No.

74. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—No.

75. Do you think there are any objections on political or administrative grounds to open competition in India?—No.

76. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—No.

78. Would a system of provincial examinations be preferable to one examination for the whole of India?—No.

79. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—No.

80 Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—The proposed system would be viewed with disfavor.

81 to 84. If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age; in regard to minimum educational attainments; in regard to moral, social and physical fitness; and in other respects (if any)?—The same as at present, with the exception of age.

85 & 86. Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different? If different, what should they be?—*Vide* answers to Nos. 63 and 64.

87. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c, should not also be different?—No reason.

88 to 91. Should successful candidates go through a period of special study in India like the English candidates who spend two years in special preparation; or would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there? Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment? If so, what should be the duration of the probationary period?—Successful candidates should go through special studies for two years, of which one may be in India and one in England, or two in England if the candidate so chooses; suitable allowance should be given during their probation; after the period of probation the candidate should undergo the final examination.

General.

123. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—Yes

124. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country?—Yes.

126. How far would any system of appointment, which involves a journey to, and residence in, England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—To a great extent by the high caste Hindus

127. How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to, and residence in, England?—All who have not sufficient means to bear the cost

130 Does a voyage to, or residence in, England involve the loss of social position or other unfavorable consequences in the case of any section of the Native community?—Yes

131 Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—It would depend upon the disposition of the visitor.

132 Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—Yes.

133 & 134. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to, and residence in, England? If so, what provision should be made for this purpose?—Yes, *vide* answers to Nos 63 and 64.

137 & 138. Whatever system or systems may be adopted, ought power to be

reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case? Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service or in the exercise of a profession, without preliminary examination or competition?—No.

141 & 142. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons? Would it be desirable to rule that the proportion of persons, being Hindus and Mahomedans respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any Province, should bear a certain relation to the number of the two classes composing the population of the Province concerned?—No.

145 & 146. How would the following scheme be regarded by the Native community: (1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible How would you regard such a scheme?—With disfavor.

147 & 148 How would the Native community regard the following: (1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England to which Natives and Europeans alike would be admitted. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible. How would you regard such a scheme?—If the scheme referred to in answers to Nos. 63 and 64 could, under no circumstances, find favor with the authorities, this scheme may do as a stepping stone towards attaining the desired object later on.

149 to 152. If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India? How would you view such a proposal? How would the Native community regard the following scheme: (1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India; (3) the remainder to be filled by competition in England. How would you regard such a scheme?—With disfavor.

162 & 163. Should subjects of Native States be eligible for appointment to Covenanted posts in British India? If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—Yes. All in alliance.

166. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—With satisfaction.

169. Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—No, but they do when obliged by circumstances.

174. Is it the case that certain classes of Uncovenanted appointments are practically reserved for Natives of pure descent owing to the fact that conditions are imposed which have resulted in shutting out Eurasians and other Statutory Natives of mixed descent?—No.

176. Are you in favor of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions?—Not necessary.

182. Do you advocate the requirement of a probationary period, and if so, what should be the incidents of such period as to duration, pay, and in other respects?—No.

184. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—Yes, decidedly.

PROCEEDINGS

OF THE

PUBLIC SERVICE COMMISSION.

VOLUME IV.—PROCEEDINGS RELATING TO THE BOMBAY PRESIDENCY.

SECTION III—SUB-SECTION C

SUB-SECTION C.—Other selected papers :—

CONTENTS

		Pages.
I	—The Rev. Alexander G. Fraser, D.D.	194
II	—Correspondence put in by Mr Lee Warner, Bombay	196
III	—The Hon'ble Raymond West, LL D., F R G.S., Judge, High Court, Bombay .	203

PROCEEDINGS

OF THE

PUBLIC SERVICE COMMISSION.

VOL. IV, SEC. III, SUB-SECTION C.

No. I.

THE REV. ALEXANDER G FRASER, D D.

Vol IV. Sec III. Sub-Sec C. — *Bombay*

Rev *Alexander G Fraser*

I came to India in 1845. I have been in this country forty-two years. Before coming to India I proposed as my life-work here, Native education. My educational and executive appointments kept me in intimate intercourse with the Natives of all creeds and castes. I have thus spent the *solidum diem* of my long life amongst the various peoples of this country I am acquainted with the progress which they have made, with their views and feelings in regard to their British rule and rulers, and with the intense aspirations of the best educated and more intelligent among them after fuller participation in the civil administration of their country. I desire to see an unexceptionably good government in India, with which the peoples of this country will be so satisfied that they will live a quiet and peaceable life in all moral, mental, social, and religious prosperity

I shall state the views of the educated and intelligent Natives of Bombay in so far as I understand them and concur in them

1. As regards the Statutory Civil Service This meets with unqualified condemnation. It is considered that nothing is required to secure a nomination but personal interest on the part of the nominee, or personal favor on the part of the nominating authority—that it affects but a very small class of the Native community—that it offers no reward for the encouragement of Native merit and ability generally, nor does it secure these for the Public Service—that it is merely a sop thrown out to quiet agitation for the rights of the people—and that it is not susceptible of amendment, so as to be a satisfactory measure, and should, therefore, be abolished.

2 As regards the Covenanted Civil Service This is dissatisfactory, in every point of view, to all classes of the Natives. The system of recruitment for this branch of the service is considered as virtually prohibitive of the admission of Natives into it. The system of competition by examinations held in England is generally misapprehended by the Natives of India; it is regarded as a system for securing the best men for the Public Service, whereas it is only a system for securing the best supply for the British element in the service. If this point were clearly understood, it would at least greatly qualify the opposition of the Natives to this service. The educated and intelligent classes of the Native community consider that, in virtue of the education they have received and of the intelligence they have acquired in the subordinate grades of the Public Service, the time has come for them to be admitted to a very large share in the Government of their country. While they would not, on any consideration, sever the connection between Great Britain and India, they feel that the time has come to fix the British element in the administration at its minimum, and to begin to reduce it ultimately to that minimum—that is, to reduce it as low as is consistent with the most secure maintenance of that connection and the most efficient administration of the government This British element is to be supplied by the present system of recruitment; and the branch of the service which it constitutes can only be, without a contradiction in terms, a close service. The appointments reserved exclusively for it should be those of a supervisional character, for which the members of this service would acquire the ripest experience and the maturest judgment in all the lower grades of the Public Service through which they would rise. For all other appointments in the Revenue line up to Collectorships or Deputy Commissionerships inclusive, and in the Judicial line up to Puisne Judgeships of the Supreme Courts inclusive, the Natives should be eligible. Thus the real government of the country would be actually administered by the Natives, who would constitute the Public Service; while a wise supervisional check would be exercised by the British element in the administration, which would constitute the Covenanted Civil Service. The Public Service, consisting of officers selected from the Natives of India, would be the counterpart of the Civil Service in Britain, and there would be nothing invidious to the Natives in the designation Covenanted Civil Service, for

the members of this branch enter into their covenants in England, which are simply designed to fix their duties and the rewards of their faithfulness. I believe that the educated and intelligent portion of the Native community would be satisfied with such a participation in the government of their country, for it would indeed be India for the Indians; but I am sure they would not be satisfied with anything less than such a possession of the actual administration of their country. It is desirable and just to satisfy their reasonable demands in this respect; and doubtless the Public Service, consisting of the Natives of the country, and the British element in it consisting of Covenanted Civilians, would work harmoniously together. If any member of this latter branch of the service would consider it below his dignity, while passing through the lower executive grades of the Public Service, to be subordinate to Native officers of superior grades, that spirit alone, as it would mar the harmony of the Public Service, should be a disqualification for any participation in the Indian Government.

3. As to the mode of selecting officers for the Public Service. In the British element, consisting of officers selected in Great Britain and Ireland, a University degree should be a *sine quâ non* for all candidates; then the competitive examination might be in subjects which would afford a better test of aptness, for administration. For the Public Service, consisting of the Natives of the country, a University degree should be a *sine quâ non*, but there should be no competition. The selection should be by nomination on the part of the Local Governments, always on the ground of well-tried merit and ability—merit having reference to loyalty, moral character, judiciousness, *suaviter in modo fortiterque in re*, impartiality, and such like traits; and ability having immediate regard to aptness for executive work in all official duties. Direct appointments should also be made by nomination on the part of Vice-Chancellors of Universities in consultation with the Principals of Colleges, and the nominees, if selected, should be required to enter the lowest grade of the service—the lowest grade being Tahsildar of the 4th grade or the highest grade below Mamlatdar. Promotion in the Public Service should always be on the ground of well-tried merit and ability, but *ceteris paribus* by seniority. I have not intended to do more than give, in the most general way, the views of the educated and intelligent Natives of Bombay.

No. II.

Vol. IV.
Sec III
Sub-Sec. C.
Bombay.

Mr.
Lee Warner

CORRESPONDENCE PUT IN BY MR. LEE WARNER, BOMBAY

No. 97, dated Bombay Castle, 21st January, 1887.

EDUCATIONAL DEPARTMENT.

From—W. LEE WARNER, ESQ., Acting Secretary to Government of Bombay.
To—The Secretary to the Public Service Commission.

SIR,

With reference to your demi-official letter to the address of the Acting Chief Secretary, dated 19th instant, I have the honor to forward herewith copy of a Memorial from the Managers and Head Masters of schools for Europeans in Bombay and others, and of the letter forwarding the Memorial dated 28th October, 1885.

2. Copies of two Memorials, one from the Lingayat Education Association, Dharwar, and the other from Syad Banker Saheb, Inamdar of Sulga, and other non-Brahman inhabitants of Belgaum, are also enclosed by order of Government.

Dated Bombay, 28th October, 1885.

From—The REV. A. GOLDWYER LEWIS, Honorary Secretary, Cathedral High School,
To—The Chief Secretary to Government of Bombay.

SIR,

I have the honor, on behalf of the signatories, to forward to His Excellency Lord Reay, Governor of Bombay in Council, the accompanying Memorial praying for the admission of Eurasians and domiciled Europeans to the Public Service in accordance with the terms of the despatch from the Secretary of State for India, No 8, dated 29th January, 1885, unhampered by the condition imposed by Resolution No. 7105, dated 3rd September, 1885, of the Bombay Government.

TO HIS EXCELLENCY THE RIGHT HONORABLE
D. J. M. LORD REAY, LL.D.,
GOVERNOR OF BOMBAY IN COUNCIL.

The Humble Memorial of the MANAGERS and HEAD MASTERS of Schools for Europeans in Bombay, and of others interested in the welfare of the European and Eurasian Community in Bombay

RESPECTFULLY SHEWETH,—

Your Memorialists are sensible of the fairness and equity of the decision of Her Majesty's Secretary of State for India, in his despatch No 8, dated 29th January, 1885, regarding the claims of Europeans and Eurasians, who fall within the definition of Natives of India (as given in section 6 of Statute 33 Vic, Chapter 3), to obtain such a fair share of the higher appointments in the Public Service as their merits and qualifications may entitle them to They now approach your Excellency's Government with the prayer that practical effect may be given to the satisfactory assurance conveyed in the said despatch, which was promulgated by Government Resolution No 985, dated 17th March, 1885, General Department.

2. While the status of domiciled Europeans and their descendants was under consideration, your Memorialists refrained from pressing upon the attention of the Government of Bombay the peculiar difficulties under which the section of the general community in which they are specially interested has long labored. But now that the inherent right of domiciled European and Eurasians to a share in the Public Service has been officially recognised, they no longer hesitate to represent to the Local Government the impediments which stand in the way of giving practical effect to the assurance of Her Majesty's Government, as set forth in the despatch already referred to They respectfully submit that the European and Eurasian community possess exceptional claims on the generosity of Government, inasmuch as they have relieved it of the greater part of the cost of maintaining educational institutions for their benefit. The European public have undertaken the whole cost of the education of this class of the population, exclusive of the small expenditure of moneys paid by Government under the Grant-in-Aid Rules. The Educational Department of Government, which provides Persian teachers for Mahomedans, and Sanskrit teachers for Hindus in the High Schools, does not bear the cost of providing for the teaching of the

second language required by the Grant-in-Aid Rules of the Educational Department, in European and Eurasian High Schools; and Government has been largely relieved of the expenses of providing school accommodation and educational apparatus for European and Eurasian boys, owing to the enterprise and liberality of the European public. While the education thus provided has cost the State less than that which is provided for other classes of the community, it has admittedly been not less but more efficient than that given in the Government High Schools Your Memorialists venture to point with pride to the result of the work done in their schools as tested by the University examinations, in which the pupils of their schools compete on equal terms with those from Government schools. In the year 1883-84 European and Eurasian schools passed 55 candidates at the Matriculation, being 75 per cent. of the total number sent up for examination; the percentage of success in the Government High Schools having been 46 In the two Native schools on the aided list, the percentage was 70, but from these last schools only nineteen candidates were successful Last year, *i. e.*, in 1884-85, seventy Europeans and Eurasians passed the Matriculation test, and no other class of students obtained so high a percentage of success. The Inspector's examinations bear equally favorable testimony to the excellence of the education afforded by European and Eurasian schools Your Memorialists also beg to call attention to the large number of European boys now being educated. In Bombay itself the number is between eight and nine hundred, and this total would be largely increased by adding the number of pupils in the Puna, Karachi, and other European schools in the presidency. It is in the interest of this large number of lads, who will shortly be seeking for employment, that your Memorialists plead.

3. Your Memorialists have shown that the numbers in the European and Eurasian schools are large, that the Government is relieved of a considerable portion of the cost of education in the schools by the liberality of the public, and that the quality of the education is actually superior to that provided by institutions wholly supported by public funds

Your Memorialists will now proceed to point out the impediments which hinder the pupils of these schools from reaping those fruits of their self-help and educational success which the Secretary of State has promised to them. Service under Government is reached by two avenues, both of which are practically closed to the children of domiciled Europeans. First, in the Native schools Government recognises Anglo-Vernacular Standard V. as a qualifying test for subordinate appointments. The corresponding standard for European schools is Standard VII, yet that standard is not recognised as a qualifying test for the public service in the case of Europeans. European students are thus precluded from fully sharing in the privileges accorded to other subjects of Her Majesty the Queen-Empress. Your Memorialists have every confidence that Your Excellency in Council will admit the justice of their complaints against such unfair exclusion

4 Secondly, the exclusion of domiciled European and Eurasian students, who are Natives of India within the Act already quoted, from the higher appointments in the service of Government, rests upon different grounds; but, in the opinion of your Memorialists, on grounds which are equally untenable, your Memorialists invite attention to the list of civil appointments published by Government, in which the history of their complaints is clearly written.

The list of Deputy Collectors occupies three pages of the Civil List, and a reference to it shows that in the first page, containing appointments made from 1859 to 1869, nine out of the thirteen are Europeans. On the next page, which contains appointments made from 1869 to 1873, only one out of the seventeen is a European; while, on the last page, only one out of twenty-three is a European.

Your Memorialists beg to invite your Excellency's attention to the rules* which limit the appointments in the higher grades of the Revenue Service to graduates of the University, and thereby practically exclude Europeans from appointments which are the most honorable and lucrative in the gift of the State It may be argued that it is open to Europeans to obtain this qualification by attending a college and obtaining a degree. Your Memorialists beg to be allowed to meet this argument, and are prepared to show that it is impossible, in most cases, for European youths to continue their education so far as the taking of a degree. The European community, whose sons are educated in India, is essentially a poor community. Very few parents can afford to give their sons a University education under any circumstances, least of all when the goal of their ambition, namely the Government service, is so doubtful of attainment.

* *Vide* Government Resolution No. 7105 of 3rd September, 1885, Part II.

Your Memorialists therefore respectfully submit that the course and continuance of study required for a degree are quite beyond the means of nine-tenths of the parents of European lads domiciled in India. They would, therefore, pray very earnestly that the condition laid down in Government Resolution, No. 7105 of the 3rd September, 1885, be modified, in order

that the sons of Europeans and Eurasians may compete on equal terms with those of the other classes of the community for the prizes reserved by that Resolution for the holders of a University degree. If Government is not prepared to adopt this suggestion, your Memorialists would venture to submit for the consideration of Government the claims of the students in whom they are interested to special assistance from the State towards obtaining the requisite degree Seeing that the Government is relieved of the main cost of education up to the Matriculation examination, your Memorialists submit that the State might properly provide scholarships for these students, and give the promise that successful graduates will receive due consideration when high appointments are to be awarded

5 Your Memorialists have carefully avoided all reference to the keen sense of injustice done to it, which the European community generally has felt at its recent exclusion from the service of Government. The despatch of the Secretary of State has given them some hope, and it is their desire that that promotion of their community to which the despatch refers, *viz*, the domiciled Europeans who fall, for the purposes of the despatch, within the definition of "Natives of India," should be enabled to take full advantage of it without favor or prejudice to the claims of others They are equally unwilling to refer to those political and social considerations which render it important that the offices of the public services should not be monopolised by particular classes, or to the danger which is likely to arise if a quickly and largely increasing section of the population is relegated to a condition of comparative poverty, since they feel assured that the force of these considerations must be fully felt by your Excellency's Government. But your Memorialists feel it a duty to those in whose education they are interested, that the weight of the exceptional difficulties under which they labor should be duly and openly represented. They pray that some one of the standards prescribed for their schools should be recognised as a qualifying test for the public service equally with Standard V. prescribed for the ordinary Anglo-Vernacular schools: and pray also that the position of European and Eurasian students in regard to collegiate education may be fairly appreciated. They submit that if the State is relieved of a heavy responsibility and expenditure on account of such students up to the Matriculation Standard, it may with fairness be asked to recognise a large responsibility on their account above that standard. Your Memorialists would prefer that the exclusion of all but graduates from higher appointments, which is unknown in the other Provinces of India, and they believe in all other countries in the world, should not operate to the special detriment of European lads in this Province. But if your Excellency's Government decide to continue this system, they would ask that the special needs of their community may be met by the provision of scholarships for Europeans in the Government colleges, and by the public assurance that the qualification for high appointments of those Europeans who pass the prescribed test will not be overlooked.

6. Your Memorialists trust that the subject of their Memorial may receive the early and earnest attention of Government, and your Memorialists will ever pray.

No. 1223, dated Bombay Castle, the 4th August, 1886.

ORIENTAL TRANSLATOR'S DEPARTMENT.

Translation of a petition from Syad Banker Saheb, Inamdar of Sulga, and 626 others, non-Brahman inhabitants of Belgaum, Zilla Belgaum, to His Excellency the Right Honorable the Governor in Council, dated the 9th, and received in this Department for translation on the 13th July, 1886.

The Revenue and Judicial lines of the public service under the British Government are chiefly occupied by Brahmans, and we are consequently unable to secure any employment in them The higher authorities of Government must be unaware of this state of things, and that is probably the reason why the evil is daily increasing in extent We respectfully beg to lay before your Excellency in Council the real state of things, and pray that our representation may be considered, and rules framed for the equal distribution of employments among all classes of the community

As this petition is written in Vernacular, we pray that the whole of it may be caused to be translated into English in the interests of ourselves, who are without any support, and justice done to us (There is no doubt that this petition will be caused to be translated, as the Translator's Office is specially established for the doing of such work: however, as we feel diffident, we make the prayer.)

As the accounts kept by Government will themselves show, non-Brahmans form the majority of the tax-payers, and yet no attention is paid to our grievances. Government may be inclined to redress them, but as all the posts under European officers, both high and low, are held by Brahmans, the European officers are not in a position to know our grievances. Although there is some improvement in this respect at present,

our grievances do not receive as much attention as they ought to do.

The two chief Departments in which the people are directly interested are the Revenue and the Judicial Departments. Formerly, the Public Service examination conducted in Vernacular was quite sufficient to qualify candidates for admission into both the departments. Even now, with some exceptions, the same test qualifies candidates for such admission. The examination was introduced in the year 1866-67, and from that time up to the year 1885-86, 5,836 candidates in all passed the examination, as conducted in Vernacular and English, in the Southern Division, that is, in Belgaum, Dharwar, Karwar, Bijapur and Kolhapur. Now, out of the said number, 5,033 are Brahmans and 803 are non-Brahmans What a great difference lies between the numbers of successful candidates in the two classes. Evidently the want of encouragement is the chief reason of such a low number among non-Brahmans. As soon as Brahman candidates pass the examination, they at once get employments as if the employments were specially reserved for them We, however, do not get such encouragement. Formerly, non-Brahmans were not allowed even to work as candidates in the public offices. Of late, however, we have been better off in this respect. European officers, as soon as they arrive in this country, learn our Vernaculars, and are personally able to know our grievances without the assistance of others. We are extremely sorry to see that, while a good many of the aforesaid successful Brahman candidates are at present employed in the Revenue and the Judicial Departments, not even a hundred of the 803 successful non-Brahman candidates are employed in those departments

We beg to give below a short statement showing the numbers of Brahmans and non-Brahman employès in certain departments:—

Name of District	Name of Department.	Total number of posts in the Department	Brahman employès	Non Brahman employès
1. Belgaum	Revenue	239	224	15
	Registration	18	17	1
	Judicial	54	47	7
	Total	311	288	23
2. Dharwar	Revenue	213	173	40
	Agricultural	42	41	1
	Registration	24	22	2
	Judicial	60	54	6
	Total	339	290	49
3 Karwar	Revenue	147	125	22
	Registration	23	19	4
	Total	170	144	26
	Grand Total	820	722	98

We beg to draw the attention of Government to the great difference between the aforesaid members of Brahman and non-Brahman employès Though we have not been able to give in the foregoing statement any particulars about the Bijapur Collectorate, the number of non-Brahman employès in that Collectorate also must be very small. If your Excellency in Council allows the present state of things to continue, who else will look to our interest? It is not proper that in the aforesaid small portion of this presidency, only 98 posts out of as many as 820 should be held by non-Brahmans. Almost the whole of the said 98 posts are low, only two or three of them may be high. Unless your Excellency in Council issues strict orders to do us justice, we shall not be employed as freely as Brahmans. It is owing to the discouragement we find in the direction of free employment in Government service that our youths do not take to higher education, and it is really much that, in the face of such discouragement, as many as 803 boys of our class have passed the Public Service examination If we had any such encouragement as is received by Brahmans, there is no doubt that the number of successful candidates among us would have been equal to that among Brahmans. The greater part of this country is inhabited by our people, and if we begin to get proper encouragement, it will not be very long before it is found necessary to establish two or three schools in every little village. It rests with Government to bring to us such happy days.

We must not be understood to mean that all those who acquire education among us should be employed by Government.

We simply pray that Government posts may be conferred upon candidates of all classes equally. Those among us who may not get employments under Government will take to such other occupations as are open to them.

Owing to the occupation by Brahmans of the greater portion of the Government service, we have not only been deprived of our proper share in the same, but owing to the same circumstance we are kept in the dark as to those matters connected with Government which everybody has a right to know for the attainment of his lawful purposes, and we are therefore obliged to spend much money. If people of all classes be employed in the Government service equally, we shall not be put to any such loss, and there shall be justice everywhere under British rule.

We understand that a resolution of Government was passed some time ago, directing that all classes of persons should be admitted into Government service. As yet, we have not had the good fortune to see the resolution brought into force.

Vol IV
Sec III
Sub-Sec C
Bombay.

Mr
Lee Warner.

The (Revenue) Lower and Higher Standard, and similar other examinations have been introduced of late for the purpose of ascertaining the qualifications of candidates for high places. Prior to their introduction, such places were conferred only upon those Brahman candidates who had passed the (Public Service) examination in Vernacular. If candidates of our class also had been appointed to the posts at the time, we should not have had the necessity of submitting this petition to Government, and men of our class would have been at present in the occupation of both high and low posts, like Brahmans. But that is not what has occurred, and thus the clause "we view all equally in Her Majesty the Queen-Empress' Proclamation of 1858" has been violated. It would have been proper for Brahmans, who have up to this time occupied the greater part of the public service, to interest themselves in us, their country-brethren, and to bring us forward, but, owing to our misfortune, they have not done so. As education has of late been progressing among us, we pray that strict orders may be passed directing that henceforth, especially in the Revenue and the Judicial Departments, we non-Brahmans alone may be employed till the number of Brahman and non-Brahman employès becomes equal; the condition of passing the above-mentioned Lower and Higher Standard and other examinations being relaxed in our favor in the meantime. We also pray that whenever the qualifications of a Brahman candidate are found to be equal to those of a non-Brahman candidate, preference may be given to the latter candidate. When the employès of our class and Brahman employès become equal in number, the special indulgence may be withdrawn and both classes dealt with on equal terms. We are aware that our aforesaid prayer appears selfish at first sight; but we submit for the consideration of Government the loss suffered by us up to this time in not being allowed our proper share in the public service. Anybody will clearly see that, though our prayer be granted, we shall not be sufficiently compensated for our loss. We also pray that a circular may be issued directing that any rules that may be issued in compliance with our prayer should be strictly observed in every district by all European officers in the Revenue and the Judicial Departments. If the favor prayed for above be conferred upon us, who are backward for want of encouragement and who are without any support, British rule will be much more secure than at present, and our loyalty will be further deepened.

We conclude by praying to God that, in the dominions of Her Majesty the Queen-Empress, all subjects may get equal justice, and that the rule of Her Majesty may continue for ever in her vast dominions.

Exactly similar petitions have been received as follows :—

Names, &c, of Petitioners.	Date of Petitions.
Mallappa Chennappa Khasbag and 45 others, non-Brahman inhabitants of Hoshatti in the Belgaum District	10th July 1886.
Virohadrappa Nilgar and 23 others, non-Brahman inhabitants of Basapur in the Belgaum District.	12th July 1886.
Adiveppa Shidaramappa Valasangada and 74 others, non-Brahman inhabitants of Kittur in the Belgaum District.	Ditto
Balappa Nurandappa Shetti and 72 others, non-Brahman inhabitants of Athni in the Belgaum District	*Nil*
Danappa Vinappa Hunshikatti and 30 others, non-Brahman inhabitants of Miraj in Kolhapur	15th July 1886
Sidalingaya Guruchymallaya Hirematha and 57 others, non-Brahman inhabitants of Mugutkhan-Hubli in the Belgaum District	15th July 1886.
Fakirappa Yalgar and 38 others, non-Brahman inhabitants of Siggaon in the Dharwar District.	17th July 1886.
Gangappa bin Bassanna Gowda and 145 others, non-Brahman inhabitants of Ranibennur in the Dharwar Collectorate	*Nil*
Mallappa Malakappa Kalyana Shetti and 162 others, non-Brahman inhabitants of Gozak in the Belgaum District	18th July 1886.
Adiveppa Shivlingappa Puramika and 84 others, non-Brahman inhabitants of Bail Hongal in Taluka Sampgaum, Belgaum District	22nd July 1886.
Malikappa Bhoja and 91 others, non-Brahman inhabitants of Shapur in the Sangli State.	23rd July 1886.
Gurushantaya Vastrada and 139 others, non-Brahman inhabitants of Nargund in Dharwar District	23rd July 1886.
Annadani Basavalingarya Mangalore and 79 others, non-Brahman inhabitants of Mundergi, Taluka Gadag, Zilla Dharwar.	26th July 1886.

(Sd.) NAVROJI DORABJI,
Actg. Oriental Translator to Government.

To HIS EXCELLENCY THE RIGHT HONORABLE D. J. M. LORD REAY, LL.D., C.I.E.,
GOVERNOR AND PRESIDENT IN COUNCIL, BOMBAY

The humble Memorial of the Lingayat Educational Association, Dharwar.

MOST RESPECTFULLY SHEWETH,—That, in the humble opinion of the Association, the distribution of Government employments equally amongst all classes is essential, especially in the Revenue and Judicial Departments, as they are the most important in the public service. The employès in those departments are capable of doing more good

or evil to the public than those in other departments, and it is, therefore, very expedient that in those two departments there should be a mixture, in due proportion, of all classes of Natives. Such a mixture will act as a check on the corruption of any particular class or classes employed in Government service.

2. That the non-Brahmanical classes being almost entirely the cess-paying classes, the Association is humbly of opinion that qualified candidates from amongst those classes should be specially encouraged and given suitable places in Government service in preference to Brahmans, who, through the influence of their fellow-castemen in office and the inducements held out to them, have hitherto held almost all appointments.

3. That the Association humbly begs to state that there is no want of passed candidates amongst the non-Brahmanical classes qualified to hold subordinate posts in the Revenue and Judicial Departments. A person who has passed the Public Service Certificate Examination is qualified to hold subordinate appointments as clerk or karkun, and can be promoted, under the existing orders of Government, up to Rs. 30 per mensem. The examination was introduced in 1866-67, and the results of the examination in the Southern Division from that year down to 1885-86 are given in Statement A, from which it will be seen that out of 5,836 successful candidates in that examination, 5,033 are Brahmans and the rest, *viz.*, 803, are non-Brahmans. Having given the number of passed non-Brahmanical candidates, or, in other words, non-Brahmanical candidates eligible to hold subordinate appointments in the Revenue and Judicial Departments, the Association would also attempt to give the number of employés in those departments at the beginning of the current year in the Belgaum, Dharwar and Kanara Districts only, as unfortunately the Association has not been able to ascertain the number in the Bijapur District. The Association can, however, assure Government that the figures for that district will show even worse results. The figures for the three districts of Belgaum, Dharwar and Kanara are given in the subjoined Statement B.

STATEMENT A.

Name of District.		Brahmans	Non-Brahmins															Total of Brahmans and non-Brahmans
			Lingayats	Marathas	Jains.	Rajputs	Panchals or Goldsmiths	Patwegars	Mudhars	Tailors	Naddis	Waddars.	Musulmans	Washermen	Painters.	Christians	Total	
Belgaum	1st Class	287	11	6	1	.	1	...	3	.	..		1	...	.		23	310
	2nd "	1,030	108	25	4	2	..	4		1	.		6	..			150	1,180
Dharwar	1st "	250	33	3		3	..		1	.			6			2	47	297
	2nd "	940	353	5	4	7	5	2	..	.	2	1	35	1	1		416	1,356
Kanara	1st "	156		.	.	2	..	...	1	...	...	.	.		.	8	11	167
	2nd "	454	5	9	...	..	1		..	..	..	1	6	.		1	23	477
Bijapur	1st "	131	3	2		..	...	..	.	.	.	...		.	...	.	5	136
	2nd "	723	63	7	1	3	1	.	...	...	..	..	10	..	.	..	85	808
Kolhapur	1st "	170		1	...	.	2		..	..	..				.		3	173
	2nd "	893	2	35			..	.	.	...	...	.	3	..	.	.	40	932
	Total	5,033	577	93	10	17	10	6	5	1	2	2	67	1	1	11	803	5,836

Vol. IV.
Sec III.
Sub-Sec C.
Bombay.

Mr.
Lee Warner.

STATEMENT B.

Name of District and Department		Total number of appointments in the Department	Number of appointments at present held in the Department by— Brahmans	Non-Brahmans: Lingayats	Mussulmans	Marathas	Komti	Goldsmiths	Carpenters	Tailors	Mudliars	Raddis	Jains	Christians	Prostitute class	Padiars	Mogers	Wadiars	Gollars	Koodal Deskars	Total of non-Brahman employés
Belgaum	Revenue	239*	224	3	2	5	1	..	.	.	4	..	..			.			.	..	15
	Agricultural				.	.				.	..	.					...		.		.
	Registration	18	17											1		.	.				1
	Judicial	54†	47	1	1	1	.	...	.	.	2	..	1	1	..	..	..				7
Total		311	288	4	3	6	1	...	.	..	6		1	2	..	...	.				23
Dharwar	Revenue	213	173	31	2	1	1	1	1	1	1	1			.						40
	Agricultural	42	41	1										.							1
	Registration	24	22	1	1	...	..	.	..				...	..		.	..				2
	Judicial	60‡	54	3	2		.		.					1			.		.		6
Total		339	290	36	5	1	1	1	1	1	1	1		1	.						49
Kanara	Revenue	147	125	2	4					1			.	8	2	1	1	1	1	1	22
	Agricultural§											..									..
	Registration	23	19	3					.					1							4
	Judicial‖																				.
Total		170	144	5	4					1				9	2	1	1	1	1	1	26
Grand Total		820	722	45	12	7	2	1	1	2	7	1	1	12	2	1	1	1	1	1	98

The figures in the above Statement B clearly show the preponderance of the Brahmans in the public service on account of the encouragement they receive to study Western literature and science, and the opportunities they have of clutching at the loaves and fishes of the public service. The non-Brahmanical classes have no encouragement to acquire education, and the few who do acquire it and wish to enter Government service are passed over. This state of circumstances is very disappointing, and it is no wonder that many non-Brahman parents refuse to send their sons to school. But if Government be pleased to promise the non-Brahmanical classes, who form the large majority of the population in the Deccan, who pay almost all taxes to Government, and who hold hardly any of the Government posts, that a certain proportion of suitable places in Government service will be reserved for them, then there will be a rush of youths to schools which will teach them up to the standard required for passing the requisite tests.

4. That the Association is humbly of opinion that the introduction of the system of distributing Government employments equally amongst all classes of Natives is but fair, and that special rules are at times required to be made by Government in order to better the condition of classes which have happened to fall behind. The Association humbly and respectfully begs, therefore, that your Excellency will be pleased to have such rules framed as to secure a fair share of Government employment to the non-Brahmanical classes. For which act of justice and humanity, your Excellency's Association and other subjects will feel ever grateful and ever pray.

* From Mamlatdar to last karkun
† Sub Judges, peons and bailiffs excluded
‡ Including Sub-Judges but excluding peons and bailiffs.
§ No Agricultural Department in the district.
‖ No information received.

No III.

THE HON'BLE RAYMOND WEST, LL.D, F.R.G.S., JUDGE, HIGH COURT, BOMBAY*

Mode of selection of Statutory Civilians

96. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your Province?—The view taken of nomination would depend on the mode of nomination and the way in which it would probably affect the interest of any "influential section" of the community whose opinion was sought.

97. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—A period of probation could not of course be openly objected to. To those who had been nominated it would be distasteful, and if it resulted in many rejections it would give rise to complaints of unfairness.

98 Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—That would depend much on the mode of nomination. Generally a term of probation would be desirable as a test and as a discipline

99. Has experience actually shown such a system to secure well-qualified officers?—The only system of nomination with which I am acquainted is that of nomination by the Government It has provided for many young gentlemen of mediocre ability places which they fill decently well, but with less capacity than could have been commanded at a lower price. The probation of examinations, &c, is successfully passed through and improves the working ability of those who are subjected to it; but I have not as yet come across any instance of conspicuous ability amongst the Statutory Civilians of Bombay. They are distinctly below the average.

100. Do you consider that nominations should be confined, to persons of proved merit and ability?—I think the nomination should be confined to persons of proved merit and ability.

101. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—I think merit and ability should for this purpose be held to have been proved by the completion with credit of a University course and the taking of a degree with honors in England or India.

102. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—Concurrent nominations for admission to a competitive examination would lead generally to the defeat of the Government's candidates. Alternate nominations would be attended with alternate marked superiority and inferiority. Nomination by the University of the young men thought by it to be the best fitted for the public service would be the best and would probably satisfy public opinion best. There might be three persons named for each vacancy, out of whom the Government should make its choice. A limited competition in examination would not be necessary under the arrangement suggested. It would be hard to arrange a perfectly just balance of the subjects of examination, but the thing would not be impossible. A Committee presided over by a member of the Government and composed of persons named *ad hoc* by the University would probably make the best nominations.

103. In preference to either of the above systems (nomination and limited competition) would a system of open competition pure and simple for the Statutory Service commend itself to the Native community?—A system of more open competition would be welcome to the Native community and mischievous alike to it and to the State. The ablest young men would thus be drawn off from really liberal and formative studies to the cramming of subjects that would be likely to "pay" in the competition. This might be counterbalanced either by marks given for University honors or by excess over the generally prescribed age allowed to those who had taken University honors.

104. If competition (whether limited or open) is preferred, should there be one competition for all India or separate competitions in each Province?—If competition be accepted as an appropriate and sufficient test, it seems to follow that those competitors who satisfy it best should be chosen from whatever Province they come.

105. If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several Provinces?—There is no "due proportion" on competitive principles, except the proportion of successful competitors.

106. Having regard to the varying educational standards reached in the several Provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some Provinces being more or less excluded from a due share of appointments?—If a system

* *Note.*—The Hon'ble Mr. Justice West was examined as a witness and also sent in written replies to questions in Set A.

of general unqualified competition for the Civil Service were introduced the educational system of every Province would very rapidly become adapted to it. The comparative success of the competitors from the different Provinces would then depend on their natural intelligence, their pliability, and freedom from intellectual enterprise. A substantial uniformity of mental development and of average success would after some time be attained, such a uniformity as we see in China without the respect for authority which holds society together there.

107. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social, and physical fitness ?—All the considerations named in this question should be taken into account, but none of them should form a condition, save in extreme cases, of an absolute character.

108. If so, what should be the tests under each of the heads specified ?—The qualifications of a nominee under each of the given heads should be set forth in his nomination.

109 Do you consider that (after selection whether by nomination or competition) there should be a period of probation ?—There should be a period of probation.

110. If so, what should be the duration of the probationary period ?—Extending to one or two years.

111. Should the period of probation be passed in the ranks of the Uncovenanted Service or of the Covenanted Service or in what other manner ?—Passed in the Covenanted Civil Service and in preparing for and passing the departmental examinations.

112 & 113 Do you consider that after selection and before entering on probation or (on duty) the person selected should undergo special training ? If so, should the special training be carried out in India or in England ?—The person selected should undergo special training in England. The kind of training should depend on the mode of choice If the persons chosen were graduates they should be attached to public offices in England and made to work for a certificate This should be regarded as their probation. If not regularly educated, then they should be sent to Oxford or Cambridge and required to go well through a two years' course

114. If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England ?—It would be possible, but not advisable, to establish such a college in India as the one suggested.

115 If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service ?—I would make the passing of two years at earnest work in England indispensable in every case.

116. If so, what form should such encouragement take ?—The Government should give the same allowances to candidates chosen in India as to those chosen in England, and should pay the quarterly instalments on proof that the prescribed conditions had been satisfied.

119 & 120. Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil Service ? —I am not in favor of such a scheme. Better men upon the whole can be obtained in the way already suggested and at less cost and risk

121 Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not ?—No difference should, I think, be made in salary of a Native member of the Civil Service on account of the way by which he entered it. All should stand on an equal footing in point of emoluments as presumably they do in point of capacity to render the requisite service.

122. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or elected candidates, is it likely that it would be taken advantage of to any great extent ?—It would depend on the mode of nomination and the stage of educational progress at which the candidates had arrived whether they would willingly go to an English University or not. A young man nominated only as a candidate would not like the idea of being probably stranded after a couple of years, yet some candidates would accept the risk in order to get the allowance. Selected candidates would not go willingly unless all were forced to go, for by going they would forfeit pay and promotion.

123 If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system ?—I do not think it necessary or desirable even now to retain what is called the Statutory system It would perhaps become more obviously needless if the age of candidature by competition were raised so as to favor Native candidates more than at present. But accepting the principle of a Covenanted Service open to the Natives of India, I do not think that any increase in the numbers entering it by examination in England would satisfy the educated young men in India who are too poor to go to England,

own account; admiration for mere quickness and verbal memory should be balanced by appreciation of higher qualities; a tone of honor, propriety and self-respect should be diffused through each small community. It may not be easy to effect so much as this, but an approach can be made to it, and ought to be made in the highest interest of the Indian people. Thus only I think can the minds and character of the "educated" class be prepared for the college training that would then be effective, and for their functions as members of the public service or of the community served by it

211. What has been the actual experience in your Province as to the general efficiency of educated Natives—graduates of the Indian Universities—employed in administrative work?—This question is one that can be best answered by those officials who have themselves had a great experience in administrative work. The graduates of the University in Bombay display, I believe, as compared with their competitors of the old school, a greater facility in comprehending the meaning and purpose of laws and orders They show, so far as I am aware, a fair amount of zeal and industry As compared with English officials of the higher class they are perhaps less exact in detail both as to the information they give and the carrying out of orders; but they are at once more intelligent and more to be depended on than Europeans of the lower class

212. How have Natives, placed in charge of sub-divisions or in other quasi-independent positions, discharged their duties in your Province?—Experience is wanting; I have myself come across a few instances of moral weakness in the presence of popular excitement or caste feeling which might under some conditions be dangerous, but generally officials become imbued with the spirit of the public service. Occasionally they carry this to an extreme, and fail in tact and power of adaptation to circumstances, but the same things may be said of English officials

213 & 214. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country? If not, where must we look for representatives of these classes, and how do you consider that their services could be best obtained?—In the Bombay Presidency we do obtain for the public service Natives of the same classes as the Native rulers employed, plus only a slight infusion from the other classes. The Parsis (at least in their present numbers) may be regarded as a new class in the public service—a very valuable one The lower castes of Hindus are pushing themselves into the public service more than formerly, and the Eurasians show a great aptitude for clerical labor, though seldom for the higher kinds of work. The Mahomedans have only just awakened to the necessities of their situation, but they too will by-and-bye press the Brahmans hard.

215. How far would any system of appointment which involves a journey to, and residence in, England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—In the Bombay Presidency, I do not think that the caste difficulty, great as it appeared some years ago, would now be an insurmountable, though possibly in some cases a serious, obstacle to Native members of the Civil Service going to England. They would not have to abandon their caste though they would certainly incur some discredit. A residence in England for prior education would be objected to on grounds of expense and of danger to a boy's health and morals, quite as much ostensibly as through fears of caste difficulties. They would probably diminish year by year.

216 How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to, and residence in, England?—The present system is objected to partly on the ground of the advantage it gives to the sons of wealthy men over their poorer rivals The objection would almost, or quite, disappear were a proportion of the appointments given in India on grounds of intellectual superiority.

217 Are the Natives who go to England from your Province for purposes of education limited to wealthier classes?—It is only the wealthier classes of course who can generally send their boys to England A very few have been sent by subscription, some parents of very moderate means, both Natives and English, have yet contrived to spare enough to educate their sons in England

218. Are they limited to any particular section of the community, or to any particular creed?—The education just referred to has, in the case of Natives, always been advanced education with a view to a profession or to competition for the Civil Service or for the Medical Service There is no sending of Native boys from this Presidency to England for general education. Caste feeling has been strong enough to prevent Brahmans, except in a very few instances, from leaving their own country. The Parsis go in considerable numbers, but always virtually to get a profession or a place.

219 & 220. Does a voyage to, or residence in, England involve the loss of social position or other unfavorable consequences in the case of any section of the Native

community? Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—A residence in England *does* involve a certain degree of caste discredit; and so far puts him, who has resided there, out of sympathy with his countrymen This evil, however, diminishes from day to day.

221 Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—The necessity of going to England after appointment in order to be trained there would not in practice exclude any large section of the Native community The desire for employment in the Civil Service is so strong that a young man once nominated would hardly ever refuse an appointment on account of the condition annexed to it.

222 & 223. If the Statutory system is discontinued should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to, and residence in, England? If so, what provision should be made for this purpose?—No such provision should, I think, be made. Natives themselves, or at least the more intelligent ones, fully recognize that our English Government of India requires for its higher instruments men in thorough harmony with English ideas in the political and official spheres Those who cannot, or will not, submit even to gain an acquaintance with English public life should seek some other employment than as functionaries of the British Government. If they are wrapped in notions that keep them out of contact with English people and English ideas, their general employment would be a confession by the Government of unfitness for its position and duties as these notions must thus prevail

224 & 225. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes? If so what provision should be made for this purpose?—I do not think any such provision should be made It would lead to jobbery, discouragement and discontent On due notice given the number of posts reserved for the Covenanted Service might be diminished, but the introduction of outsiders into the midst of any service can hardly ever be justified. There is certainly nothing to justify it in the present state of the public service in India.

226 Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—I do not think that any especial favor should be shown to members of high families. It would be quite inconsistent with a general system of appointment and promotion by merit. The gentlemen appointed on the ground of family distinction would expect promotion on the same ground, and at every stage would supplant more capable men, or else would be left behind more discontented than if never employed at all.

227. Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—The only places that ought to be thus disposed of are those of Lieutenant-Governors These places are beyond the fair expectations of an ordinary official, and they are so important that the ordinary rules of promotion should not be applied to them This is already recognized.

228 If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—It would be limited certainly, but not unduly limited

229 If such is likely to be the case, could the difficulty be obviated by requiring proficiency in the English language to be tested by periodical examinations *after* selection, but during a probationary period?—Such examinations, in the case of men of mature years, would be ridiculous. They should not be employed as proposed, unless their fitness was beyond all question.

230. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—No such provision could be made that would not be abused, to the ruin of the public service. The number of offices reserved for the Covenanted Service may properly be lessened from time to time, but intrusions at the discretion of Government would be fatal. The persons "of known ability and local influence" would generally be busy bodies, whose chief ability was in advertising their own merits, or agitators whose mouths it was desired to stop. If the princi-

ple of appointment and promotion by merit is once departed from there is no end to the claims that have to be satisfied, and every disappointed suitor for a place can point to instances that justify his own dissatisfaction.

231 & 232 To what extent, if any, could the prescribed Covenanted Civil Service *cadre* in your Province be reduced without increase to the Uncovenanted Service? To what extent could the prescribed Covenanted Civil Service *cadre* in your Province be reduced if a corresponding increase were made in the English element of the Uncovenanted Service, or in the Native element, or partly in one and partly in the other?—The Covenanted Civil Service of Bombay could not be cut down without at least an equal increase of the Uncovenanted Service. On the other hand there are several offices, as in Sind, held by Uncovenanted officers, which, according to my experience, would be better filled by members of the Covenanted Service. The comparatively inferior education of the Uncovenanted officers taken as a whole lessens their efficiency very materially for the higher order of work. If the Covenanted Service were reduced, as gradually it might be (at least proportionally), I do not think this should be accompanied by any special arrangements for increasing the number of Europeans employed in the Uncovenanted Service. Except where Englishmen of a really high class can be obtained they are not equal to the able Natives who are ready to fill every place. A sprinkling of Europeans should be retained even in the lower ranks, but no more of such an infusion as will probably be secured by a competitive system.

233. Assuming a fixed proportion to be maintained between Europeans and Natives in the Civil Service *cadre*, in what posts or classes of appointments do you consider that Europeans and Natives respectively might be employed with most advantage to the interests of the public service?—I do not think Natives once admitted to the Civil Service ought to be confined to any particular classes of posts. They would resent any such arrangement as disparaging to them. If all or a great proportion of the higher judicial posts were filled by Natives while the administrative posts were held by Europeans, that might lead to misunderstandings, contentions, and serious mischief. In the same service all members should stand on the same footing of eligibility for employment. The choice in individual cases should be determined by considerations of personal fitness.

234. Would it be desirable to rule that the proportion of persons being Hindus and Mahomedans respectively, who are from time to time, or over a series of years, appointed to the Covenanted ranks in any Province, should bear a certain relation to the number of the two classes composing the population of the Province concerned?—I do not think a system of appointment to the Civil Service in proportion to the relative numbers of Hindus and Mahomedans is at all to be desired. It would encourage indolence; it would foster the pernicious notion of a right to public employment apart from qualifications for it; and would lower the tone of the service by the presence in it of numerous incapables. In the ranks of the Uncovenanted Service an endeavour should be made to employ Mahomedans somewhat in proportion to their comparative number, but not by any hard and fast rule. It should be left to local discretion.

236 How far should appointments in each Province to Covenanted posts be restricted to Natives of the Province concerned?—I do not think the restriction of appointments to the Civil Service of each Province to the Natives of that Province is consistent with the purely competitive principle. Otherwise it is desirable. A Madrasi in Sind is as much a stranger there as an Englishman, nor has he any obvious claim to employment there preferable to that of the Sindhis themselves, which the Sindhis are ready to admit. His knowledge of Tamil or Telugu is of no use out of Madras. Out of his own Province a Native is less likely than in it to be influenced by personal connexions and prejudices, but his local knowledge and influence are thrown away. Natives admitted to the Civil Service by examination in England after being educated there should be eligible perhaps for employment in any part of India, those chosen in India should be employed only in their own Province. These remarks apply more particularly to Hindus. A Mahomedan is welcomed by his co-religionists everywhere, but is everywhere distasteful to Hindus and Parsis. Still his advantages in point of language and local information are provincial. It is only in the case of a Native educated in England that we can generally expect the narrowness of provincial feeling, whether it extends to only one part of India or to more, to have become fused in that greater imperial spirit necessary to a perfect servant and even to a perfect subject of the British Crown and Nation.

237 & 238. How would the following scheme be regarded by the Native community: The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only. The appointments taken from the Covenanted Civil Service to be

The Hon'ble *Raymond West*

filled by appointment in India, Natives only being eligible? How would you regard such a scheme?—If a considerable number of places should he taken away from the Covenanted Service, that would, no doubt, gratify very much one class of Natives—those who hoped to get the places. But it would not at all silence the objections of those who, asserting the mental equality of Natives with Englishmen, demand on that ground admission to the Covenanted Service on precisely the same terms as Englishmen. Privileges or advantages allowed in other ways will not remove the apparent anomaly—a real and flagrant one, if indeed mere cleverness in answering questions is the accepted proof of superior fitness in all respects to serve the Crown in India. The complaints I have referred to would best be met by an examination in England and a concurrent examination in India on exactly equal terms, or else by a competition in England for a certain proportion of appointments and in India for a certain proportion But to the former all subjects of the Crown should be admitted who had resided for five years before the examination in England, and to the latter all subjects of the Crown who had resided for five years in India The examination in India would, however, (unless carefully guarded) be attended with the grave dangers to general education that I have already pointed out. the evil in England would be comparatively far smaller, but in both countries alike it would be a good thing to exact a University degree as a condition of admission to the competition. I may observe that what is called the "Statutory system" satisfies in practice the conditions contemplated in these questions without however satisfying the Native community That community seeks complete equality, and nothing else is really consistent with the principles authoritatively propounded on this subject. I do not think those principles are wholly sound or sufficient, but I think that, until they are definitely withdrawn or modified, they should be acted on with scrupulous precision I do not think the Covenanted Civil Service could be fixed at one unvarying number without giving rise to extravagance or to loud complaints, when it might be found necessary to reduce the number.

239 & 240 How would the Native community regard the following (1). The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England to which Natives and Europeans alike would be admitted. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible? How would you regard such a scheme?—The part of the scheme marked (1) would be received with general approval. The view taken of (2) would depend on the mode of appointment A free discretion to appoint Europeans would almost certainly be abused; and would very naturally cause dissatisfaction. Appointment by examination would be most favorable to Natives and would be acceptable to them. For my own part, I should, for the higher ranks of the service, prefer nomination by the Universities, and for the lower, admission by competition to classes whence the choice of individual functionaries should be made by the appointing authorities

241 & 242 If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India? How would you view such a proposal?—Appointments taken from the Covenanted Service would, it seems, necessarily become appointments for the Uncovenanted Service. The Native community would, I think, view with approval a scheme that would enlarge their chances in the Uncovenanted Service if it still left them equal access to the Covenanted Service also

My own opinion is that on a just consideration of the needs of the Public Service in India, the relations and the relative numbers of the two great branches of the Civil Service ought to be recast and afterwards regulated on the principles which I will briefly state

A British Government of India, the effective application of English ideas and principles, implies that the heads of the chief departments of Government shall be either English-born or educated from childhood in England. This is specially true of the general administration, For the same reason there must in every great department be English enough to keep it well under view from the British standpoint, to bring English ideas to bear on it, and to keep up an intelligent and sympathetic relation between it and the other great departments moved and controlled by the same central group of principles These conditions again involve the consequence that to supply even a small number of men of great experience and ability there must be a larger number of younger men always in training, Englishmen strong in their imperial feelings, of cultivated powers, knowing the people well, and deeply interested in their welfare. For such men we can look only to a Covenanted Service composed of Englishmen by birth or at least by education. A young Englishman of proved ability will not come to this country, and give his life to it, without an assured position and some prospect of distinction. Nor I suppose would an able

Hindu go to Greenland for life on any less favorable terms. For service in his own country, however, no such terms are necessary any more than for the English official in England. The covenant is thus an anomalous compensation for an anomalous sacrifice.

In the case of Natives it is not at all necessary in order to secure the appropriate ability, yet it need not be refused to those who have made themselves virtually English by residence and education. Now this whole class must be highly paid, hence a reason for keeping their numbers as low as possible, as low, that is, as is consistent with the stability of the system and with the quick and certain interchange of vital forces. A predominance of mere cleverness and departmental intelligence, uninformed by specifically British feeling and patriotic devotion, might very seriously disturb the Empire Some Natives of India, conscious of their own complete identification with the Empire, may resent the suggestion that their countrymen are wanting in the qualities, on the necessity of which I have insisted, yet on reflection they will admit that, even granting an original aptitude, yet a different people cannot, in a generation or two of easy-going progress, take the exact impress that centuries of thought and suffering, of strife and compromise, have stamped on the English character. They will admit that their own sons and brothers educated in England come back ed posts on the persons from what they would have turned out under a purely Indian training In a complex Empire, however, one set of principles, one turn of thought, one type of character, must prevail over the others, be as it were the key-note of a general harmony. Where then and how are we to find the nervous centre of Greater Britain? Not surely in India, where society is but slowly assimilating European ideas, and where a thousand obstacles of tradition and of mutual relations amongst classes have to be removed before a natural political progress can begin It is England that is the centre and soul of the system, thence must radiate the social and political ideas by which India is to be reformed, and there only will they be acquired in their true sense and with their necessary qualifications. Mere phrases, the specious aspects of half-truth, are too often, as one may fairly judge from the native press, the groundwork of political faith in India. She cannot shake off as yet her tone of provincialism. Neither, therefore, can she spare the influx and the influence of English ideas applied according to English experience and habits of thought over a wide circle of details. English history, English justice, tolerance and humanity, live in the living man; they are not to be put into mere formulas nor got out of them. Britain must intellectually and morally pervade India and prevail over it in order that the union may produce a maximum of good; and for this the points of contact and communication must be pretty numerous as well as individually effective.

Not only must English ideas be thus brought to bear on the administration, but there must be an intelligent and independent appreciation of the feelings, the needs and the progress of the Native community. There is always some need for improvement, but the monotonous cry of mere complaint gives no help to the Government, and after a certain time produces indifference, irritation or despair The people need highly educated and influential interpreters, just as much as the Government needs capable ministers of its behests

The admission of Natives of India in general to a Covenanted Service, organized with a view to its members, or the bulk of its members being Englishmen, must of necessity entail a great waste of money in salaries A Native doing the work of a Covenanted officer is really overpaid if he receives half the usual salary An Englishman would be overpaid at half the same salary were he working in his own country Yet a high scale of pay is indispensable for English Covenanted servants, and the Natives admitted to the same service can never be satisfied with a lower scale. In practice a compromise is attempted which, without satisfying them, burdens the public (I speak here of the Statutory Service) The Native tax-payer deserves as much consideration as the Native aspirant to office, and in his interest it ought to be recognized that the political exigencies which necessitate the employment of a limited number of Englishmen on salaries representing the compensation for special expenses and life-exile, do not at all include the case of Natives employed in their own country and called on for no sacrifice

The necessity of a larger or smaller admixture of Englishmen of the Covenanted class in any great branch of the Indian Public Service must vary according to the place of that branch in the general scheme of Government. It may vary also according to the changes brought about by time and development. The whole administrative system being distributed into ten groups, each of these ought, I think, to be carefully examined in succession, one each year with a view to determining the minimum number of Covenanted Service appointments to be retained in it. The scheme settled in this revision should be brought into operation two years afterwards. Appointments in a department affected by it, accepted during the two years, should be understood as subject to the intended

The Hon'ble *Raymond West.*

readjustment. Appointments held at the time of the revision should not be abolished, but on a vacancy occurring no fresh appointment should be made except in conformity with the revised scheme. After eight years of actual operation the same branch would be again revised with a view to fresh economies and once more adjusted to the needs and the means of the day. Only one of the ten groups of departments being thus revised in each year of a cycle of ten, there would be time to do the work deliberately. The two years' notice of the changes to come would give time for preparation, and thus spasmodic action would be avoided equally with mere stagnation.

The appointment set free in a department by the periodical revision should be given to the Uncovenanted Service on salaries considerably lower of course than those paid to Covenanted officers. In order to secure a supply of men fit to take up those appointments the Uncovenanted Service should be recruited with more care, more system and more attention to special needs than hitherto Three grades of service should be established in the general administration. To the first only graduates of an Indian or English University should be admitted. In the case of persons not born in India a residence of at least five years and a perfect knowledge of a vernacular language should be conditions precedent to admission, whether by nomination or by competition I have already expressed my preference on account of our special circumstances for a guarded system of nomination by the Universities, but a limited competition amongst the graduates thus recommended might be free from the evils of unconditioned competition.

In the technical departments, such as Finance, Public Works, and Forests, a University degree taken on particular branches of study (generally those of a technical college or in the course for B. Sc.) should take the place of the Arts degree exacted for the general administration A competition might be allowed amongst those who had gone through the requisite discipline and had been duly nominated.

To the successful candidates for this first class of the public service the highest appointments, including those now reserved for the Covenanted Service, would be opened by the periodical revisions. The total range of eligibility of the first class of Uncovenanted officers as of the other classes would need specification at each revision. The Uncovenanted Service would substantially be a Native service; and as Native gentlemen will hardly ever retire from high places except under compulsion, rules should be made for ensuring retirement from the best posts after a certain tenure of office in order to secure a due flow of promotion and the introduction of fresh energy. An appropriate crown to this scheme in Bombay and Madras, and in the Imperial Government also, would be the addition to the executive council of two Natives drawn from the Uncovenanted Service as extra or departmental or consultative members. They should hold office for three years only, and at the close of it retire from the public service. This would make them more independent than they would be if eligible for reappointment or for further employment. These extra councillors would naturally be taken from the departments which from time to time might need the most particular attention of the Government.

The second class of the Uncovenanted Service might be filled by competition amongst candidates who had passed the first examination in Arts or satisfied some equivalent standard. The selection for the different branches should be made according to training in literary, mathematical or "modern" subjects. If our secondary education could be put on a proper footing, the final certificate of a literary or a "modern" school ought to set forth the choice actually made by its bearer amongst the alternative courses, and should be received as entitling to admission to the competitive examination and afterwards as evidence of a regular instruction in the specified subjects. Each department would prescribe that one or more of the regular courses of study, proficiency in which would be exacted or looked for in its own members.

The places open to this and after-wards to the Uncovenanted Service should be settled periodically like those open to the first class. In the announcements of the results of the competitive examination the successful candidate should not be absolutely individualized but put into groups to be deemed equal in eligibility of five, ten or twenty, in order to leave to the appointing authorities a reasonable range of choice amongst candidates only slightly severed in point of competitive merit.

Candidates who had succeeded in passing into the first or second class of expectance of public service should be encouraged to go to England to enlarge and perfect their special education by the allowance in seniority and service of such time as they had spent there in real work. This should be attested by the requisite certificate in each case. The student being still only an expectant of office would bear his own expenses.

He would generally have completed a sufficient course in England before an appointment was ready for him, and having completed it he would naturally be preferred in some degree to a rival whose special education had been less complete.

For the third or lowest class of the public service there should be no more than a pass

examination varied according to the department. The appointing authorities should have a free choice amongst those who had qualified. The temptations to abuse would be small.

Transfers from one class or one department to another should be allowed but very sparingly, and only on the ground of some special qualifications. Thus the abuse would be destroyed of thrusting in an incapable, in a rank wholly below his social position and his real pretentions, in order to promote him, as already in the public service, to some well paid post to which he could not be directly appointed.

This is an outline of my views of the principles on which the public service in India ought to be organized. In drawing it up I have impliedly given my opinions on several of the questions which follow the ones I am directly answering Some of those questions are of too contingent or conjectural a character to admit of practical treatment,

250, 251 & 260 In the case of persons nominated from the professional classes, is it desirable that a probationary period should be prescribed? If so, is it necessary that the incidents of such period as to duration and pay should be the same as those attached thereto in the case of Statutory Civilians appointed on probation to the lowest grade of the Covenanted Service? What rule in regard to passing the Departmental Examinations should be applied in the case of persons appointed to Covenanted posts on the ground of merit and ability proved in the service of Government or in the exercise of a profession?—Persons appointed from the professional classes should be put only into places made specially for them. They would too often be only professional failures, who ought not to encumber the regular lines of the public service. Successful men would not accept Government employment This has been demonstrated more than once in Bombay

252, 253, 256 & 259 On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of competition in England be regulated? Would you regulate such promotion only by considerations of fitness and approved personal merit? Should Natives appointed to Covenanted posts be required to pass the Departmental Examinations? Should the present rule be maintained under which probationers may be confirmed in their appointments at the close of the probationary period of two years, provided that they pass within that period the Departmental Examination by the lower standard prescribed for Covenanted Civilians appointed in England, no obligatory period being fixed for passing the higher standard, but no promotion or increase of pay being attainable until the higher standard examination has been passed, and power being retained to the Government to dispense with the services of a Statutory Civilian who may fail to pass by the higher standard within a reasonable time?—Natives appointed to the Covenanted Service in any way should rise like others by seniority and merit. They should of course pass the Departmental Examinations which are deemed necessary tests of efficiency. They should not be subjected to fancy rules or indulged in fancy exemptions.

254 & 255. How would the appointment of Natives to the higher reserved posts, without passing through the lower grades, affect the vested rights or the reasonable expectations and prospects of officers who entered the Covenanted Civil Service before the year 1870? If those rights, expectations, or prospects would be prejudicially affected, how could they be safeguarded?—It seems plain that the appointment of outsiders to the posts hitherto reserved for the upper ranks of a graded service must necessarily affect the interests of its members ruinously. These interests could not be "safeguarded" under such circumstances, as two men cannot hold the same place at once; they could only be compensated at the expense of the public

261 & 262. Should subjects of Native States be eligible for appointment to Covenanted posts in British India? If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—Only subjects of the Queen-Empress should be appointed to offices in her service. A British subject ought sometimes to feel that he gains by his allegiance.

263 & 264 What system, if any, is at present adopted in your Province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship. Does the system work well, and what improvements can you suggest?—No such system exists; nor, I think, is any such system consistent with our principles of Government or in any way desirable. Good Government has much more to gain by an intimate connection with the intelligence of the country than with the assumptions and obstructive traditions of decayed families.

Composition, &c, of the Subordinate Services.

316 & 317 Are you in favor of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of

Vol IV.
Sec III
Sub Sec C.
Bombay

The Hon'ble *Raymond West.*

these questions? If so, what test would you apply?—I have already stated my opinion (see answer to Question 241) that, with the exception of certain appointments reserved in decennial revisions for Englishmen and Natives of English training, the higher classes of the public service should be open to all Natives of India, and should be entered by the door of education and competition. The qualifications prescribed for each department should be suitable to that department. Our Subordinate Judicial Service is now entered almost entirely through the degree of L. L. B., and to this I attribute its excellence. A few men enter through the High Court's examination, which is independent of academical training. But although this is more severe as a mere law examination than that of the University for L. L. B., it does not turn out such good men. I myself would abolish it and trust wholly to the University.

318. Do you think that the test should vary according to the character of the office to be filled?—It should certainly vary. A Subordinate Judge needs different accomplishments from those of an Engineer or Forest Officer.

319. Generally, what system do you advocate for filling appointments in the Subordinate Executive and Subordinate Judicial Services as above defined?—See my answer to Question 241. At present our Subordinate Judicial Service is better supplied than any other in the country.

320. What preliminary qualifications would you require on the part of candidates for those appointments in regard to age and in other respects?—The preliminary qualification of good character hardly needs mention. As to age and physique, the conditions should be adapted to the services required in each department.

321. Is it possible to devise any one system which would be equally applicable to all Provinces, having regard to the varying educational standards reached in the several Provinces and the varying conditions prevalent therein?—A single system is possible though not necessary. It is consistent with this that the degree of attainment required should vary for each great Province.

322 & 323. Do you advocate the requirement of a probationary period, and if so, what should be the incidents of such period as to duration, pay and in other respects? Would you require a probationary period in all cases, or would you dispense with it in certain, and, if so, in what cases?—A probationary period is sometimes useful, but it is not or is but seldom indispensable. Service in a low position is a probation. But while waiting for appointments, applicants might in many departments be usefully employed as Honorary Assistants.

324. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination, and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—Their attempt having failed should have no effect at all. Each rank and branch of the service should have its own [illegible] and conditions of entrance quite independently of the others.