LORD RIPON'S ADMINISTRATION IN INDIA (1880-84 A.D.)
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L. P. MATHUR, Ph.D.
Reader in History
University of Udaipur

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PREFACE

At a critical juncture Gladstone had designated Ripon on an important mission to India. His task was to redeem the grievances of the Indians and make them understand that the presence of the British in the country was profitable to them. In an age of unrest the task was not an easy one. Consequently, Ripon had to face innumerable difficulties and vehement opposition from several quarters. Although the liberal experiment started by Ripon seems to have dissipated in his successor's reign, the stirring events of the Viceroyalty of Ripon do not, in any way, lose their significance. It cannot be doubted, however, that the controversy and heat generated by most of his measures, specially the Ilbert Bill, had far reaching consequences on the history of modern India. Perhaps no other British administrator of India evoked such a bitter response from his own countrymen and earned so much of goodwill and praise from the people of India as Ripon during his stay in India. From the maze of conflicting opinions it is not easy to derive anything in the nature of clear verdict on Ripon's achievements; however, in what follows an humble attempt has been made to present an unbiased appraisal of his actions and policies in India. For this purpose the genesis as well as the final solution of almost all the problems dealt with by him have been traced in the dissertation.

The study is mainly based on the records of the Government of India, unpublished and published official reports and the parliamentary papers. Extensive use of published works on Ripon and other connected subjects has been made in this work. To the writers and publishers of these books the author is grateful.

The author is aware of the limitations of conducting research on a topic of modern Indian history entirely on the basis of sources available in India. This handicap has naturally resulted
in giving more weight to the opinions of the men on the spot, viz., the officials of the Government of India and the provinces, eminent personalities of the time and the press. But it does not mean that the opinions of the men at the helm of affairs in England have been ignored.

I am thankful to the Director of Archives, Government of India, who afforded me necessary facilities during the course of my research in the National Archives of India, New Delhi. I owe gratitude to the University of Udaipur for providing me with a grant, though a scanty one, for working on the project and later on another grant for its publication. I am also indebted to my wife who has patiently and ungrudgingly borne all the drudgery which fell to her lot during the last fifteen years or so on account of my being engaged in the pursuit of my work.

Udaipur

L.P. MATHUR
## CONTENTS

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preface</td>
<td>v</td>
</tr>
<tr>
<td>I. Prologue</td>
<td>1</td>
</tr>
<tr>
<td>II. Closing of the Second Afghan War</td>
<td>5</td>
</tr>
<tr>
<td>III. Central Asian Policy</td>
<td>25</td>
</tr>
<tr>
<td>IV. Relations with Upper Burma</td>
<td>35</td>
</tr>
<tr>
<td>V. Policy towards the Indian States</td>
<td>50</td>
</tr>
<tr>
<td>VI. The Factory Act</td>
<td>62</td>
</tr>
<tr>
<td>VII. Repeal of the Vernacular Press Act</td>
<td>72</td>
</tr>
<tr>
<td>VIII. Educational Policy</td>
<td>81</td>
</tr>
<tr>
<td>IX. The Working of the Arms Act</td>
<td>93</td>
</tr>
<tr>
<td>X. Reorganisation of the Civil Service</td>
<td>102</td>
</tr>
<tr>
<td>XI. Financial Policy</td>
<td>109</td>
</tr>
<tr>
<td>XII. Policy of Famine Relief and Prevention</td>
<td>127</td>
</tr>
<tr>
<td>XIII. Public Works</td>
<td>144</td>
</tr>
<tr>
<td>XIV. Revenue Policy</td>
<td>154</td>
</tr>
<tr>
<td>XV. Development of Local Self-Government</td>
<td>174</td>
</tr>
<tr>
<td>XVI. The Ilbert Bill Controversy</td>
<td>206</td>
</tr>
<tr>
<td>XVII. Growth of National Consciousness</td>
<td>231</td>
</tr>
<tr>
<td>XVIII. Conclusion</td>
<td>236</td>
</tr>
<tr>
<td>Select Bibliography</td>
<td>248</td>
</tr>
<tr>
<td>Index</td>
<td>251</td>
</tr>
</tbody>
</table>
ABBREVIATIONS

N.A.I.—National Archives of India
Deptt.—Department
Progs.—Proceedings
G.G.—Governor-General
p.—page
Vol.—Volume
Govt.—Government
No.—Number
CHAPTER I

Prologue

Gladstone in his famous Midlothian campaign of 1880 defined the liberal attitude towards India in a single sentence. He said, "Our title to be in India depends on a first condition, that our being there is profitable to Indian nations and on a second condition that we can make them see and understand it to be profitable." On becoming the Prime Minister of England he was very keen to send such a person as Viceroy to India who could sincerely carry out his liberal policy. After Kimberley and Goschen had refused the offer of Viceroyalty of India Gladstone finally selected Ripon more with a view to fulfilling party commitments and avoiding Ripon's claim to membership of the Cabinet than because of his aptitude or ability. The choice was in a way better because Ripon, in a sense, was brought up in an Indian atmosphere.

Ripon became interested in Indian affairs since his childhood when his father worked as President of Board of Control for a number of years. He kept himself acquainted with all the major developments of the Indian empire through letters written by his maternal uncles, Sir Henry Ellis and Robert Ellis, who were distinguished members of the Indian Civil Service. One of the earliest lectures delivered by Ripon to the working men was on "our Indian Empire." According to him, "Indian sub-

2. S. Gopal—British Policy in India, 1858-1905, p. 129. Gladstone wanted to avoid the appointment of Ripon in the Cabinet as Ripon was a Roman Catholic.
jects ought to be of first rate interest to all Englishmen for the future, and they certainly will be so to me." By this time, he had evolved in his own mind a complete scheme for the reform of the administration in which he favoured a decentralized autonomy to the Indian Government with limited powers to the Home Government in London. After the mutiny he gained practical experience of directing the administration of India. He was the only Viceroy who had served both as Under Secretary and Secretary of State for India. Since then he never lost his interest in Indian affairs and continued to be in close touch with the development of Indian policy. In fact, he formed with Northbroke and Halifax a sort of sub-committee which framed and directed the Indian policy of liberals against Disraeli’s government in 1880. Thus, the lack of aptitude or ability was made up by his knowledge of Indian affairs and devotion to the liberal creed and his sincerity of purpose.

Ripon fully realised the gravity of the task entrusted to him. In one of his letters to his wife, he termed it as a mission and felt that he had been chosen by God to do some good to the Indian people. But on account of the ill-health of his wife he was at first hesitant to accept the offer of Viceroyalty of India made by Gladstone. But once he accepted it he was quite earnest in carrying out the Midlothian ideas in face of heavy odds.

Ripon was asked to proceed to India immediately. The only striking way of making the change which had come over politics in England was the immediate recall of Lord Lytton. In the extremely trying travelling conditions of a summer when the plains of India as Lytton wrote to Cranebrooke, "were hotter than the furnaces Nebuchadnezzer" Ripon reached

4. Lucian Wolfe—Life of Lord Ripon, Vol. I, p. 217. Ripon served as Under-Secretary of State for six months under Sir Charles Wood in 1861. He worked as Secretary of State for India in 1866 during which period he had Sir John Lawrence as Viceroy of India.


Simla on 8th June, 1880. Although Lytton had offered his resignation before the general election and also urged his prompt recall, he was not happy about the manner of his handing over charge of the Viceroyalty of India.

The state of affairs in India at the time of Ripon's arrival was considered to be heading for a catastrophe. His predecessor's policy had been one of imperial defence in pursuance of which finances were recklessly squandered during the course of a disastrous frontier war. The result was an immense financial deficit. Lytton's rule was also associated with measures of administrative coercion like the Arms Act and the Vernacular Press Act. Severe famines added to the misery of the ryots, who were already dissatisfied with the agrarian policy of the British Government in India. Persons, who were educated and could read the signs of the times, were exasperated. The country was seething with unrest. In fact the situation was explosive and was bordering upon revolution. His mission was, therefore, to check the course of the ship of the country from moving towards dangerous schoals and blocks and direct it to safe havens. He was to apply the healing panacea that would redeem the grievances of the Indians. In an age, which can be called as the dawn of unrest in India, the task was not an easy one. But Ripon, with sincere convictions and zeal for the liberal creed, worked enthusiastically towards the aim of providing good government to the country and developing the resources of the country. In Ripon's own words, "This is the work to which we ought to set ourselves with every energy which we possess. It is a noble but difficult task." He further added, "In some respects the present state of India is very favourable for the accomplishment of the task, there is a tide in the affairs of men here just now which if we seize it at the flood may enable us

10. Wilfred Blunt—India under Lord Ripon. This observation was made by Wedderburn to Blunt.
11. Ripon's Dispatch to Secretary of State, 29th April, 1882.
12. Ibid
to do much in a comparatively short space of time. There are signs of progress throughout the country and evident indications of important changes, moral, intellectual and material which are passing over the thoughts and lives of the people.” Such a position, in Ripon’s opinion, was in many respects critical and required a delicate handling along with a lot of courage and wisdom.

13. Ibid.
CHAPTER II

Closing of the Second Afghan War

The first problem with which the new Viceroy was confronted was the Afghan question. During the first six months of his reign this issue overshadowed all other Indian affairs and by far the greater part of Ripon's correspondence of this period was devoted to it.

In the general elections of 1880, Gladstone and his liberal party had clearly expressed their views on the problem of Afghanistan. Instead of adopting a hostile attitude towards Russia, they were in favour of an agreement with the Afghans to keep Afghanistan outside the sphere of influence of foreign powers. They had no intention to interfere in the internal affairs of this independent country on the north-west frontier of India, because it would mean provoking the freedom-loving Afghans to take the help of the Russians against this unwarranted interference of the British. Gladstone, however, had made it clear that perhaps it would not be possible for him, when he assumes the responsibilities of the government, to repudiate engagements already contracted by the conservative government and Lord Lytton. Ripon was in full agreement with the above declarations. Before his departure to India he had thoroughly studied the problem and had submitted a memorandum on 9th May, 1880 to Hartington, the Secretary of State for India, outlining the principal points of this policy.  

Before specifying the objects of Ripon’s policy outlined in the above memorandum it is essential to give a resume of events in Afghanistan, since the death of Dost Muhammad in 1863 when a contest for the throne of Afghanistan ensued between the various sons of Dost Muhammad. The policy of Lord Lawrence, the then Viceroy of India, was to maintain an attitude of strict neutrality leaving the Afghans to choose their own ruler and to accept with amity whatever chief finally established his power. He was even prepared to recognise two or more chiefs in case the conflict terminated in a disruption of the kingdom into two or more principalities.

The Secretary of State for India in his dispatch of 26th December, 1868 approved of the policy of Lord Lawrence in not interfering in the internal conflicts of the Afghans so long as they did not jeopardise the peace of the frontier or lead to formation of engagements with other powers dangerous to the independence of Afghanistan. He also approved of the action of Lawrence in giving a warning to Sher Ali Khan when he endeavoured to enter into an agreement with Persia for strengthening his position. It was also made clear by the Secretary of State that Her Majesty’s government saw no reason for any uneasiness or any jealousy on the progress of Russians in Central Asia.

The occupation of any part or tract of the country of Afghanistan was not considered desirable at that time as such a measure would promote irritation, defiance and hatred in Afghanistan and Russia. Lord Lawrence was of the opinion that in place of an active interference in the affairs of Afghanistan a clear understanding with Russia as to its project and designs in Central Asia was sufficient to meet the Russian menace. An attitude of readiness and firmness on the frontier of India and a simple warning to Russia that it cannot be permitted to interfere in the affairs of Afghanistan was the best course.

3. Correspondence respecting the relations between Amir of Afghanistan and British Government since the accession of Sher Ali
—A Parliamentary Paper, 1878, pp. 1 to 8.
4. Ibid.
5. Ibid.
Ultimately, Sher Ali Khan succeeded in establishing his authority over many parts of Afghanistan. He entered Kabul on 20th September, 1868 and in pursuance of the policy enunciated by Lawrence he was recognised de-facto ruler of Afghanistan by the British. He was given a subsidy of six lakhs of Rupees in December 1868. Sher Ali now desired to get certain pledges from the Indian Government. He wanted that his friends should be declared friends and his enemies as enemies by the British. He also desired that he and his descendants should be recognised as the masters of Afghanistan and given a promise of fixed subsidy. Lord Mayo, while not deviating from the policy of his predecessor, avoided signing of any engagement of a permanent character. In the durbar of Ambala held in honour of Sher Ali, Lord Mayo did not give any specific assurance. He was given to understand afterwards that while no formal treaty would be concluded for recognising him and his descendants under any circumstances he would be given all moral support and would be assisted with money, arms and in other ways. Sher Ali Khan was not satisfied with this sort of general assurance and was anxious to know definitely how far he might rely on British support in case his territories were invaded by the Russians whose continued progress in Central Asia up to Khiva had alarmed him. Lord Northbrook, with the approval of the Secretary of State, informed the Amir in July, 1873 that the British government did not share his alarm. He, however, assured him that if he unreservedly accepted and acted on the advice of the British in all external affairs he would be helped with money, arms and troops, if necessary, to expel unprovoked aggression. The British, however, reserved the right to be the judge of such necessity and help.

From this time onwards Sher Ali showed signs of increasing alienation from the British. He, however, did not abandon the negotiations with the British. In 1876, his agent Nawab Ata Mohd Khan summarised the complaints of Sher Ali Khan under four heads:

6. Ibid.
7. Ibid.
(a) Lord Northbrook has communicated with his rebellious son Yakub Khan. It was considered to be an act of interference in domestic affairs and support to a personal enemy of Sher Ali.

(b) The English decision on the question of Seistan boundary deprived him of his legitimate possessions which were occupied by Persia.

(c) Lord Northbrook’s act of rendering gifts directly to chief of Wakhan, one of his tributaries, was an act of interference.

(d) The main grievances were that the British had turned down his repeated request for a defensive alliance and had not recognised the nomination of his favourite son Abdulla Jan as his successor.

Lord Northbrook was asked to reverse his policy towards Afghanistan completely by the Conservative government of Disraeli. In fact Disraeli and his Cabinet were very much alarmed by the activities of the Russian agents in Afghanistan who were supposed to have been secretly encouraged by Sher Ali Khan. It was even believed that General Kaufman, the Russian governor of Central Asia, and Amir of Afghanistan were maintaining a regular diplomatic intercourse through agents. Lord Salisbury, Foreign Secretary of England in Disraeli’s ministry, suggested to Northbrook that a British agent at Herat and, if possible, at Kandahar may be stationed with the Amir’s consent. Lord Northbrook did not favour the above policy, firstly, because it would be a complete deviation from the patient and conciliatory policy which had hitherto governed the relations of the British and the Amir; secondly, because the Amir would never accept it; and lastly, it may drive him into the arms of Russia who would then send their agents openly in the durbar of Afghanistan. The above difference of opinion was one of the main causes of Northbrook’s resignation.

The new Viceroy Lord Lytton was an ardent supporter of the policy of Disraeli. In the beginning he aimed at enforcing British influence at Kabul and specially in forcing the Amir to admit British agents in his country. He failed to convince
the Amir about the necessity of this measure. The Amir replied that in case he accepted British residents he would have to admit Russian agents also. Lytton now changed his policy. In a despatch to General Cavagnari he wrote, "It is rather the gradual disintegration and weakening than the consolidation and establishment of the Afghan power at which the British should now begin to aim." A treaty with Khan of Khelat was concluded by him in pursuance of this policy. Quetta was occupied by the British and a political agent was stationed at Gilgit. These acts were naturally seized upon by Sher Ali as causes of offence. The continued insistence of Lytton in stationing a mission at Kabul resulted in the second Afghan war of 1878.

On the approach of the British army Sher Ali fled from Kabul. The victorious British forces entered Kabul. A treaty was concluded with Yakub Khan, son of Sher Ali, at Gandamak in 1878. The treaty assigned Pishin and Sibi districts along with the Khurram pass to the British who agreed to withdraw from other areas of Afghanistan. It also gave rights to keep a permanent resident at Kabul and to send agents to Afghan frontiers. An annual subsidy of six lakhs was promised to the new Amir who was assured British support against foreign aggression. The treaty of Gandamak represented in the opinion of Lytton, "A fine endeavour to bring into effect the policy of maintaining on our frontier a strong and independent kingdom with a foreign policy exclusively subordinate to British direction."

Events, however, moved swiftly in the other direction. Cavagnari, the chief of British mission at Kabul, was murdered by Afghans. Yakub was removed from Kabul by rebellious people. A terrible war ensued in Afghanistan resulting in great loss of men and money to the British. The whole of Afghanistan was in chaos. Lytton, who was previously in favour of a strong government with its foreign relations controlled by the


British, now advocated the separation of the constituent provinces of Afghanistan as a basis for the political reconstitution of this border kingdom. The proposals made by Lytton in his letter dated 7th January, 1880 to the Secretary of State were as follows:

(a) Territorial annexation and assumption of administrative responsibilities was to be avoided.

(b) Dominant influence on the frontier provinces of India along with strong military positions enabling the British to command the highways of Afghanistan on the border was to be maintained.

(c) Herat was to be offered to Persia provisionally with a reservation that it could be reoccupied by British forces in certain eventualities.

(d) Kandahar was to be established as a separate state from Kabul. Kabul was to be handed to an Afghan ruler in subordinate alliance with the British. A strong British cantonment was to be stationed at a strategic point in Afghanistan for his support.

(e) The districts of Pishin, Sibi and Kurram assigned to the British in the treaty of Gandamak were to remain with them.

The Persian Government at that time did not agree to a provisional occupation of Herat although subsequently they expressed a desire to do so. Lytton was, however, successful in making progress in other directions. Sher Ali, an Afghan chief, was recognised as Wali of Kandahar and Herat on the condition that a British force should remain in or near Kandahar at Wali’s expense. A special officer at Gilgit was posted by him. At that time when the country was in a state of anarchy in which rival chiefs did not recognise any authority Abdur Rehman, a son of Amir Afzal, who had passed eleven years of his life in Russian territories as an exile, entered Afghanistan. His arrival at Kunduz in March, 1880 created utmost excite-

ment all over Afghanistan. Lytton now advocated an early public recognition of Abdur Rehman so that Kabul might be evacuated early. Sir Lepel Griffin in a letter dated 30th April, 1880 to Abdur Rehman urged him to proceed towards Kabul. Meanwhile, Lytton directed General Steward to march towards Ghazni for establishing direct communication with Roberts at Kabul in order to show the strong position of the government to dictate any terms of settlement on the Afghan question to any chief.

In a letter dated 16th May, 1880, Abdur Rehman requested the British Government to offer their opinion on the following issues:

(a) What were to be the boundaries of his dominions and whether Kandahar was to be included in it?

(b) Whether a British envoy or a force was to remain in Afghanistan?

(c) What enemy of the British Government he was expected to repel?

(d) What benefit shall be conferred on him and his country by the British and in return what services were expected from him?

Before any answer could be sent to him, Lytton was replaced by Ripon on 6th June, 1880.

On his arrival in India Ripon found that as a result of the two successful campaigns in which enormous forces were employed and huge amount of money was spent, all that was accomplish-

13. The second Afghan war 1878-80, official account produced by the Intelligence Branch of Army Headquarters of India.

14. *Dispatch of Lord Lytton to Secretary of State for India*, 14th March, 1880, further correspondence relating to Afghanistan including recognition of Abdur Rehman Khan as Amir of Kabul—Parliamentary Blue Book of 1851.


16. Dispatch No. 90 of 1880 dated 7th April, 1880, *Lytton to the Secretary of State*.

ed was, a disintegration of a kingdom with a state of anarchy in major parts of the country. Abdur Rehman was advancing slowly towards Kabul and had not yet been able to bring entire Afghanistan under his control. Sher Ali, the Wali of Kandahar, whom Lytton had given protection, was threatened by Ayub Khan, a brother of Yakub Khan.\(^{18}\) The British armies were still stationed at various places in Afghanistan although Lytton had adopted the policy of avoiding annexation or assumption of further responsibilities in that kingdom and of withdrawing to India as early as possible. Ripon in a memo to Hartington, the Secretary of State, already referred to in this chapter, had laid down the main points of his proposed Afghan policy. According to him the objects of his policy were:

(a) To repudiate the policy of disintegration of Afghanistan.

(b) Evacuation of Kandahar so far as consistent with the pledges given by Lytton to Wali,

(c) Retention of Sibi and Pishin,

(d) Evacuation of Kabul for facilitating the establishment of a ruler, either Abdur Rehman or Yakub Khan. The successful candidate was to be supported by grants of money and arms and not by troops. A non-European agent may be kept at Kabul if agreed to by the Amir, and

(e) The successful ruler of Afghanistan was to be allowed to take Herat if he could do so.

He had, however, made it clear that he was prepared to act according to the circumstances,\(^ {19}\) and as far as possible to honour the pledges given by his predecessor. The Secretary of State was also of the view that a fixed policy which would admit of no guidance was not possible.\(^ {20}\) In his opinion the first object which

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18. Dispatch from the Secretary of State to Viceroy, dated 21 May, 1880.


20. Secretary of State’s Dispatch to Viceroy, dated 21 May, 1880.
was desired to be accomplished was the speedy withdrawal of the greater part of the troops employed in Afghanistan at that time and the ultimate withdrawal of the whole from positions beyond the British frontier. Ripon was instructed to secure, if possible, the restoration of a friendly state capable of maintaining its own independence and of administering its own affairs without the military support of the British. Her Majesty’s government approved of the policy of Ripon regarding Kandahar in view of the fact that Sher Ali, the Wali of Kandahar, distrusted his own ability to maintain his position without British support against Ayub Khan. Ripon was given freedom to withdraw the support given to the Wali in a manner which was not to be constituted as a violation of the pledges given to him. The Secretary of State also did not object to Herat being entrusted to a ruler who could establish his independent authority over Afghanistan. As regards sending of a resident to the Afghan court an Indian envoy was considered sufficient for supplying the British Government with the necessary information.

Thus Ripon had a clear mandate from the Secretary of State to proceed on the lines of action suggested by him along with freedom to make changes necessary according to the circumstances. He preferred Yakub Khan as the ruler of Afghanistan because in his opinion Abdur Rehman was the most Russian of all the candidates for the throne of Kabul. Sir Donald Stewart and Griffin also represented the danger of trusting Abdur Rehman. It was alleged that after consolidating his position in Afghan Turkistan he was secretly inciting a general rebellion against the British in the country. They advocated that either negotiations with him should be abandoned or he may be asked to have a clear understanding with the British Government on certain issues. After great consideration Lord Ripon decided that, “as matters stood then, an arrangement with Abdur Rehman offered the most advisable solution.” In his opinion a sudden and premature change of policy might give a chance

21. Ibid.


23. Viceroy's Dispatch to Secretary of State, 27 July, 1880.
for imputing motives on the good faith and firmness of the British. Finding no concrete proof of Abdur Rehman's duplicity and his strong position in Afghan Turkistan it was decided that a reply on the points which he had raised in his letter of 16th May, 1880 and to which he attached much importance, was to be sent to him. Another factor which weighed heavily with Ripon was the fear that in case Abdur Rehman was in any way embarrassed with the British attitude, he might try to seek the help of the Russians. An additional factor which determined his attitude was his respect for continuity in Indian policy and administration. According to him the late government had made our bed and we must lie on it.

Griffin was, therefore, directed to communicate to Abdur Rehman that chiefly in order to transfer the administration to a competent ruler which would enable them to withdraw their troops from Kabul in a few months the British Government was prepared to recognise him as the ruler and to afford him support in establishing him at Kabul. Griffin, in a letter dated 14 June, 1880 wrote to him as follows:

(a) The ruler of Kabul cannot maintain political relations with any power except the English and in case any such interference by a foreign power led to unprovoked aggression on Kabul, the British Government would aid him or if necessary repel the attack provided he follows the advice of the British in regard to his external relations.

(b) As regards the boundaries of Afghanistan the Government was not ready to make any commitment or enter into negotiations regarding Kandahar, Pishin and Sibi or any other area. He was, however, informed that he could establish his authority over Herat, though its possession could not be guaranteed for ever.

(c) Abdur Rehman was assured of a policy of non-inter-

24. Ripon's Dispatch to Secretary of State, 5 July, 1880.
26. Ripon's dispatch to the Secretary of State, 27 July 1880.
27. Ibid., 29 July, 1880.
ference in the internal affairs of Afghanistan. He was informed that an English resident would not be stationed anywhere in his dominions but with his consent a Muslim agent may reside at Kabul.

Ripon made it clear to the military and political officers in Afghanistan including Donald and Stewart that the arrangement for the withdrawal of troops from Afghanistan was to be completed without reference to the results of correspondence with Abdur Rehman. In the event of Abdur Rehman's manifesting good faith and friendly spirit he was to be recognised as Amir and was also to be given political support,28 but in case he was found treacherous, measures should be taken to help another chieftain in establishing his suzerainty over Afghanistan.

The above terms on which Abdur Rehman was to be recognised as Amir formed the basis of Ripon's Afghan policy. Fortunately for Ripon Abdur Rehman accepted the offer. He took it for granted that the British had agreed to allow him to occupy those territories in Afghanistan which were settled by a treaty with his grandfather, Amir Dost Muhammad Khan.29 While agreeing to the proposals, he wrote that he did not want to disturb his cousin at Herat at that moment. Abdur Rehman in his above letter raised the issue of Kandahar very cleverly by pleading that Kandahar was the town of royal family and without its inclusion the kingdom was of very little value.30 Donald and Stewart suggested the closing of negotiations on this account and also because Abdur Rehman had not specifically given his consent to the retention of Sibi, Pishin and Khurram, which were acquired by the British through the treaty of Gandamak. As the British had concluded two treaties with Dost Muhammad—one in 1855, when Kandahar and Herat were not in his possession and another in 1857, when he had occupied both the cities—it was not clear as to what treaty was alluded to by Abdur Rehman and therefore his reply was vague.

29. Negotiations with Abdur Rehman Khan, Abdur Rehman's letter to Griffin, dated 22nd June, 1880.
30. Ibid.
On one hand Ripon was still doubtful of Abdur Rehman’s success while on the other he did not find any other candidate, who would be able to establish his authority in Afghanistan. He was, therefore, reluctant to break negotiations with him. He gave an equally ambiguous reply to Abdur Rehman.¹¹ He was informed that although it was not clear what territories had been alluded to by him yet the British Government assumed that he fully understood the statement made by Griffin regarding the territories in his letter dated 14th June, 1880. Thus, Abdur Rehman was given an opportunity to inform the people of Afghanistan that the British Government had no objection to his annexation of Kandahar and Herat. Meanwhile, the British were also free to claim at any stage that they were referring to the treaty of 1855, and not to the treaty of 1857 and thus had not promised Kandahar and Herat to Abdul Rehman. As this ambiguity served the purpose of both the parties it was silently accepted by them. On 20th July, 1880, Abdur Rehman was proclaimed Amir by several chiefs and heads of Afghan tribes at Charikhar.¹² The British Government recognised him as Amir on July 22, 1880.¹³ Ripon, however, took caution not to proclaim or appoint him in order to show that the Government of India were not committed in any way to his future fortunes. He was paid a subsidy of ten lakhs along with arms and ammunitions. He was, however, given to understand that no regular subsidy or supply of arms was contemplated. All questions of reciprocal arrangements between the two governments were postponed until his administration was consolidated in Afghanistan.

Griffin was instructed to advise Abdur Rehman about the policy to be followed by him towards Afghanistan’s two strong neighbours, viz., the British government in India and Russia. In the opinion of Ripon’s government, the policy of Afghanistan, “should be friendly towards the one which is least aggressive and hostile to the power wishing to pass through her coun-

¹¹ Griffin’s Letter to Abdur Rehman, 2 July, 1880.
¹³ Viceroy’s Dispatch to Secretary of State, 27 July, 1880.
try or interfere with her independence. Afghanistan must not, however, by her actions, provoke either of her neighbours, neither must she allow either of them to enter her country under any pretence, whatsoever, no matter what treaties or promises they make.”

The successful conduct of negotiations with Abdur Rehman did not end troubles in Afghanistan. While these negotiations were in progress trouble was brewing at Kandahar and Herat. In April, 1880, it was reported from Kandahar that Ayub Khan had moved his forces in the direction of Herat and that the dissatisfied troops of the Wali were insufficiently organised to meet this danger. It appears that authentic news about Ayub Khan’s movement were not available to the British as its military intelligence department at Kandahar was not well organised. Hence, General Primrose telegraphed on 30th May, 1880, that Ayub Khan’s move had been exaggerated. On behalf of Sir Robert Sandeman, the political officer at Quetta, claimed in 1892, that he sent a warning to the Government of India early in June, 1880 to the effect that Ayub had actually started from Herat with a considerable force towards Kandahar. He did not give complete information about the strength and character of the force of Ayub and the attitude of the tribes. It appears that the above warning, if sent, was not considered to be of much importance by the Government of India, otherwise necessary measures would have been taken to combat the menace. Only a brigade under General Burrows was sent to Guishk, on the river Helmund for helping the Wali of Kandahar. It could not prevent the Wali’s rebellious troops crossing over to Ayub who suddenly appeared near Gerishk. Instead of meeting Ayub on the field Burrows, a weak general, retreated towards Kandahar. This tactical blunder not only encouraged Ayub Khan but it also added to his prestige and support creating a critical situation. Ripon was of the opinion that General Primrose should move

35. The Second Afghan War, 1878-80, official account, produced in the Intelligence Branch, Army Headquarters, India.
36. *Ibid*.
from Kandahar leaving a small contingent there and join Burrows for an offensive against Ayub, but Haines, the Commander-in-Chief, and Johnson, the Military Member of the Council, did not favour the weakening of the defences of Kandahar. General Primrose was, therefore, given general directions to deal with Ayub in the best possible manner according to the situation. Ripon was unaware that Primrose and Burrows both lacked initiative to act boldly in a difficult situation. Primrose did not move from Kandahar. Reinforcements were also not sent to Burrows whose lines of communications were threatened when Ayub crossed the river Helmund at Maiwand. Burrows had no option but to fight. He was severely defeated in the battle of Maiwand on 27th July, 1880.

Ripon has been charged for the defeat at Maiwand in view of the fact that by constantly declaring that the British were eager to leave Afghanistan as early as possible, he had encouraged the anti-British forces in Afghanistan. But this policy was in a sense decided by his predecessor, who was even ready to give Herat to Persians and who had not checked Ayub's advance in 1879. The only blame which can be thrown on Ripon was that he did not overrule his advisors.

The disaster of Maiwand had severe repercussions on the situation in Afghanistan. Kandahar was now seriously threatened by Ayub and reinforcements were to be sent expeditiously to relieve the garrison. It was necessary to defeat Ayub not only for recovering the British prestige but also for maintaining the arrangements made by them by concluding an agreement with Abdur Rehman. General Roberts, aided by a force supplied by Stewards, was to proceed from Kabul towards Kandahar, taking care not to annoy the tribes on their way. Abdur Rehman was to be given another subsidy for remaining friendly with the British. The defeat of Maiwand was avenged by Roberts on 4th September, 1880 by destroying Ayub's army. Thus prompt and strong action taken by Ripon saved the situation for the British and convinced Abdur Rehman of their sincerity. When their forces moved out of Kabul, the strength of British arms was also demonstrated by the victory and the lost prestige was recovered.
Ripon and his advisors were now confronted with the problem of deciding the fate of Sher Ali, the Wali of Kandahar, and Herat. Sher Ali had remained loyal to the British although his troops had mutinied. However, in view of the fact that he was not able to maintain himself without the support of the British, Ripon had a desire to take Kandahar from him. For this purpose he wanted Sher Ali to sign a voluntary declaration. Lyall was sent to persuade Sher Ali to withdraw from Kandahar and settle at Karachi. In a letter to Ripon Sher Ali gave freedom to the British to deal with Kandahar as they thought best.\(^{38}\) It appears that the abdication of Sher Ali was not wholly voluntary and he was coerced to do so.

The withdrawal of Sher Ali from Kandahar raised a lively discussion about the retention of the city in British hands. Several British officers had from time to time expressed a strong opinion in favour of Kandahar remaining under British control. Rawlinson in his memorandum on Central Asian question submitted on 20th July, 1868 to the Government of India had pointed out its strategic importance. In his opinion if a foreign army descended on the Indian frontier it will be by way of Herat and Kandahar and not through the sterile and difficult passes between Kabul and Peshawar. Although the government recognised its strategic importance, it never considered the permanent occupation of Kandahar to be expedient on political grounds as such a condition would have been extremely painful to the Amir and also detrimental to his strength and credit.\(^{39}\) Hence, Lytton, when he decided in favour of disintegration of the Afghan kingdom, proposed the establishment of Kandahar as a separate state under a hereditary ruler seeking British protection.\(^{40}\)

Whitley Stokes, a member of the Executive Council of the Viceroy, strongly opposed the proposal of relinquishing Kandahar.

\(^{38}\) Letter of Wali of Kandahar to Viceroy, dated 12th Nov., 1880.

\(^{39}\) The Second Afghan War, 1878-80. Dispatch of Lord Lytton to Secretary of State, 7th July, 1879.

\(^{40}\) Lytton to Secretary of State, 7th January, 1880.
har. In a minute,\textsuperscript{41} he quoted the views of strategists like Lord Napier, Roberts and others, who considered its retention desirable for the defence of India against an invading army. In his opinion the advance of Russia to the boundaries of Afghanistan had already created a dangerous situation specially when Abdur Rehman was not strong enough to hold this strategic fort against Ayub. He also pointed out that surrender of Kandahar would be regarded as a sign of weakness, not only by Afghans but also by the people of India. It would also adversely affect the morale of the Indian army and create a belief in the country that the decisions regarding vital matters affecting India are subject to the vicissitudes of party politics in England. Stokes also pointed out the commercial possibilities in case the railway which was being constructed from Sibi to Kandahar was completed. In his view the withdrawal would not result in any savings because the British, after their withdrawal, would be forced to send many punitive expeditions to the regions of Kandahar and for this purpose keep a big force at Peshawar. Stokes hoped that the British rule at Kandahar would become popular in course of time as it would result in the increase of commerce and prosperity. He was supported by Rivers Thompson, Gibbs and Haines,\textsuperscript{42} Sir Donald Stewart, while not attaching much importance to its strategical value, supported the retention on the ground that any change in the policy at that moment would be destructive to British influence in Afghanistan and India.\textsuperscript{43} Baring was the only supporter of Ripon.\textsuperscript{44} He considered the danger from Russia, if not imaginary, as uncertain and in his opinion it would be unwise to bear a great financial burden to guard against such a remote eventuality specially when India was not prosperous enough to stand it. In his opinion the occupation of Kandahar would give a stimulus to territorial aggrandisement while the immediate result would be to adjourn indefinitely the fiscal reforms of which India stood in so much of need.

\textsuperscript{41} N.A.I., Political Department Proceedings No. 69-76, February, 1881.
\textsuperscript{42} Ibid.
\textsuperscript{43} Ibid.
\textsuperscript{44} Ibid.
of the majority of his councillors, requested the Secretary of State to give a final decision on the problem. The Secretary of State did not consider the mere existence of Russian military position some hundred miles from the north-west frontier constituting any cause for anxiety. He overruled the possibility of handing it over to an Afghan chief as the experiment of keeping an Afghan ruler at Kandahar with British support was found to be unsuccessful. As regards the possibility of the British rule being popular the Secretary of State gravely doubted whether the freedom-loving Afghans would be inclined favourably to the rule of a ruler alien in race and religion. In his opinion the withdrawal instead of creating an adverse affect on the prestige of the British would have a moral effect on the people and princes of India. They will be convinced that the British Government has no desire for territorial aggrandisement. The Secretary of State also agreed with Baring and Ripon that the permanent occupation of Kandahar would quickly be followed by fresh apprehensions to its security and further demands for the completion of a system of defence of which it would become a part. It was, therefore, decided that it may be handed over to the Amir of Kabul.

Along with the discussion of the advisability of retaining Kandahar the question of gradual withdrawal of British troops from Khyber and Khurram districts and from Pishin and Sibi was also considered. Before a decision on Kandahar was taken Roberts had advocated English withdrawal from the Khurram and Khyber valleys with a guarantee to the tribes in the areas against the imposition of Afghan rule. Similarly Haines wanted to maintain a strong position in front of Khyber entrusting Khyber road to tribal guards. Ripon was in favour of keeping Sibi and Pishin but favoured withdrawal from other areas. In his opinion the possession of these districts would secure all the advantages intended to be gained by the advocates of the forward policy, by occupying Kandahar. Strong garrisons at these places

45. Secretary of State’s Dispatch to Viceroy, dated 11th Nov., 1880.
46. Ibid,
would enable the British to guard the frontiers as well as to control the Amir. The enormous expenses of keeping Kandahar would also be saved by them. As these areas were never completely ruled by the Afghans and the people were of more peaceful nature Ripon believed that there would not be much of trouble. It would neither violate the agreement with Abdur Rehman nor be considered as a breach of faith by the tribal people of these areas and by the Khan of Khelat to whom pledges were given by Lytton for retaining them under the British protection. The Secretary of State was not in favour of retaining these two districts but ultimately agreed to hold them provisionally for some years when Ripon proposed that the assignment should be given up afterwards with due consideration of the interests of all concerned. It may be pointed out that these districts were held by the British till their withdrawal from India in 1947.

Ripon had come from England as a supporter and champion of the policy advocated by Lord Lawrence with whom he had closely studied the Afghan problem when he was Secretary of State for a few months in 1866. But when he studied the problem minutely before coming to India he realised the necessity of effecting a few compromises with the forward school in territorial details. From the very beginning of his viceroyalty he advocated the retention of Sibi and Pishin, and with great firmness he now pressed the Secretary of State to agree to the occupation of these territories and even provisionally for some time more. He, however, could not convince the Home Government about the extension of railway in these districts from Quetta which would have in reality made the retention of the territories immensely advantageous to the British. It is argued that the occupation of Sibi and Pishin was not legal and in case these territories were not to be given to the Amir independence could have been granted to these areas as was done in the case of Khyber and Khurrram regions. But the strategic importance of these two areas weighed heavily with Ripon. In other aspects of the problem,

47. *Ripon’s Dispatch to the Secretary of State*, 2nd Feb., 1881.
Closing of the Second Afghan War

Ripon followed the essential aspects of Lawrence’s policy. Instead of a disintegrated Afghanistan with an independent kingdom at Kandahar and Herat he facilitated the path of Abdur Rehman in realizing the ideal of a strong and united Afghanistan by including these territories in his kingdom. It also goes to his credit that he skilfully conducted negotiations with Abdur Rehman, a choice of Lytton, whom Ripon did not favour in the beginning.

On his arrival in India on 2nd June, 1880 Ripon in reply to an address given by Bombay Corporation had said, “it will be my earnest endeavour to bring that war, so far as lies in my power, to an honourable conclusion in the hope that with the returning peace, the Government of India may again be able to devote its attention to those works of internal improvement to which you have so rightly and wisely alluded.” He succeeded in his aim of withdrawing the troops from Afghanistan within a year of his arrival. The last regiment of the British troops reached India on 26th May, 1881. This he achieved with the least loss of men, money and prestige. Except for the defeat of Maiwand and the abdication of Wali of Kandahar on account of British persuasion, the settlement made by Ripon was praiseworthy. The defeat at the hands of Ayub was avenged by Ripon but Ripon had to sacrifice the Wali on the altar of the integrity and unity of Afghanistan.

His achievements in Afghanistan are also to be judged in view of his manifold difficulties. He had to deal with an executive council the majority of which did not subscribe to his policy as was evident from the discussion on the Kandahar issue. He had to depend on several incompetent military officers like Primrose and Burrows for actual military operations in Afghanistan. He had to work within the circumference of a situation which he had inherited from his predecessor. Meanwhile, he was expected not to depart in detail from the policy of the Gladstone’s government. Under such circumstances Ripon calmly and resolutely grappled with the problem. The only weakness showed by him was in not overruling his advisers when they opposed his proposal and not issuing orders to Primrose to advance and attack Ayub just before the disaster of Maiwand. With the vis-

ion of a statesman who has a clear grasp over the situation he was able to carry out his programme substantially by convincing the Home Government about the minor changes he had made in their policy and by impressing upon them the necessity of overruling the wishes of majority of the Executive Council. In this sense the Afghan settlement was a personal triumph for him.
CHAPTER III

Central Asian Policy

With the downfall of Napoleon, the French menace to the security of the British empire in India disappeared completely. In its place the Russian advance in Central Asia caused anxiety to the British politicians. Like the British who claimed that the establishment of an empire in India was a result of accident and not planning, the Russians advocated that they were forced by circumstances. According to Gortchokaff, the Russian foreign minister, the late territorial acquisitions in Central Asia were brought by imperious necessity and against the wishes of the government. Whenever the Government of United Kingdom conducted negotiations with them in order to have a clear statement about their intentions in Central Asia the reply was that it was not possible for them to fix a limit. At last, when pressed too hard, the Russian foreign minister had to state categorically in 1864 that the expansion had reached a limit beyond which the Russians had no necessity to expand in Central Asia. This meant that they had no intention to include Afghanistan in their sphere of influence. But these words were not supported by action. Whatever may have been the policy decided by the Court of St. Petersburg in this respect, the Uzbeg states of Central Asia continued to be absorbed by the Russians even after this declaration.

2. Ibid.
3. Ibid.
4. Ibid.

25
The liberal Government of England at that time did not see any reason for uneasiness or for any jealousy on this continued progress of Russians in Central Asia. Their only anxiety was to get a promise from Russia to keep Afghanistan as an independent state. Lord Lawrence, the then Viceroy of India, in a dispatch to the Secretary of State suggested certain measures to be taken for combating the Russian menace. The policy outlined by him was in fact the policy of the liberals.

Lord Lawrence objected to any interference in the affairs of Afghanistan by the deputation of a high-ranking British officer with or without a contingent. He was not in favour of forcible or amicable occupation of any tract or part of the country beyond the Indus frontier, as such a measure, in his opinion, would engender irritation, defiance and hatred in Afghanistan. He wrote, "It would be impolitic and unwise to decrease any of the difficulties which would be entailed on Russia in case that power seriously thought of invading India. To meet her half way in a difficult country and in the midst of a hostile population would make the British task difficult."

The solution of the problem, as suggested by Lawrence, lay in the following two courses:

Firstly, in adopting an attitude of firmness of the Indian frontier, and secondly, by coming to a clear understanding with the Court of St. Petersburg as to its projects and designs in Central Asia with a warning that it will not be permitted to interfere in the affairs of Afghanistan.

His views were accepted by the liberal government who tried to elicit a definite policy declaration from the Russians but as before these efforts met with little success. Lord Mayo and Lord Northbrook also subscribed to the views of Lord Lawrence and

5. Secretary of State's Dispatch to the Viceroy, 26 December, 1867.
6. Dispatch of Viceroy to the Secretary of State, 4 January, 1869.
7. Ibid.
8. Ibid.
tried to follow his policy with minor adjustments according to the situation.

In 1873, the problem again assumed serious proportions when the news of occupation of Khiva by the Russians reached the Amir and the British. Both viewed with great alarm the advance of Russia up to Khiva. The Amir who had by this time developed a feeling of dissatisfaction with the general assurances of support given by the British pressed for a categorical assurance of help. Before a final reply could be sent to him the liberal government was replaced by the conservative government of Disraeli. Consequently, there was a complete change in the policy followed towards Afghanistan. Lord Lytton was sent to India in place of Lord Northbrook to implement that policy. We have already noticed the disastrous results of this policy in the previous chapter.\(^9\)

With the settlement of the Afghan question in 1881 Ripon, who all along was aware of the necessity of an understanding with Russia, took up the question more seriously. He had been in constant touch with the various aspects of the problem for the last thirty years. As far back as 1855, during the Crimean War, he had supported Palmerston's policy of hemming Russia on all sides\(^10\) but the inconclusive termination of the war brought a realisation to him that it was not possible to bring about a millennium by "express train."\(^11\) He gradually reconciled himself to the liberal policy. As Secretary of State for India he had an opportunity to be in close touch with the implementation of the policy enunciated by Lawrence, the then Viceroy, and at the end of his short tenure of office he was firmly convinced of the policy advocated by Lawrence.\(^12\)

'Like Lawrence, Ripon always believed at all events in those days, the fear of an invasion by the Russians to be purely chimeraical. But this does not mean that he denied the existence

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9. See Chapter II.
12. *Dispatch of Ripon to Secretary of State*, dated 29th April, 1882.
of Russian menace. According to him Russia, when on bad terms with England, could foment troubles by intrigues carried on within the British dominion.13 These troubles could assume dangerous proportions in case Abdur Rehman secretly or openly sided with the Russians. It may be observed that Ripon had always his own doubts about Abdur Rehman. He could never forget that the Amir had spent eleven years of his life in Russian territories,14 and that a Muslim agent of Russia was present in Kabul at that time. Instead of interfering in Afghan affairs or occupying any part of its territory, Ripon, like Lawrence, advocated the starting of negotiations with the Russian Government by the English Cabinet. This would also test the repeated professions of the Russian Government for coming to an understanding with England on this issue.15

Russia was steadily advancing towards Merv in 1881. It was only a matter of time for her to occupy this strategic post near Herat. Although this event caused serious consternation in English Cabinet but Ripon was unnerved. In his opinion Russia would eventually seize Merv in spite of the protests of the English and the Amir of Afghanistan. It would, therefore, be wise to give acquiescence of the Russian advance as far as Merv if she promised non-interference in the affairs of Afghanistan.16 His views were not accepted by the Cabinet which believed that steps could even be taken at that stage to prevent Russians from advancing towards Merv. Hartington, the Secretary of State for India, suggested the strengthening of Persia by loans or by help of arms to enable her to occupy the territories of Merv. They thus wanted Persia to constitute these regions as a buffer state between Russia and Afghanistan.

Ripon was surprised to learn about the views of the Cabi-

13. Viceroy's dispatch to the Secretary of State, Foreign Department, dated 29th April, 1882.
14. Viceroy's Dispatch to the Secretary of State, Foreign Department No. 100, dated 8 July, 1887.
15. Memorandum submitted to the Secretary of State by Ripon, 2 September, 1881.
16. Viceroy's Dispatch to the Secretary of State, Foreign Department No. 100, 8 July, 1881.
net which advocated a policy which was in fact not the policy of the liberals but that of the conservatives and the supporters of the forward school. As far back as 1868, Rawlinson had made this suggestion of helping Persia to recover lost ground in Central Asia in order to prevent the possibility of Russia making use of that country as an instrument to facilitate her own advance. Salisbury and Lytton had also entertained ideas about encouraging Persia to occupy Herat. Ripon, therefore, naturally opposed the suggestion of Hartington. In his opinion Persia was not to be trusted either as to its ability or as to its desire to resist Russia. 17

Hartington even now does not seem to have been fully convinced by the arguments of Ripon. He still expressed a desire to follow a policy of encouraging Persia against Russia and suggested the sending of a British force to fortify Herat so that help might be given to Persians expeditiously in times of need. 18 Ripon strongly remonstrated against this proposal also, which in his view, would place the British in the position of 1880 when the English forces entered Afghanistan. To station British force in any part of Afghanistan was an invitation to trouble. Ripon again stressed the need of having a definite treaty with Russia.

Hartington had no alternative but to start negotiations with Russia. He, however, does not seem to have been able to convince the Cabinet completely as it did not take up the issue enthusiastically. Although Granville, the Foreign Secretary of England, started negotiations in the end of 1882 19 sufficient progress could not be made except getting verbal assurances, as usual, from the Russians. De Giers, the Russian Minister, assured not once but repeatedly that the mission of Russia in Central Asia was one of peace and she had no intention of occupying fresh territories. 20

Although the Government of England could not act boldly

17. Ibid.
18. Dispatch of the Secretary of State to Viceroy, 10th February, 1881.
19. Parliamentary Papers, 1884, LXXXVII, p. 66.
20. Ibid., p. 77.
in getting a written promise from Russia regarding its design in Central Asia, it had the courage to make it clear to the Russians that the integrity of Afghanistan was a matter of vital importance to the Government of England. Hartington declared in Parliament in August, 1881, that any interference in the external or internal affairs of Afghanistan by any foreign power would not be tolerated.21 Ripon, who always insisted on having a clear promise from Russia, found himself in a predicament. He held that the above declaration involved assumption of responsibilities which the British Government always wanted to avoid. In case Russia deliberately ignored this warning the only course left to the British Government was to take measures for enforcing it by force, in case it was necessary. Such a situation was to be avoided in all eventualities.22 It could only be done by ensuring the good behaviour of Afghanistan towards Russia so that Russia might not threaten Afghanistan. Ripon, therefore, considered that greater responsibility had been thrown on the shoulders of the Viceroy who will now have to keep the Amir in restraint.23 It was indeed a difficult task specially when the intentions of the Amir of Afghanistan towards the British could not be fully trusted.

Hartington, on receiving strong protest from Ripon, tried to support his declaration by making additional suggestions. He suggested payment of regular subsidies for making the Amir stronger and if necessary, placing a garrison at Herat for his aid. In his opinion, it would induce the Amir to become a close friend of the British.24 Ripon, while having no objection to the payment of regular subsidies, was against the proposal of sending a British force to Herat. It was, in fact, a repetition of the suggestion of Lytton. It would have certainly led to the adoption of the policy of Lytton with the same disastrous results. Ripon did not object to a treaty with Abdur Rehman, in case it was

22. Memorandum submitted by Ripon to the Secretary of State, 2nd September, 1881.
23. Ibid.
possible, but he still considered an understanding with Russia to be the best course.

At this stage, Hartington was succeeded by Kimberley as Secretary of State in December, 1882. Like Hartington, Kimberley does not seem to have studied the problem as minutely as Ripon had done. Perhaps they both were busy in other affairs and their colleagues in the Cabinet did not devote much attention to this problem. This inconsistent attitude of the two Secretaries of State placed Ripon in great practical difficulties. He was not able to give a definite reply to Amir, when he sought advice regarding the treatment of Russian agents reported to be present in Kabul and Herat. He also avoided an interview with the Amir as requested by him. In order to satisfy him he could only offer a fixed subsidy. Kimberley, after consulting his Cabinet colleagues, informed Ripon that direct negotiations with Russia were not considered expedient. He, however, approved of the proposal of Ripon for the payment of an annual subsidy of twelve lakhs to Amir. This offer satisfied Amir to a certain extent and he did not insist on a personal interview. But he was keen to get the boundaries of his kingdom defined by the British as was recognised by them so that he could inform the Russians about it. Ripon suggested an appointment of an English mission for this purpose in case the Amir considered the description of the Oxus as the northern boundary to be inadequate.

In 1883, Ripon could not make sufficient progress in convincing the Cabinet about the necessity of having a direct talk with Russia for defining the spheres of influence in Central Asia. During that year the Cabinet was busy in Egyptian affairs, the Viceroy could not devote much time to this problem on account of the Ilbert Bill agitation and the Amir was also involved in suppressing internal opposition. The Russians continued to advance towards Merv which they ultimately occupied in February, 1884.


26. *Telegram from Secretary of State to Viceroy, Foreign Deptt.*, 8th June, 1883.
The news of occupation of Merv by the Russians created such general uneasiness that the liberal government could not leave matters where they stood. It was decided to renew the inconclusive conversation of 1882. Russia was to be informed that in spite of her repeated professions of unwillingness for territorial expansion she had proceeded in somewhat unfriendly manner with regard to Merv. The Cabinet hoped that the friendly negotiations with Russia would lead to the definite demarcation of the north-west boundary of Afghanistan. Ripon was pleased to learn about this decision. He recommended the appointment of a boundary commission to act in concert with Russia for achieving this object. Ripon also forced Abdur Rehman to withdraw his troops which had crossed the Oxus, so that untoward incidents might not happen to jeopardise the chances of a settlement.

Russia expressed its willingness to the British proposal for a joint commission. Sir Peter Lumsden was appointed to lead the British mission and the Amir was invited to provide qualified officers. Granville, the Foreign Secretary of England, proposed that the British and Russian missions should meet on 1st October, 1884. Russia wanted to delay the matters on some pretext or the other in order to secure their positions in the Merv area. They also raised the issue of Panjdeh by claiming its independence from the Amir. It led to a crisis on 1885. Although a protocol for the delimitation of the frontier was signed in 1887 the final solution came in the entente of 1907 between Russia and England.

During all these years of tension some members of Ripon's council strongly suggested measures to increase the strength of the Indian army. The Quarter Master General, Sir Clarles Macgregor, wanted to increase the strength of the army to 3,40,000 men out of which 1,20,000 were to be British troops. Stewart

27. Secretary of State's Dispatch, Foreign Department, 22nd February, 1884.

28. Viceroy's Telegram to Secretary of State, Foreign Department, 24 February, 1884.

29. Viceroy's Dispatch to Secretary of State, Foreign Department, November 16, 1884.
proposed an increase of 15,000 men in the European army along with a large addition to the Indian army. He was even prepared to resign in case his proposals were turned down. 30 Ripon entirely disagreed with these views. As already stated, he dismissed the fear of invasion of India by Russia for all practical purposes. The real problem, according to him, was how to meet and defeat the intrigues fomented by the Russians in the British dominions of India. 31 The real danger, therefore, lay in a discontented population which could be exploited by the Russians. In his opinion nothing should be done which may increase the dissatisfaction created by Lytton’s policy. Additions in the strength of the Indian army was, in his opinion, neither necessary nor desirable. Russia would never dare to risk a war with England and even if such eventuality happened reinforcements could always be secured from England. The increase in the strength of the army could only be done with a corresponding increase in the expenditure of the Indian Government. The additional expenditure could be met only by levying new taxes or by increasing the rates of existing taxes. Ripon firmly believed that this would raise a storm of indignation in the country which would do more to shake our real power in the country than the Russian occupation of a dozen Mervs. In a dispatch to Hartington on 29th April, 1882, Ripon wrote that the intrigues of the enemies could be met and defeated by two methods—firstly, by government and secondly, by the development of the resources of the country. He further observed, “This is the work to which we ought to set ourselves with every energy which we possess.” He also expressed a belief that, “the steady pursuit for some years of the policy upon which the present Government of India is endeavouring to act will place us in a better position to encounter Russian intrigues than the fortifications of all frontier towns of Afghanistan and garrisoning of the whole of them with British troops.” 32

It was in the light of the above views that we have to

30. Viceroy's Dispatch to the Secretary of State, June 5, 1884.
32. Viceroy's Dispatch to the Secretary of State, April 29, 1882.
judge the success of Ripon’s Central Asian policy. Although he was not fully successful in convincing the Home Government about the necessity of serious negotiations with the Russian Government, he was able to secure an approval of the policy advocated by him, i.e., of winning the confidence of the Indian people with a few years of just and righteous government. The Secretary of State agreed with the view of Ripon and stated, “Her Majesty Government had deliberately adopted the view that the true defence of India consists, not in the acquisition of strategic position at a greater or less distance from the frontier, nor in competition with any other power for influence in Central Asia, but in the good Government of India, the development of her resources, and the perfecting of the military organization and efficiency of her army.” Whatever criticism may be levelled against Ripon’s administration in India certainly it cannot be said that Ripon failed to increase the popularity of the British rule in India. In a short time he was able to strengthen the British hold on Indian people.

Ripon also deserves recognition for pursuing a consistent policy on this issue. From the very beginning he had clear ideas of solving the problem. He persistently pressed for an understanding with Russia and even did not change his views after the occupation of Merv by the Russians. He had to perform a difficult task of maintaining cordial relations with Abdur Rehman in order to prevent him from leaning towards Russia. He had always considered the increase of this responsibility with alarm but skillfully succeeded in maintaining cordial relations with the Amir and in convincing him that his interests lay more in supporting the English rather than Russia. When Ripon left India the people of India were contented and the Amir was friendly towards the British. However, Ripon’s failure in having clear understanding with Russia on the Central Asian problem does not rest on his shoulders. For this the Home Government was responsible.

33. Secretary of State’s Dispatch to the Viceroy, Foreign Department, December 3, 1880.
CHAPTER IV

Relations with Upper Burma

Since the times of Dalhousie, Arakan, Pegu and the coastal areas of Burma constituted the territories of Lower Burma under the British empire of India. The relations of the Indian government with the kingdom of Upper Burma were not so cordial from the very beginning. The frequent cases of ill treatment of the British subjects, the undefined boundary between the two states and the internal disorders and misrule in the Burmese state resulting in the decrease of trade and commerce of the British were the main causes of the strained relations between the two. Fortunately for the British, after his accession to the throne king Mindon maintained peace and order in his kingdom and tried to improve friendly relations with the British. In 1862, he concluded a commercial understanding with the British. The British were now keen to have a political treaty with Upper Burma. For this purpose Colonel Phayre was sent on a mission to Mandalay. Due to the cool attitude of the Court of Ava his efforts proved fruitless. This led to the despatch of a strong remonstrance by Lord Lawrence. The negotiations were reopened as a result of which the treaty of October 1867 was concluded between the British Government of India and the kingdom of Upper Burma. The treaty reserved oil, timber and precious stones as royal monopolies. All other goods were made liable to ad valorem import and export duties. In return of these concessions the Burmese Government was allowed to import arms through the British territories of Burma. Provisions regarding the extradition of criminal offenders, stationing of a resident at Mandalay, the right of appointing British officials
at any or each of the stations in Upper Burmese territories where custom was levied and the appointment of a Mixed Court for settling civil cases under dispute between British and Burmese subjects were made in the treaty.¹

As was feared the conclusion of the above treaty did not alter the situation materially. Differences over several issues soon arose between the two signatories. The main differences related to the levy of custom duties, the import of certain types of arms in Upper Burma, working of the Mixed Court, the formalities to be observed by the British officers during their visit to the King or his officers, the maintenance of an escort by the British resident, the demarcation of the boundaries between the two states and the granting of monopolies for articles of trade other than those stipulated in the treaty.

The Government of Burma claimed that the levy of import and export duties was limited to a period of ten years. After the expiry of this term it was optional for them to increase or decrease the duties on a particular item of trade. The above claim was not admitted by the Government of India. As would be seen later the stand taken by the Court of Ava was justified.

Similarly, the demand of the Burmese Government for exercising full freedom in the matter of purchase and import of arms was not admitted by the British. The British authorities were not willing to allow the Burmese to import heavy guns, torpedoes, gun boats and other materials of war. Lord Mayo did not consider the written undertaking given by Colonel Fytche as binding on the British. Fytche had assured the Burmese Government that so long as the two countries remained on friendly terms the consent and approval of the British Government for purchase of arms and materials of war will not be withheld.² But in the opinion of Mayo the British Government could reasonably refuse to grant a permission to the Burmese Government

¹ Aitchison, Treaties, Engagements and Sanands, Volume I, p. 280.
² N.A.I., Foreign Department, Secret E Proceedings, January 1883, No. 524-029.
for importation of such arms which may prove dangerous to
the friendship with Upper Burma and also to the safety of the
British areas in Burma. Consequently, in 1869 permission was
not given to the Burmese Government for import of certain
types of arms. Instead of withdrawing themselves from the
treaty obligations, which the Burmese Government could have
justifiably done in accordance with the promise of Fytche, it only
protested to the British Government. It led to a discussion be-
 tween the two Governments in which no conclusion could be
reached. 3

The working of the Mixed Court did not prove to be satis-
factory in results. The Burmese judge was irregular in attend-
ance and rarely gave his consent for giving heavy punishment to
a Burmese subject. 4

The Shoe question also proved to be a vexing problem.
Prior to 1876, the British authorities while meeting the minis-
ters of Upper Burma or attending the Court of Ava took off
their shoes but since that time they discontinued the practice.
This was done with the approval of the Government of India.
Consequently no meeting could take place between the British
Resident at Mandalay and the King of Burma or his senior
Ministers and officials.

The Burmese also resented the maintenance of a heavy es-
cort by the British Resident but it was considered necessary by
the British for the safety of their representative. 5 As time went
on the differences over the ill-defined boundary on the Manipur
border of Indian territory also assumed serious proportions. In
the beginning the Burmese Government agreed to cooperate in
the task of fixing pillars in the dense forests on the borders of
the Indian and Burmese territories 6 but later on it claimed a few
areas on the boundary line.

In the times of Ripon the Burmese King granted monopolies
to his subjects in two additional articles of trade. This was re-

3. Ibid.
4. Ibid.
5. Ibid.
sented by the British as it adversely affected the interests of the British traders in Burma.

In 1878, Lord Lytton initiated negotiations with the King of Burma with a view to revise the engagements of 1862 and 1868 in the light of recent experiences. Due to the abrupt closure of the talks by the Burmese these negotiations could not be brought to a successful conclusion. In the same year the death of Mindon made the situation worse. Thebaw succeeded in defeating other claimants to the throne. Nyoung Yan and Nyoung Oke, the defeated rivals of Thebaw, took asylum in India and harboured intentions of returning to Burma for making a dash for the kingdom whenever an opportunity occurred for the same. Thebaw demanded the surrender of the refugee princes to which the British did not agree.

In the beginning Thebaw ruled with ability but within a short period he came under the influence of his ambitions queen Supayalat. At her instigation Thebaw started a reign of terror which culminated in a series of mass murders in the capital. The position of British Resident at Mandalay was also not safe. In view of the disorder prevailing in the kingdom and the unfriendly behaviour of the King the British withdrew their Resident from Mandalay. As a result of this act the diplomatic channel for maintaining friendly relations with the Court of Ava ceased to exist. Misunderstandings grew to such an alarming extent that in 1879 the outbreak of hostilities with Upper Burma was feared at any moment by the British. In order to meet such an eventuality it was suggested by Aitchison, the Chief Commissioner of Burma, that the British should make full preparations beforehand. 

7. Dispatch from the Viceroy to the Secretary of State, Foreign Department, No. 85, dated 16 September, 1878.
In November, 1879 in an affray on board the ship Shire Myo a few British officers were insulted by the Burmese. The Burmese offenders took refuge in Upper Burma. The Chief Commissioner proposed the lodging of a strong protest and cancellation of the treaties in case the demand for redress was refused by the Court of Ava. Lytton agreed to the above proposal of the Chief Commissioner and requested the Secretary of State to wire his approval for the adoption of the above course.\textsuperscript{11} The Secretary of State doubted the expediency of denouncing the treaties and preferred to wait till a reply was received from the Burmese Government.\textsuperscript{12} In accordance with the instructions of the Secretary of State the Burmese Government was politely requested to provide adequate redress in the matter. As was feared the tone and substance of the reply of the Court of Ava was unsatisfactory. The matter was, however, not pressed further by the British Government as the conditions on the north-west frontier of India were still disturbing and unsettled and it would have been unwise on their part to open another front till the Afghan war had been brought to a conclusion. Therefore, the offering of compensation to the insulted officers of the ship by the Burmese Government in an unofficial manner was regarded as sufficient redress in the affair,\textsuperscript{13} and the matter was closed.

Soon after the receipt of reply from the Court of Ava the British were surprised to receive overtures from the Burmese Government for reopening negotiations with a view to settle the differences between the two Governments. The British expressed their willingness for the talks as they were always keen for a friendly understanding to secure and promote their commercial interests in Burma. The Burmese representatives presented a draft plan as a basis of negotiations. But before the discussions of the envoys of both the Governments talking at Thayetmyo border could reach a conclusion the Burmese representative withdrew without giving any prior indication of their intention. This course of action was probably followed by them at

\textsuperscript{11} Ibid., Secret A Branch, Proceedings, No. 117-133, March, 1880.

\textsuperscript{12} Ibid.

\textsuperscript{13} Ibid., No. 103-106, November, 1880.
the instance of the Queen. Thus at the time of arrival of Ripon in India the situation on the eastern frontier of British territories in India caused serious alarm to the British authorities in India. The incursions of the Burmese in the territories of Manipur soon after the arrival of Ripon further embittered the relations between the two. At one stage Ripon was provoked to send a force but his peaceful Secretary Lyall persuaded him to withdraw his orders.\textsuperscript{14} In such circumstances the outbreak of hostilities with the Burmese kingdom was regarded as imminent by the British authorities. But from this time onwards Ripon’s policy was to avoid the making of such a move which may result in the further deterioration of the situation. He now desired to resolve the differences through patient negotiations. The situation, however, demanded that the overtures of talks should come from the other side as the dignity of the British Government was to be maintained by him. Moreover, the previous experience of negotiating with them showed that whenever the British approached the Burmese Government for talks the Court of Ava adopted an attitude of superiority which ultimately led to the failure of talks. Lastly, the recent discussions of Thayetmyo also discouraged Ripon to take an initiative in the matter. He, therefore, instructed Bernard, who had replaced Aitchison as the Chief Commissioner of Burma, to maintain peace as far as possible with the Burmese Government. If, at any time, the Burmese Government expressed desire for talks, it might be informed about the following preliminary conditions:\textsuperscript{15}

Firstly, the honourable reception of a British Resident at Mandalay should be arranged,

Secondly, the assignment of a proper site for a British Residency should be made,

Thirdly, free audience and suitable ceremonials at interviews for the Resident should be arranged; and

Lastly, the political prisoners were to be released and a promise to be given that unnecessary executions will not recur.

\textsuperscript{14} Ibid., Political Proceedings, No. 83, January, 1882.

\textsuperscript{15} N.A.I., Foreign Department, Secret, No. 136-137, February, 1881.
Hartington approved the policy of the Government of India in his dispatch of 13th January, 1881. He, however, envisaged the demand of a few concessions by the Burmese Government in return for those accepted by them. The Government of India was, therefore, requested to consider such matters beforehand. Bernard took a long time to submit his proposals to the Government of India. In a letter of September, 1881, he informed Ripon about the further worsening of the situation during these eight months. During this period the King of Burma had granted monopolies of several articles to the detriment of the British traders. The letters of remonstrances on this issue had no effect on the Government of Upper Burma. It was, therefore, not considered probable by him that the overtures would come from the Court of Ava. In the end Bernard expressed the opinion that a crisis was fast approaching and that the time had arrived for their making a stand against further encroachments on the rights of the British by the Burmese. The Central Government, however, did not share the above apprehensions of Bernard. The things were, therefore, allowed to drift till the pending visit of the Viceroy to Rangoon on 20 December, 1881.\footnote{16. Ibid.}

Ripon and Baring discussed the problem with Charles Bernard and other officials at Rangoon on that day. The Viceroy was acquainted with the latest developments by them. A few of the monopolies granted by the Burmese King recently had fallen through in this period.\footnote{17. Ibid., Political A Branch Proceedings, No. 57-58, February, 1882.} Due to the illness of Thebaw there was confusion in the capital. There was a possibility of inducing some of his wiser ministers who were in favour of maintaining friendly relations with the British to make an attempt to persuade Thebaw to send overtures for negotiations. In such circumstances Ripon wisely avoided the precipitating of a crisis. He made it clear to a deputation of merchants that the British Government was not prepared for war merely for an extension of trade.\footnote{18. Viceroy's Dispatch to the Secretary of State, December, 31, 1881.} He instructed Bernard to adopt a strict attitude by
sending a strong protest note emanating from the Viceroy while he was in Burma.\textsuperscript{19} He approved this letter of protest while he was at Rangoon but preferred to wait and watch the reaction of the Burmese Government to this course of action before moving in the matter further.\textsuperscript{20}

The policy, it seems, had the desired results. In January 1882, the Burmese envoy at Rangoon talked with Bernard about the possibility of negotiations being resumed. On 15th February, 1882, Bernard received a communication from Mandalay intimating the despatch of an envoy to Calcutta in order “to discuss with the Government of India questions affecting the interests of British and Upper Burma.”\textsuperscript{21} Although the Burmese Government did not send any reply to the protest of the Government of India regarding the grant of monopolies, all monopolies which were considered unauthorised were cancelled by Thebaw from 16th February.\textsuperscript{22} Ripon welcomed the new development because, in his opinion, a policy of isolation in the affairs of Burma was not only inexpedient but practically impossible for the British.\textsuperscript{23} But in view of the past experience he was not at all optimistic about the results of the talk. Still he decided to put it to a test in the hope that even if the talks did not immediately result in a successful revision of the treaties, these would at least serve to clear away misunderstandings leading to a less strained conditions of relations with Mandalay.\textsuperscript{24}

The Burmese envoy reached Simla on 30th April. Grant and Fitz Patrick, Secretary of Foreign and Legislative Departments respectively, conducted negotiations with the Burmese Mission on behalf of the Government of India. The Burmese Mission presented a draft embodying their suggestions for a revised

\textsuperscript{19} Viceroy's Dispatch, Foreign Department, Secret, No. 14, dated 6 February, 1882.

\textsuperscript{20} N.A.I., Foreign Department, Secret Branch, No. 537-48, February, 1882.

\textsuperscript{21} Ibid., Political Branch A Proceedings, No. 411-416, February, 1882.

\textsuperscript{22} Ibid.

\textsuperscript{23} Ibid., Secret E Branch, Proceedings, No. 524-629, January, 1883.

\textsuperscript{24} Ibid,
treaty. This draft closely resembled in some of its features with the sketch of a treaty which had already been declared unacceptable by the British in 1880. The main objections of the British to the proposed draft were as follows:

Firstly, the treaty was drawn not as between the Upper Burmese and the Indian Governments but as between the Burmese ruler and Her Majesty, the Queen Empress;

Secondly, the Burmese proposed to place further restrictions on trade by creating fresh monopolies and by doubling the existing five per cent duties;

Thirdly, they desired to introduce an elaborate system of restrictive passports for British subject;

Fourthly, the British were asked to agree to pay heavy tonnage dues on vessels entering Upper Burmese rivers;

Fifthly, restrictions on defensive armaments by the British were also proposed in the draft;

Sixthly, the Burmese desired to have no restrictions on the import of materials of war;

Seventhly, the Burmese Government aimed at weakening of the safeguards provided in the existing treaties for the protection of the British subjects by means of registration of their nationality and the establishment of a Mixed Court of Justice; and

Lastly, the Burmese Government proposed the extradition of political offenders.

The acceptance of the proposed draft would have transferred the control of relations with Upper Burma to Her Majesty's Government in London in place of the Government of India. The proposals regarding trade and intercourse were also retrograde and illiberal. The desire of the Burmese Government to have a free hand in the importation of arms was unacceptable as it might pose a threat to the security of the British territories

25. Ibid.
in Burma. By surrendering the political opponents of Thebaw the Indian Government would have lost a trump card in its hand. The Burmese draft made no mention of providing suitable guarantees for the security and honourable reception of a British representative at Mandalay. Any understanding with the Burmese Government had no purposeful meaning unless a British Resident with assured position and standing was stationed at Mandalay as in his absence the provisions of the treaty would not have been faithfully followed by the Burmese in several cases.

Although the Government of India saw little prospects of discovering any common ground of agreement between the two parties yet it decided to continue the negotiations to a concluding point in the hope that the Burmese would moderate their terms. Moreover, there was no harm in giving the mission a hearing. In the first instance discussions on leading points were taken up by the two parties. The British made it clear that they were not prepared to sacrifice the safeguards provided for in the existing treaties for the promotion of their commercial interests. Similarly, any proposal unaccompanied by suitable guarantees for the reestablishment of a British Residency at Mandalay was not acceptable to them. The Burmese attached importance to the privilege of treating directly with Her Majesty, the right of free importation of arms, and in securing British co-operation in preventing armed attempts against the King's authority.

The British representatives in the talks assured the Burmese regarding the supply of arms and the aid to be rendered by them in the prevention of conspiracies. They made strong remonstrances on other points also. The Burmese envoy now declared themselves to be ready for maintaining permanently the existing five per cent duties on all articles except on spirituous liquors and intoxicating drugs and to abandon one of the two new monopolies. The Burmese mission was also prepared to make conces-

26. Ibid.
27. Ibid.
28. Ibid.
sions on the formalities to be observed by the British Resident at Mandalay and to allow him to maintain a guard but they were not, at first, willing to include these terms in the proposed treaty. The Burmese envoy also referred to the promise of Fytche regarding the import of arms. Ripon considered the British position as somewhat anomalous and indefinite in this respect. In his opinion, it would be reasonable to interfere only when it was found necessary for purposes of self-defence. The British representatives made it clear to the Burmese envoy and consented to insert an article in the proposed treaty providing for the immediate purchase of five thousand rifles by the Burmese Government.

The question of having a direct treaty with Her Majesty was a complicated one. Ultimately a compromise was reached. It was agreed that there shall be two treaties one a business treaty with the Indian Government and the other with Her Majesty's Government for maintaining friendly relations and for the favourable treatment of Burmese subjects visiting England.

As a result of the agreement on major issues a draft treaty was formally presented by the British to the Burmese envoy on 28th July. On 22nd August the Burmese envoy informed the British that the draft treaty was under consideration of the Mandalay Government and that they had been asked by their king to return immediately. The Burmese mission returned from Simla on 31st August deferring the execution of the treaty and without any indication of terminating the negotiations. Ripon authorised the Chief Commissioner of Burma to meet any duly authorised representatives from Burma and in communication with them to sign on behalf of the Government of India the draft treaty in question till the end of 1882. The Burmese King was also informed about it.

29. Ibid.
30. Ibid.
31. Ibid.
32. Ibid.
33. Ibid.
It may be observed that all through the course of negotiation Ripon's Government acted with patience and diligence. The main aim of Ripon's policy approved by the Secretary of State was to secure an understanding with the Burmese Government in the hope that matters may improve in the future but these hopes were belied. The Burmese envoy stayed in Rangoon for a few days. Bernard found the envoy much more communicative, friendly and confiding than he was on his way to Simla. He also stressed upon him the settlement of the differences over Manipur boundaries which had cropped up recently. Other pending matters were also discussed by them. In November, 1882, Bernard intimated that it seemed unlikely that the Mandalay Court would accept the treaty in its present form by the end of December. It appears that the British difficulties in Egypt and the hopes held by Italian merchants in Mandalay to smuggle arms into Burma stiffened the attitude of the Burmese.

On 21st December, the Foreign Minister of Burma sent two draft treaties to Bernard. The same were duly considered by the Government of India immediately on its receipt. The first draft contained a treaty to be concluded with Her Majesty. It consisted of fourteen articles which were more or less similar in many respects to those previously concluded with the Government of India. It provided for an exchange of representatives to be stationed at Mandalay and Calcutta but did not mention about the permission to the British Resident at Mandalay to maintain an escort, a point on which the British Government had insisted during the negotiations at Simla. The draft was also incomplete and unsatisfactory in many other respects. The second draft was even less satisfactory than the first one. It drew a wide distinction between Her Majesty's Indian and non-

34. N.A.I., Foreign Department, Secret E Branch Proceedings, No. 125-146, July, 1883.
35. Ibid., No. 1-5, April, 1888.
36. Ibid.
37. S. Gopal, Viceroyalty of Lord Ripon, p. 55.
38. N.A.I., Foreign Department, Secret E. Branch, No. 125-146, July, 1883.
39. Ibid.
Indian subjects. It entirely ignored the difficulties created by the rules of etiquette of the Burmese Court in the reception of British Agent. It proposed the establishment of a new monopoly of tea and claimed the right of instituting other monopolies. It required the extradiction of political offenders. The proposed draft also contained clauses regarding the Mixed Court and the movement of British traders.  

Ripon decided not to accept the proposed treaties. In a telegraphic communication to the Secretary of State on 4th January, 1883, he recommended the rejection of the proposed treaties to which the Secretary of State concurred immediately. The reasons of rejection were intimated to the Burmese Government on 26th January, 1883.

The attitude of the Burmese Government made it clear to Ripon that there were little prospects of improving relations with Burma. He, therefore, directed the British efforts towards securing the observance of existing treaties and to the protection of British subjects visiting Upper Burma.

The internal situation in Burma rapidly deteriorated on account of the growing misrule of Thebaw, the revolt of Shan states and of the tribes residing on the Bhamo border and the famine of 1883. Such conditions adversely affected the British trade with Upper Burma. The conclusion of a political treaty by the Burmese Government with France also perturbed several British authorities and traders. The English Resident and traders of Burma now openly demanded annexation of the territories of Upper Burma. But Ripon was not in favour of adopting a forward policy. He did not agree to the suggestion of Crosthwaite, who had succeeded Bernard, to demand the reception of a British resident at Mandalay as has been done in case

40. Ibid.
41. Ibid.
42. Ibid.
44. Ibid.
of the French resident and to abolish monopolies." The example of Lytton's insistence in a somewhat similar situation in Afghanistan might have influenced him in rejecting the demand. In his opinion it might also result in the straining of relations with France. He was not prepared to take a strong action so long as the British trade in Upper Burma was not seriously interfered with by the Burmese." In such circumstances he considered annexation not only unjustifiable but foolish to the highest degree." Like all other diplomats of his time he did not desire to make India a neighbour of China by annexing Burma. According to him, "Few things could be more impolitic than a measure which would make the British frontier coterminous with China." He also did not prefer a common boundary with French Indo-China as at that time Britain and France were rivals in many parts of the world. The annexation of Burma, in his opinion, would also alarm the Indian princes. In a dispatch to the Secretary of State on 26 September, 1884, he clearly defined his policy towards Upper Burma. He wrote, "My Burmese policy would be to avoid a war with the King by every means in my power: but, if we should be forced into it, to remove the present ruler, substitute for him a member of the royal family friendly to us, and then retire without annexing a rood of ground."

But, it was very difficult for Ripon to follow the above policy. Crorthwaite's, and Grant, who had replaced Lyall and who was the Chief of the British delegation in the talks of 1882, were in favour of drastic action. Hartington and Kimberley were not enthusiastic in the cause of peace on the eastern frontier. Northbrook and Aitchison advocated annexation." In the midst of these conflicting views Ripon strictly adhered to his opinion till the end of his reign in India. In September 1884,

45. Viceroy's Dispatch to the Secretary of State, Foreign Department, 29 November, 1883.
46. Ibid.
47. Ibid.
49. Ibid.
50. S. Gopal, Viceroyalty of Lord Ripon, p. 56.
as a result of Mandalay massacres serious excitement prevailed in Mandalay and Rangoon as a result of which British residents of Rangoon demanded intervention by the British but Ripon did not agree to act strongly in a case in which the question of security of the British subjects was not involved. When pressed to make a formal declaration in order to allay the excitement, he wisely decided to leave the matter as it stood and allow full liberties to his successor to follow a policy of his own.\textsuperscript{51}

If his policy is judged from the point of view of subsequent events, it can be termed as a failure. In the times of Dufferin the British annexed the territories of Upper Burma. But Ripon cannot be blamed for trying to avoid, as long as possible, a war with Upper Burma. Although the relations with Upper Burma had begun to deteriorate from the time of accession of Thebaw in 1878, it would have been impolitic on the part of Ripon to pursue a forward policy without trying for a peaceful settlement. Moreover, during his period the Burmese Government committed no major international offence which could be regarded as sufficient for provoking an armed conflict although it threatened the British occasionally by its irresponsible acts. In such a situation he had no other alternative but to try patiently for the improvement of relations with the kingdom of Upper Burma.

The continued efforts of Ripon for a settlement, though it postponed the annexation, prepared the ground for his successor in justifying his action of conquering the territories of Upper Burma.

\textsuperscript{51} N.A.I., Foregin Department, Secret F. Branch, Proceedings, No. 161-171, November, 1884.
CHAPTER V

Policy Towards the Indian States

The proclamation of 1858 clearly defined the policy of the British towards the Indian states. It assured the territorial integrity of the Indian states. Along with it the paramount power promised non-interference in the internal affairs of the states. But the British Government did not bind itself for taking measures to secure good and efficient management of the Indian states by their rulers. It was, however, soon realised that the responsibilities and obligations of the paramount power did not end with the punishing of an incompetent or cruel ruler by deposing him in favour of another prince but it was their moral duty to make arrangements for an orderly administration under the new regime. The objects of the above policy towards the Indian states were clearly stated by Ripon at the time of installation of the Nizam of Hyderabad in February 1884. He said, "The single object of the British Government in regard to this or any other Native State is that it should be prosperous and well governed." He further said, "that your Government should be strong and orderly, that your finances should be well managed and your taxation justly raised, and that your nobles should be faithful and your people content is, as well as I known, the earnest desire of the sovereign I represent here today." Thus an unlimited right of assuming the direct management of a state was retained by the British Government as and when it thought ex-

1. N.A.I., Foreign Secret I, April, 1884, Proceedings No. 4-22.
2. Ibid.
pedient to do so. But at the same time the British Government was prepared to give all the cooperation needed by the rulers for the efficient management of their states. He reaffirmed the assurance given in the proclamation regarding the maintenance of the territorial integrity of the Indian states and pursuing a policy of non-interference in the internal affairs of the states. In his opinion, the existence of the Indian states was of the greatest advantage to the English interests and hence their continuance was a cardinal point of the British policy.

The above policy of Ripon was a logical conclusion of the policy followed by the Government of India since the mutiny. It may, however, be pointed out that a few principles of this policy had already been outlined by Wellesley. At the time of handing over of some of the territories of Tipu to the representative of the ancient Hindu dynasty of Mysore, he had clearly stated that besides preventing Tipu’s family to interfere in the affairs of Mysore, his object was to enable the British Government to command the resources of Maharajah’s territories to improve agriculture and commerce and to secure the welfare of the people. This policy was explained to the new ruler who agreed to grant an unlimited right of assuming the direct management of his state to the British as and when the British Government considered it fit to do so. These principles along with the policy declared in 1858, actually formed the basis of the British relations with the Indian states. Gradually, the British felt that they should take special care to ensure proper arrangements for an efficient administration and the promotion of the welfare of the people in the states in cases where minor princes were given powers to rule on the attainment of maturity or where another prince was invested with power in place of a deposed king. Ripon devoted special attention towards the accomplishment of the above task as the welfare of the people was dear to him whether they belonged to British India or to the states. For this purpose he stressed the desirability of continuance in the administration for some time in such states which

3. Ibid.

4. N.A.I., Foreign Department, Political Branch, Proceedings, October, 1880, No. 84-85.
were restored to their dynastic rulers after a short period of British rule. Ripon also wanted that provisions for avoidance of future disputes or misapprehensions⁵ may also be made wherever possible in the arrangements concluded by the British with such states. This was done by him in the case of Mysore.

The Instrument of Transfer of 1881, embodying the terms of restoration of Mysore to the dynastic ruler, is a clear exposition of Ripon’s policy towards the Indian states. Although it is considered a handiwork of Ripon,⁶ it may be pointed out that much of the discussion had taken place during the times of his predecessors. Ripon was only responsible for giving a final shape to the agreement. The decision to restore Mysore to a descendant of the ruler deposed by Bentinck in 1832 on account of his maladministration was taken in 1867.⁷ Although it was decided to restore the state to Chamrajendra Wadiar, the adopted son of the late Maharaja, on his attaining maturity, the Secretary of State considered it to be a duty of the British Government to make proper stipulations and take sufficient precautions for the good government of the people. It was left to the Government of India to decide the terms of agreement, by keeping this object in view.⁸ The discussions which followed resulted in the adoption of a definite policy towards the new ruler and his state. It was decided that the relations between the two was to be defined by a written agreement in the nature of a sunnud rather than a treaty in which the origin of Maharajah’s authority was to be clearly explained. References to obsolete engagements of former dates were to be eliminated. The sunnud was to embody all that was required for the avoidance of future disputes or misapprehensions between the signatories.⁹ It was also decided that the power was to be transferred to the young prince in case

5. N.A.I., Foreign Department, Political Branch, Proceedings, No. 64-65, October, 1880.
7. Dispatch of the Secretary of State to Viceroy, Foreign Department, dated 6 April, 1867.
8. Ibid.
9. N.A.I., Foreign Department, Political Branch, A Proceedings, No. 164-65, October, 1880.
of his being considered qualified and fit for the position of the ruler of Mysore. For this purpose adequate arrangements for the education of the prince were made by the Chief Commissioner of Mysore. In 1880, it was decided to invest him with power on 5th March, 1881, the date on which the Prince was to attain the age of eighteen.

The Instrument of Transfer of 1881 does not leave any ground uncovered. The provisions connected with the rights reserved by the British regarding the succession of the ruler and the stipulations regarding the protection of the state from external dangers were more or less similar to those which Wellesley and Lord Hastings had imposed on the Indian rulers. The novel features of the sunnud were the non-revival of the Mysore coinage, provisions for giving all facilities by the ruler to the British for the construction and stationing of British cantonments, telegraphs and railways in his territories in future and the compliance of the instructions of the British in prohibiting or limiting the manufacture of salt and opium in the State. Provisions were made for the first time for the continuance of the administration as it was felt that it would be against the interests of the people to allow major changes in the administrative arrangements made by the British in Mysore during the last fifty years. Restrictions on the authority of the ruler, even in internal affairs, were placed by binding him to conform to such advice as the Governor-General in Council may offer to him from time to time, with the object of promoting happiness of the people and in maintaining orderly relations with the British Government. All previous engagements were superseded by the Instrument of Transfer. Even the amount of subsidy to be realized from the Maharajah in lieu of expenses incurred by the British for the protection of the State from external dangers was mentioned in the Instrument. It was increased to 35 lakhs but in view of the weak position of the finances in the State the enhanced amount was to be realized from 1886 onwards.

The date of investiture of the ruler was changed from 5th March, 1881, to 25th March, 1881, as certain formalities could not be completed in time. On behalf of the Viceroy the Gover-
nor of Madras attended the ceremony. At the time of investiture the Maharajah was fully explained about the terms and conditions embodied in the Instruments of Transfer. The British Government approved the appointment of Rangacharlu as Dewan of the state, as he had rendered efficient and faithful service to the state during the past years and had acquired sufficient knowledge and experience about the day to day affairs of the state. A council consisting of two Indian officials and the Dewan as ex-officio chairman was formed for assisting him in the work of administration. Every other officer of the British regime, except the Chief Commissioner and the General Secretary, remained on his post. The new Maharajah appreciated the above policy of the British and considered it a conspicuous act of friendship. He promised to rule in a benevolent and efficient manner. The British, on their part, promised him to afford co-operation in all such matters which may lead to the increase of peace and prosperity in the State. In order to provide more help to the ruler for improving the position of his finances the British did not realise the enhanced subsidy from 1886. The same was eventually collected in 1896.

The rendition of Mysore was followed up by the investiture of the Gaekwar of Baroda with full authority in December 1881. In 1865, Gaekwar Malhar Rao was deposed by the British Government allegedly on grounds of misconduct, gross mismanagement of his State and his incapacity to carry out necessary reforms. The British Government, in making the above declaration at the time of deposition of the Gaekwar, did not mention the real cause which prompted them to decide about the removal of Gaekwar from the throne. In fact it suspected the loyalty of the Gaekwar. In reply to a proposal of Northbrook for regranting the state to a prince of the Gaekwar family who may be considered suitable for the post, the Secretary of

10. N.A.I., Foreign Department, Political Branch, A Proceedings, No. 82-101, March, 1881.
11. Ibid.
12. Ibid., No. 244-247, May, 1881.
State wrote to him, "We do not wish to extend privilege of adoption when the chief of the house has been flagrantly disloyal." The Government of India insisted on their point and ultimately, Salisbury, the Secretary of State, agreed to the suggestions of Northbrook. It was decided to allow the Maharani to adopt Sayaji Rao Gaekwar and invest him with power at the time of his attaining the age of eighteen. Contrary to the decision taken in the case of Mysore, it was decided that there would be no alterations in the existing relations. This decision was taken on political grounds. During his trial for the alleged offence of attempting to poison the British Resident, the ruler Malhar Rao had become a symbol of patriotic sentiment. Hence, it was not considered proper to effect fundamental changes in the existing relations with Baroda, as such an attempt would have further aroused public opinion in India. The young Prince was to attain the age of 18 in March, 1881. The Agent to the Governor-General in Baroda, who had supervised the education and upbringing of Sayaji Rao, proposed that the investiture may be postponed until he had attained the age of 21. This proposal was not approved by Ripon. According to him, "In absence of precise rules or prevailing customs regulating the period at which the minority of a ruling chief expired, it would be better to be guided by general considerations of policy and usage and by a judgment of the personal fitness and disposition of the young chief himself." A perusal of the reports of the Agent regarding the abilities and educational attainments of Sayaji Rao convinced him that the Prince was a promising young boy and, therefore, he decided to invest him

13. Viceroy's Telegram to the Secretary of State, dated 15th March, 1875.
14. Secretary of State's Telegram to the Viceroy, dated 15th March, 1875.
15. N.A.I., Foreign Department, Political A Branch, July, 1875, Proceedings, No. 92-204.
16. Ibid., No. 219-222.
17. Ibid., No. 92-204.
18. Ibid., No. 51-63, July, 1881.
19. Ibid.
with power in December, 1881. But, Ripon made it clear that the whole weight and responsibility should not fall upon him. The Prince was to be provided with mature, trustworthy and experienced advisors and heads of department. He also stressed upon the necessity of maintaining of a controlling and consultative authority in the hands of the Resident for some time but it was to be done in such a way as to avoid any direct interference in the transaction of ordinary business of the state. The Secretary of State approved the above suggestions of Ripon. Sayaji Rao was installed as Gaekwar on 28th December, 1881. Ripon could not be present in the investiture ceremony as he was on an important visit to Burma. He was represented by the Governor of Bombay on that occasion. Sir Madhav Rao, who had rendered useful service as Dewan of Baroda during the minority of the Prince, was allowed to continue as Dewan. Rules were framed for the guidance of Gaekwar for two years and thereafter he was to conform in all important matters to the instructions of the Government of India.

The terms and conditions offered to the new rulers of Mysore and Baroda varied in many respects. In Mysore the ruler was left with very little independent authority but in Baroda the subordination was emphasised in a less formal manner. In the case of Mysore all previous understandings were treated as cancelled but the relations of the Baroda ruler with the British were allowed to be controlled by previous engagements. But the caution exercised by Ripon for preserving the continuity of British administration in both the states was similar. The unit of British administration in both the states was generally not disturbed. The appointment of two eminent Indians as Dewans in Mysore and Baroda inaugurated a system of British administration minus the British officers in the Indian states. It goes to the credit of Ripon that he trusted Indians and considered them competent to rule in an efficient manner.

20. Ibid.
21. Ibid.
22. Ibid., No. 280-311, April, 1882.
Another minor prince of a prominent state was invested with power in Ripon's reign. During the minority of Mir Mahboob Ali Khan the state of Hyderabad was ruled by Salar Jung in the capacity of a Regent. He proved to be an efficient administrator. Moreover, his loyalty to the Crown was always above board. The Government of India, therefore, was not worried about the situation in Hyderabad. The Viceroy only took care to appoint an able Resident who could effectively check any undesirable action of the Regent. In 1881, Ripon appointed Sir Stuart Bayley, the Chief Commissioner of Assam, as Resident in the state. Since that period Bayley remained as the chief advisor of Ripon in the affairs of Hyderabad. On 8th February, 1883, Sir Salar Jung died suddenly. His son Laik Ali was appointed as Minister by the British. As the new minister was only of 21 years of age, a consultative council was formed to advise him. This was done by Ripon against the wishes of the majority of his Council. He agreed with the opinion of Bayley that in case a Senior Dewan was appointed the powers of the Resident would be curtailed to a great extent. As Laik Ali owed his appointment to the British, he leaned on to them for support. Ripon visited Hyderabad at the time of installation of Mehboob Ali as Nizam on 5th February, 1884. It was the first visit of any Viceroy of India to Hyderabad. Ripon by paying this visit amply demonstrated the goodwill of the British towards the state of Hyderabad and its people. In a speech given on the occasion of the investiture he outlined the objectives of the policy of the British towards the Indian states and impressed upon the Nizam the necessity of ruling efficiently in order to promote the welfare of the people. According to him the ideal of a ruler should be, "He left his people the better for his rule." Although Mir Laik Ali administered the state in accordance with the advices of the Resident, a few nobles pressed him to raise the issue of the restoration of Berar. In a meeting with Ripon on 8th October, 1884, at Simla, Laik Ali raised this issue.

24. N.A.I., Foreign Department, Political Branch, A Proceedings, August, 1881, No. 30-49.
25. Ibid., April, 1883, No. 95-100.
26. Ibid., Secret I Branch, No. 4-22, April, 1884.
along with other minor matters for discussion. Without giving any opinion on it, Ripon stressed upon him the futility of raising such issues without prior consultations with the Resident.27

Ripon had to deal with a different type of situation in Kashmir. Maharaja Ranbir Singh, the ruler of Jammu and Kashmir, was not an efficient administrator. Famines were a recurring feature in the state of Kashmir. In absence of a permanent resident at the capital of the state the British had no proper machinery for exercising effective control over the matters of the state. The officer on special duty, who remained in the state for a portion of each year, had no authority, whatsoever, to interfere in the affairs of the state.28 In order to improve matters Lord Lytton arranged a meeting with Maharaja in April, 1880, for suggesting to him certain urgent reforms in the state and also to make arrangements which may enable the British to watch and, if necessary, press the early implementation of reforms.29 The scheduled meeting was, however, not held. The situation continued to deteriorate in Kashmir in the subsequent years. In a report on the state of famine in Kashmir, Henvey, the political officer in the state, impressed upon the Government of India, to put utmost pressure on the Maharajah30 for providing relief measures to sufferers in famine areas, and for introducing immediate reforms in his administration. Ripon realised that the state of affairs in Kashmir was extremely sad. Although it required an effective and quick intervention on the part of British, Ripon restrained himself. He observed, "The case is one which requires to be handled with great delicacy, for any attempt to interfere with the amount of independence at present possessed by the Maharajah would have an effect far beyond the limits of Kashmir."31 He only wrote a personal letter to the ruler in which he promised active cooperation of the British in relief measures and expressed a wish to meet him

27. Ibid., No. 9-10, December, 1884.
28. Ibid. (Political E Branch), No. 266-272, September, 1882.
29. Ibid.
30. Ibid.
31. Ibid.
on some suitable opportunity for discussing the welfare of the people. The above letter did not have the desired result and the situation in Kashmir deteriorated further. The old Maharajah, whose health was failing, was not able to take effective measures for reforms in the administration. As any intervention by the British during the lifetime of the then Maharajah was considered inopportune by Ripon, it was decided to take action at the time of the accession of the new ruler. The Secretary of State approved his suggestion that on the death of Ranbir Singh, his eldest son may be recognised on the condition of receiving a permanent resident in his capital and introducing administrative reforms in the State. In September, 1885, these changes were effected by Dufferin at the time of accession of the new ruler. Thus Ripon was successful in arranging for an effective control over the affairs of Kashmir, a state which was of a great strategic importance to the British Empire in India.

The activities of Tukojee Holkar, the ruler of Indore, were gradually becoming a matter of concern for the British. His state was suffering on account of his misrule. He was actively interfering in the affairs of his neighbouring states. He harassed the Canadian missionaries working at Indore and did not allow them to open a school in the city. Although the Government of India was perturbed over these issues since a long time the differences assumed serious proportions in the time of Ripon.

From 1879 onwards Holkar was harassing the Christian missionaries residing in Indore. These missionaries appealed to the Government of India for intervention. At first the Government of India desired amicable settlement but when it did not seem possible the Government of India instructed its Agent

32. Ibid.
33. Viceroy's Dispatch to the Secretary of State, dated 7 April, 1884, and Secretary of State's Dispatch to the Viceroy, dated 23 May, 1884.
34. N.A.I., Foreign Department, Secret I Branch, No. 6-17, October, 1883.
35. Ibid.
at Indore to inform Holkar that "the Government of India have the right to require from all Native States for all British subjects personal religious freedom and security from molestation within their houses and their own property." Holkar did not recognize the above contention of the Government of India and claimed the affair as an internal matter in which the British had no right to interfere." In view of the stiff attitude of the Holkar the Agent to the Governor-General did not think it prudent to press the matter further at that time. Aitchison also supported his recommendation but Ripon decided to warn the ruler sternly. He wrote to the Agent to enforce the principle declared by the Government of India and repudiate Holkar's claim to deny the rights of British citizenship to Canadians.  

In the past Holkar had interfered in the affairs of Dhar and Jaora, two of his neighbouring States. He had also written a letter to the Government of India in 1881 requesting the Government of India to fulfil the assurance given by Lytton regarding the arrangements with Baroda. In 1884, Holkar interfered in the quarrel between the ruler of Panna and his brother, the Dewan of the State. Ripon considered it necessary to warn him to abstain from such actions. This warning had its effect on Holkar. He appointed Mandlik, a leading lawyer of Bombay, as Dewan of his state for ending misrule in the state.

The dealings of Ripon with these five major states throw considerable light on the policy followed by him towards the Indian states. He had no desire to depart from the assurance given by the Crown in 1858 regarding the maintenance of territorial integrity of the states. But he successfully asserted the right of the paramount power to interfere in cases where the situation in a state was liable to result in the break-up of administration or the ruler was weak or oppressive towards the people. In states which had temporarily remained under the British rule he took precautions to maintain the pattern and

36. Ibid., No. 2, March, 1884.
37. Ibid., November, 1884, No. 126.
38. Ibid., April, 1884, No. 48-49.
39. Ibid.
spirit of the British administration. In order to achieve these objects he considered it necessary to increase the powers of the Residents in the Indian states and also to post efficient and well intentioned officers on the post. A careful analysis of his policy reveals that the main motive of Ripon in advocating this policy was to secure the welfare of the people. He also took special care, wherever possible, to insert such clauses in the agreements which may eliminate the possibility of misapprehensions or differences in future between the paramount power and the states. Personally speaking, he would have liked to enter into fresh agreements similar to that of Mysore with all states but practical considerations did not allow him to pursue this course uniformly.
CHAPTER VI

The Factory Act

Ripon, during the first year of his reign, was mainly occupied with the settling of the Afghan problem, but his main interest lay in implementing the liberal policy in the internal administration of India. In a speech delivered on 2nd June, 1880, before he had taken charge of the office of Viceroy, he had said, "It will be my most earnest endeavour to bring that war, so far as lies in my power, to an early and to an honourable conclusion in the hope that with the returning peace, the Government of India may again be able to devote its attention to those works of internal improvement." He further added, "It should be my lot during my tenure of office to contribute to any degree to the development of the resources of this great country—agricultural and industrial—and to promote to any extent the happiness and welfare of the people of India, of all races, creeds and classes and especially to the prosperity of the mass of the people." Ripon worked sincerely to fulfil his promise. Even during the first year of his reign the first Factory Act for the betterment of the conditions of a section of the working class in India was passed.

The need for factory legislation in India was being discussed by the administrators during the last decade. Although the first cotton mill of India was established in Bengal in 1818, it was not fit to be called a modern mill. The first mill worked by

2. Ibid.
steam power was established in 1851 in Bombay. By 1879-80, the first year for which complete and authentic official records are available, there were 58 cotton spinning and weaving mills in India with an aggregate of 13,307 looms and 14,70,830 spindles. 39,537 persons on an average worked daily in these mills. Along with it there was rapid progress of jute manufacture in Bengal, where 22 jute mills were employing on an average 27,494 persons in the year 1879-80.

It was, however, the conditions of the labourers in the Bombay mills which at first chiefly attracted the attention of the Government. Major Moore in his report of the Administration of the Bombay Cotton Department for the year 1872-73, stressed the need for framing rules for regulating the hours of labour for females and children, as well as the minimum age at which the latter should be employed. Redgrave, the Inspector of Factories in England, in one of his reports also drew the attention of the Government regarding the industrial situation in India emphasising the passing of legislation while the industry was in its infancy. The Secretary of State for India requested the Bombay Government to institute an inquiry for the passing of a measure to regulate the hours in factories for women and children.

Before the receipt of the above letter, the Bombay Government had appointed a commission under the presidency of Arbuthnot for this purpose. The Commission submitted its report in July 1879. Meanwhile the Government of India had also requested the Government of Bengal to conduct an inquiry into the hours of labour and the employment of women and

4. Ibid.
5. Ibid.
8. Secretary of State's Dispatch to Bombay Government, 4th March, 1875.
9. Despatch of the Government of Bombay to the Secretary of State, 5th April, 1875.
children. Both the Bengal and the Bombay Government were authorised to pass the laws, if considered necessary by them. The Bombay Government, which had taken the initiative in this matter, did not favour the imposing of any restrictions at that moment as it might give rise to a serious reduction of wages. On the basis of the evidence collected with regard to the conditions in the factories the Bombay Government was satisfied that much abuses did not exist in regard to their working. They, therefore, only favoured regulations in matters of sanitation and ventilation.

The Bengal Government did not find any dissatisfaction among the labourers although a few children less than eight years of age were employed for long hours in factories. The Lieutenant Governor of Bengal while favouring the enactment of a law regulating the hours of labour of women and children working in factories and also for restricting the employment of children up to a certain age believed that the cases to which such an enactment would apply will be comparatively few in his province.

Northbrook does not seem to have taken any action on the matter. Either he was satisfied that the prevailing conditions of the working class did not require any legislation or he did not want to foster the growing sentiments in India opposing the passing of a factory act. A certain section of the people in India believed that the manufacturers of Lancashire and Manchester were persuading the leaders in England to place restrictions on the Indian industry with a view to hamper its progress. It was, in fact, regarded as a conspiracy by them.

Lytton took up the matter more seriously. In his dispatch dated 18th April, 1877, to the Secretary of State, he recommend-

13. Ibid.
ed the passing of a legislation for the limitation of age, hours of labour for children and the fencing of machinery for the protection of labourers. After getting the approval of the Secretary of State, a Factory Bill was introduced in the Council of the Governor-General on 7th November 1879. The object of the proposed legislation as defined in the Bill was to prevent accidents and protect children and young persons of smaller ages from being employed.\(^{14}\) It prohibited the employment of any person under fourteen years of age for more than eight years a day and required children to be kept away from dangerous machinery. It also contained certain provisions enabling the Local Governments to arrange for the inspection of the factories and to compel the managers of the factories to report accidents as and when they occurred. The Bill was referred to a Select Committee consisting of Stokes, Thompson, Hope and Colvin—all members of the Viceroy's Executive Council. The majority of the members of the Committee supporting the measure recommended that no one under eight years of age should be employed and no one between eight and fourteen years of age should be employed for more than nine hours a day. They were in favour of introducing this measure to all the provinces of India.\(^{15}\) In their report they also gave a definition of factory and provided for the extension of its terms to the factories belonging to the Crown.

The Bill was also circulated among the Local Governments for opinion. The Bombay Government was in favour of the enactment of a bill providing for fixed hours of labour and prohibition of employment of children under eight. Central province, Madras and Punjab, while feeling no urgent necessity for the passing of such a bill in their respective provinces, agreed to the general spirit of the bill. North-West Province and Oudh considered the enactment of such an act unnecessary and desired that in case it was passed it should be left to the discretion of the Local Government to apply it.\(^{16}\) Sir Ashley Eden, the

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Governor of Bengal, strongly opposed the measure. In his opinion no case whatsoever was made for the legislation. It would only tend to restrict the growth of industry in India. On matters of general policy it was also not wise to irritate public opinion in Bengal which was against this measure. Maharaja Jotindar Mohan Tagore, who served on the Select Committee, shared the views of Sir Ashley Eden. Burma also opposed the passing of such a measure for in that province children were seldom employed. Ashley Eden was able to persuade Lytton to postpone the enactment of the Bill for some time on the ground that sufficient time had not been granted to the Local Governments to consider the report of the Select Committee.

Eden was, however, not able to convince the new Viceroy about the futility of this Bill. Lord Ripon had lived in England for many years in the immediate neighbourhood of industrial towns. He was also acquainted with the working of the Factory Acts in England during the course of his public life. Moreover, it was natural for him to support enactment of such an act just after the passing of consolidation of Factory Acts of 1878 in England. The sole reason why Ripon supported the Bill was his conviction that the practical result of such legislation was beneficial to both—manufacturers and labourers. He regarded this measure on its merits and from the Indian point of view. The Government of India, in this respect, was in the least degree influenced by a desire to meet any wish, if such wish existed on the part of manufacturers in England, to place restrictions upon their competitors in India.

Ripon’s earnest desire was to pass a bill for the whole of India. He could not do so immediately, as he received a tele-

16. Dispatch No. 29 dated 20th November, 1879, from Viceroy to the Secretary of State.
17. Ibid.
18. Ibid.
19. He had lived in the West Riding of Yorkshire for a number of years.
gram from the Secretary of State favouring an Act only for Bomaby and not for the whole of India. 22 The majority of the members of the Executive Council also expressed their dissent. Ripon who was convinced of the necessity of the Bill recirculated the papers among the members of the Executive Council. He made it clear that he would regret very much either the abandonment of the Bill or passing its enactment for Bombay only. In February 1881, all the members of the Council except Stokes withdrew their objections to the passing of a Bill for the whole of India.

Ripon now tried to convince Sir Ashley Eden by explaining that the practical results of legislation in England were beneficial to manufacturers and labourers. Consequently the fear expressed by the manufacturers of England in the beginning, which were more or less similar to those expressed by their Indian counterparts, had completely died away. 23 Eden, in his reply, repeated old arguments. In his opinion there was no parallel between conditions in India and England. According to him, “A child of eight in Europe is a helpless baby; in India he is almost a man in the world.” He further added that in comparison to the houses of the workers of India the mills were more clean and better ventilated. He also expressed the fear that the result of reducing working hours would either be reduction of wages or the bullying of young factory workers to do as much work as possible in the limited hours. He suggested that the Bill should again be referred to a Select Committee for opinion. If considered desirable by it Bengal should be excluded from the purview of this Bill or it may be left to the discretion of the Local Government either to appoint an inspector or invest the Magistrate of that district with powers to supervise the enforcement of the law. 24

Ripon had no wish to exempt Bengal from the provisions of the Factory Act but was ready to make amendments in the Bill.

22. Secretary of State's Telegram to Viceroy, February 11, 1881.
24. Ibid.
He agreed to reduce the minimum age for employment to seven and the limitation of hours of work for those, who were under twelve years of age. As suggested by Eden, the appointment of special officers or inspectors was left to the discretion of the Local Governments. Wherever the Local Government did not think it necessary to appoint an inspector the magistrate of the district was to supervise the enforcement of the law. Indigo factories, tea and coffee plantations were excluded from the scope of the Bill.\(^\text{25}\) With these amendments the Factory Act was passed in March, 1881.

It applied to the whole of British India and came in force from July 1, 1881. The factory was defined to be any premises (other than indigo factories or premises situated on and used solely for the purpose of a tea or coffee plantation) wherein work was carried on for not less than four months in any year by any process utilizing mechanical or steam power and wherein not less than a hundred persons were employed. No child below seven was to be employed, and those from seven to twelve were to be employed for only nine hours a day. Children under twelve were not to be employed on dangerous machinery or in two factories on the same day. The responsibility of proving the age of the child was to rest on the employer. Four holidays per month were to be given to the workers. During the day, at least an interval of one hour was to be granted to the labourers. The local governments were given power to appoint inspectors or to empower the District magistrate to supervise the implementation of this law. They were also empowered to make rules from time to time to provide for the fencing of machinery and the inspection of machinery.

The circular sent by the Viceroy to the local governments clearly reflected his opinion that the Bill, as it was passed, was inadequate. Special attention of the local governments was invited to the fact that, except in so far as it provided for the fencing of machinery, the Act did not impose any obligation on mill-owners for the protection of adults. The local governments were cautioned to discharge their duties in a conciliatory

\(^{25}\text{Ibid.}\)
manner as the Governor-General in Council believed, "the uneasiness which is still felt in some quarters regarding its possible effects on the manufacturing industries, is caused not so much by objection to the protection of children and to the fencing of machinery, as by the fear that the provisions designed for these purposes may be injudiciously worked to the detriment of legal provisions." The Viceroy also disliked the lowering of the minimum age to seven. He requested the local governments to keep a careful watch in order to see whether the above limit provided an adequate measure of protection to children. The scope of the Act was also limited in another way. It did not provide for rules regarding ventilation and sanitation in the mills. Perhaps the local governments were supposed to deal with these conditions better without the aid of legal provisions.

Whatever might be the limitations of the first Indian Factory Act, it should not be forgotten that it was a pioneering measure. Ripon had to adopt an attitude of reconciliation in view of the lukewarm attitude of Hartington and the opposition of the majority of the members of his Council and Sir Ashley Eden. It was his firm determination mingled with a conciliatory spirit, which enabled him to pass the bill. Ripon, at the time of the passing of the bill, was sure in his mind that a time would soon come when the inadequacies of the Bill would be realized and necessary amendments made.

He was correct in his surmise. Even before the period of one year, which was given to the local governments for reporting on the working of the Act, had elapsed the Bombay Government expressed the opinion that the Act was "plainly insufficient to furnish any adequate and satisfactory remedy for the evils against which the measure was directed." These remarks were based on the observations of W.O. Meade King, His Majesty's Inspector of Factories, who was sent to India by the Secretary of State at the request of the Government of Bombay for reporting on the working of the Factory Act in that province. Mr. Meade in his report pointed out the total omission of all


27. Ibid,
sanitary provisions. It did not give any protection to women and children of twelve years of age who were forced to work from sunrise to sunset. As regards the certifying of the age of children by the employer, it should be made compulsory for the employer to produce a certificate from a surgeon. He also suggested the formation of a small commission of surgeons for enquiring into and reporting on the health of women and children engaged in factories with reference to the hours of work and employment. He wanted all factories using steam or other forms of mechanical power, regardless of the number of persons employed, to come within the definition of a factory. The Bombay Government, while concurring with the suggestions of Meade, considered it highly expedient to amend and amplify the law with a view to confer greater powers upon the government for the amelioration of the plight of the labourers whose conditions of work were not satisfactory in that province.

Ripon was in full sympathy with the proposals of the Bombay Government, but was not in favour of amending the Bill so soon. He, therefore, circulated the report of Meade King with the recommendations of the Bombay Government to the local governments for opinion in August, 1882. The local governments, except Bengal, did not experience practical difficulties in the operation of the Bill as the number of factories coming under the operation of the Act was negligible in their provinces. Hence, they did not take up the matter seriously and sent replies after six months or one year in some cases. All these governments supported the amendments proposed by the Government of Bombay, not on grounds of practical necessity but on grounds of principle. The Government of Bengal did not feel any need for making changes in the Act and again expressed a strong opinion against any such move. In view of the lukewarm attitude shown by the local governments and the opposition by the Government of Bengal it was decided in 1883 to postpone the amendment of the Act. The racial controversy which was raging at that time due to Ilbert Bill also discouraged Ripon from attempting an amendment as most of the mill-owners in Bengal were Europeans and they would have certainly misinterpreted the intentions of the Viceroy in making changes in the Act.
In March 1884, the Bombay Government again urged the necessity of making amendments in the Act. In case, the Government of India did not wish to apply these amendments to all provinces, the Government of Bombay requested that it should be allowed to extend the provisions of the Act. The Government of India, after considering the above proposals, suggested the appointment of a Commission to go into the full details of the working of the Act. The Commission, under the chairmanship of Meade, submitted its report after the departure of Ripon. But it was only in 1891, ten years after the passing of the Factory Act of 1881, that necessary amendments were made by the Government of India.

Although the Factory Act of 1881 was not an adequate measure, it was a significant constructive effort of Ripon. In spite of the half-heartedness of the Secretary of State, strong opposition of his Councillors and the Governor of Bengal, he had firmly advocated the passing of such an Act though with a limited scope. He sincerely hoped that improvements would be made in the course of time and perhaps this would have been done during his Viceroyalty but for the turmoil created by the Ilbert Bill. Therefore, if his achievements fell short of his objectives in this regard, he is not to be blamed for it. He was always guided by philanthropic motives and was eager to contribute towards the welfare of the people of India and especially towards the amelioration of the condition of the masses.
CHAPTER VII

Repeal of the Vernacular Press Act

Ripon had come to India with clear instructions to repeal the Vernacular Press Act, passed during the time of Lord Lytton. Gladstone considered this Act to be entirely against the liberal principles and even against the basic principles of the English government. At the time of the passing of the Act in July 1878 he had moved a motion in the Parliament that all proceedings undertaken under this Act should be reported to the House. The motion was defeated by 56 votes. In his Midlothian campaign of 1880, Gladstone had raised this issue before the electors. He was, therefore, anxious to get this Act repealed as soon as possible. As a result of the strong views of Gladstone and his followers, the repeal of this Act acquired an embittered prominence as a touchstone of what is held to be the vital difference between Conservatism and Liberalism or between Lyttonite and Riponite traditions.

In fact, the Act of 1878 constituted a direct departure from the policy followed by the Government of India during the last forty-three years with respect to the press in this country. Since 1835, the law required that every printer and publisher should register himself and record his name on every issue of the paper. Metcalfe, the then officiating Governor-General, was not in favour of placing any restraints on the freedom of press but he was not prepared to tolerate the abuse of these privileges. Hence the offenders were tried in a court and punished under this law. During the mutiny of 1857, a short-lived Act was passed placing restrictions on the press; but these were, as a


72
matter of fact, directed against the papers in English. Vernacular journals did not attract attention at that time as their number was inconspicuous.

After the mutiny there was a gradual increase in the number of newspapers owned by Indians and also in the number of newspapers published in the vernacular languages. Although there were not many instances of seditious or provocative writings, the government felt the necessity of placing restrictions on such writings. The revision of the Penal Code in 1870 afforded the government an opportunity to do so. Section 124A in the revised Penal Code provided that, "Whoever, by words, either spoken or intended to be read, or by signs, or by visible representations, or otherwise, excites or attempts to excite, feelings of dissatisfaction with the government, established by law in British India, shall be punished with transportation and fine, or imprisonment and fine, or fine." The section was meant to be resorted to only when there was a threat to the peace of the country and was not directed against unjust attacks on political personalities. It was so hedged round by legal definitions of what could not or could be called dissatisfaction that the Government of India was always advised by their legal consultants not to launch prosecution even in very flagrant cases. In their opinion it was not certain in those circumstances what view might be taken by the judge. Therefore, this law practically remained a dead letter. The only case in which action was taken, was an unofficial warning to 'Somprakash' by Lord Northbrook in 1872. The Editor of 'Somprakash' on a pledge of good conduct in future was allowed to revive the publication of his newspaper in the following year. The job of the Press Commissioner appointed by the Government of India in 1870, was to supply information to the press and prepare weekly abstracts of articles published in newspapers.

In 1873 Sir George Campbell, the Lieutenant-Governor of Bengal, drew the attention of the Government of India to the growing evil of the scurrilous invective of the government and its

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2. Balfour—Lord Lytton’s Indian Administration, p. 502.
3. Ibid., p. 503.
4. Buckland, Bengal under the Lieutenant-Governors, p. 718.
officers resulting in increasing dissatisfaction among the public. But nothing substantial came out from the correspondence exchanged between him and the Government of India except making the weekly abstract of proceedings of the Indian press strictly confidential.  

The next move was made by Lord Salisbury in 1875. He wrote to the Government of India that the articles appearing in the 'native' press were not only bringing the government into contempt but were even justifying the assassination of British officers. He requested the Viceroy to examine the possibility of prosecuting such newspapers. Lord Northbrook did not think it desirable to prosecute newspapers except in cases where systematic attempt to excite hostility against the government was noticed and hence no action was taken.

In 1876, Lytton instructed Sir Arthur Hobhouse, Law member of the Council, to review the possibility of a legislation in order to place restrictions on the Vernacular press. Hobhouse advised against any action being taken, partly on the ground that English press was as violent as the Vernacular press and partly on the ground of general value of the free press. Lytton tried to overrule the above objection on the ground that the English press served the needs of educated persons who were sensible enough to judge for themselves and whose number was very few. In the meantime, Lytton obtained the opinion of the local governments on the issue. Except Madras, all the local governments were in favour of a preventive rather than remedial legislation. On the pattern of the Irish Act, they favoured confiscations, warnings and demanding of security from the Vernacular newspapers.

In March, 1878, Lytton telegraphically requested the Secretary of State on plea of urgency to permit the passing of Bill at a single sitting. He wrote, "If measures become an accomplished fact, by declaring them urgently necessary in the interests of  

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5. Balfour, Lord Lytton's Indian Administration, p. 504.  
6. Ibid., p. 504.  
7. Ibid., p. 506.  
8. Ibid.
public safety it will probably be accepted with far less objection than if it is formed subject to previous discussions." Lytton expressed his views strongly against the Vernacular press whose language, in his opinion, was "at all times mischievous and specially dangerous now when native community believes that our power has been seriously weakened by events elsewhere." Salisbury granted permission to pass the Bill subject to observations when details of the Bill proposed were received by him.

On 14th March 1878, the Bill was introduced in the Legislative Council and was passed on the same day. Nine non-official members including one Indian spoke in favour of the Bill. They all regretted the necessity of the Bill. Lytton spat much venom against the Vernacular press in his speech accusing it of preaching open sedition. While concluding he said, "It is not in the spirit of resentment for injuries that we propose to legislate...what I desire is to prevent, not to punish seditious appeal." Under Act No. IX of 1878, known as an Act for the better control of publication in oriental languages, as passed by Lytton's government the printer and publisher of any paper in an Indian language could be called upon to enter into a bond not to publish anything likely to excite feelings of dissatisfaction against the government or antipathy between different races, castes and religions among Her Majesty's subjects. If a newspaper contravened this regulation, in the first case it was to be warned and in case there was a recurrence of the offence the equipments of the newspaper were liable to be seized. For those who wished to avoid such a risk, a system of censorship was formed by the government and for this purpose one officer was appointed to scrutinize proofs before publication." All proceedings under this Act were final and conclusive, subject only to appeal to the Governor-General in Council within three months. The Council of the Secretary of State did not give an unanimous approval to the above legislation. Three members, viz., Sir William Muir, Sir Erskine Parry and Colonel Yule recorded minutes of dissent. Lord Cranebrook, the new Secretary of State, while

9. Ibid.
10. Ibid.
regretting the necessity of the passing of the Act objected to the provision which allowed an editor to avoid the necessity of depositing security by submitting to censorship as the censors would be mostly Indians due to the variety of languages in which the Vernacular newspapers were published. Consequently, amending Act XVI of 1878 was passed in September 1878 to delete the censorship clause, though during the seven months of its existence there had been no occasion to put the Act in force. The Press Commissioner appointed in 1870 still performed the duty of keeping the press duly and impartially furnished with accurate current information in reference to such measures or intentions on the part of the government as were susceptible of immediate publication without injury to the interests of the government. He thus acted as a channel of communication between the Government and the Vernacular press.

The Vernacular Press Act was a retrograde measure of Lord Lytton. It created considerable resentment among the public and the press. The main objections to this Act were:

Firstly, an invidious distinction was created between the Vernacular and the English press. It must be admitted that the distinction was only linguistic and not racial. Even vernacular newspapers owned by Englishmen were subjected to restrictions and English newspapers owned by Indians, if any, were free from all such restrictions;

Secondly, it was oppressive to refuse an appeal to any judicial authority;

Thirdly, it was not likely to prove effective.

As soon as Ripon arrived in India he expressed his anxiety to repeal the Act. He was aware that Gladstone and the Liberal Party were keen to remove this gagging Act from the statute without any further delay. However, he was not able to repeal it earlier than January, 1882. Ripon had no intention to over-

rule the wishes of the majority of the Council who had committed themselves to its support during Lytton's regime. His task was to persuade them to give their concurrence for the repeal of the Act. It was not an easy task and Ripon had to proceed very cautiously in this matter.

He secretly asked Hartington to send a dispatch expressing his desire to repeal the Act. Hartington consulted his Council. Out of fifteen members, thirteen voted for its repeal but represented that Section 124A should be so amended as to make it workable. Hartington privately advised Ripon to suspend the Act for one year in case immediate repeal was not possible. He considered any change in Section 124A difficult at that stage.

At this stage Ripon did not favour the suspension of the Act as it would create resentment among the members of his Council, who except Baring and Aitchison, were in favour of the retention of the law. The only action taken by him was to abolish the post of Press Commissioner in March 1881 on the plea that the scale of his salary and cost of his establishment were all out of proportions to the duties discharged by him which in his view was limited to the daily distribution of such official news to the press as the government thought it to be expedient to publish. As far as the repealing of the Vernacular Act was concerned, he wanted to gain time for persuading the members to agree. He, therefore, willingly discussed various alternatives put forward by his Executive Councillors including the amendment of Section 124A. In all these discussions Ripon firmly maintained that any discrimination which was maintained between English and Vernacular press would fail to satisfy Indian opinion. Only at one time Ripon's patience seems to have exhausted and he seriously considered overruling his Council but before he could decide finally a compromise was happily reach-

15. *Ibid*.
ed in February 1881. It was decided to communicate to the Home Government that although the Act would be repealed in the next winter, it would not be enforced during the intervening period. In the meanwhile, Ripon consulted the local governments on the issue, the majority of whom suggested amendments in the Penal Code. Ripon, however, did not care much for the opinions of the local governments in view of the decision already arrived at and issued orders for the introduction of a Bill for repealing the Vernacular Press Act.

Act No. III of 1882, known as Seditious Publications Act of 1882, was passed in the Council on 19 January, 1882. The speeches delivered by the members clearly expressed their feelings. Hunter defended the passing of the Act in Lytton's time on the ground that it was only preventive in character. He said, "So serious was the desire of the government to avoid the possibilities of undue severities that local governments were informed not to have any recourse to it without the sanction of the Government of India." The result was that out of 230 newspapers published in Vernacular languages having a circulation of about one and a half lakh, action against only one newspaper was taken. He supported the repeal only on the ground that such repressive powers should not form a part of the statutes. Evans and Maharaja Jotindra Nath Tagore maintained that they were voting in favour of the repeal of the Act only because the government wanted it.

Raja Shiv Prasad in his speech was more correct in analysing the situation. In his opinion the word 'Vernacular' in the former Act had done more mischief than good. Although the practice of the Vernacular Press was to take extracts from English papers or publish translations from there, they were repre-

19. Ibid.
20. Viceroy's Dispatch to the Secretary of State, No. 12 of 1881, dated 28 February, 1881.
22. Ibid.
23. Ibid.
senting that they were writing everything under restraint. Ripon also aimed at the removal of discrimination against the Vernacular press by insisting that any restrictions placed on the newspaper published in Vernacular languages were inflaming public opinion in India.

The Seditious Publications Act of 1882 while repealing the Act Number IX of 1878, and Act Number XVI of 1878 (an act to amend act number IX of 1878) gave powers to any officer of the postal department to search for and deliver to the government any document prohibited by a notification under the Sea Customs Act, 1878. It thus provided against the importation of seditious publication from the British frontiers.

The repeal of the Vernacular Press Act was welcomed by the press and the public of India. The repeal Act practically admitted that the profession of a Vernacular journalist was no longer regarded with suspicion by the government. This gesture on the part of the government was reciprocated by the Vernacular press. Kristodas Pal, an eminent leader and journalist in those days, who was elected to the Legislative Council in 1883, wrote, “Now that the press has been taken into confidence by the government, its criticisms are likely to be free from that hostile attitude which the press had hitherto assumed in discussing the measures of the government.”

Thus it had a sobering effect on the Indian press which adopted a co-operative attitude towards the government for nearly twenty years. The Vernacular Press remained relatively calm and sober during the Ilbert Bill controversy. In 1884 it appreciated the difficulties of the government during the crisis caused by the Russian advance on Merv. It proved worthy to the trust reposed in it by Lord Ripon.

The repeal of the Vernacular Press Act was a part of the programme of the liberal policy. For this act Ripon cannot

25. Ibid.
claim the whole credit. He had a clear mandate from the Liberal government of Gladstone to return to the noble tradition of a free press. But on arrival in India, he had to face a delicate situation when he found that he had to obtain the consent of those very persons who had voted in favour of the Act. It goes to the credit of the Viceroy that he patiently handled the matter and avoided a situation in which he had to overrule the wishes of his Executive Council. Without displeasing Gladstone and Hartington, he was able to gain time in order to persuade the members of his Council for giving their concurrence to the repeal of the Act.

The repeal of the Vernacular Press Act was not a pioneering effort of Lord Ripon. But it created a profound impression on the people of India who were convinced of the sincerity of the Viceroy. It clearly demonstrated to them the difference between the attitudes of the government of Lord Lytton and Lord Ripon. It was much helpful in gaining confidence of the intelligentsia for the government, a task which Ripon had set before him.
CHAPTER VIII

Educational Policy

The policy outlined by Charles Wood in his dispatch of 1854, known as the charter of education of British India, envisaged wide diffusion of education among all classes of people. But the senior administrators of India, who believed in Macaulay's theory of downward filtration, laid more stress on the spread of higher education. Ripon realised the failings of this theory. In his opinion the political danger of the policy of developing a small class of highly cultivated Indians addressing themselves to ignorant and uncultivated masses was obvious. While having no objection to the policy enunciated by Charles Wood he was concerned over the lack of attention paid by the state towards the education of the masses. Moreover the extension of elementary education in England had been for many years an object of special interest to Ripon, and it could be less so to him in India. Therefore, at the very first opportunity he declared, "...It may not be higher education alone which will be spread more and more in India but that we may in future do more than what has been done in the past for the education of the masses of the people."

In view of the limited funds placed at the disposal of the Government of India for the promotion of education any diversion of funds from those allocated to higher education would have retarded the development of higher instruction. Ripon

2. S. Gopal, Viceroyalty of Lord Ripon, p. 172.
had no desire to follow this course of action. He, therefore, decided to appeal to private sources. Another reason which he advanced for requesting wealthy people to pay for education was to secure variety in education. He was in favour of encouraging private persons and bodies organising educational instruction which may be free, as far as possible, from official control, as it would enable them to arrange for different types of instructions suited to their cultural pattern. In his opinion, the government should allow free play for the natural development of local institutions by adopting a system of grants-in-aid rather than that of establishing institutions by the government. He was confident that wealthy persons would now come forward to aid in such undertakings specially when they realise that the government wishes them to be active in public affairs and did not prefer to keep the control of things in her hand. Before him there were instances when people had voluntarily endowed money for the spread of education. In Bengal during 1878-79 the contributions from private sources had exceeded the amount of government grant in education. Lastly, any withdrawal of the government from secondary and collegiate education was likely to be regarded as a triumph of the missionaries, who, in the absence of private Indian enterprise, would inherit large sections of the field, and the immediate consequence of this situation would be an upsurge of religious prejudices.

Ripon did not proceed hastily in this matter. In order to confirm his impressions he addressed the local governments on the subject of primary education specially with reference to the progress made in this sphere since 1871 when the control of education was transferred to them under the decentralisation scheme. The replies of the local governments showed that al-

though more had been done in some provinces than what was understood to have been accomplished, still there was good ground for subjecting the whole educational system to a critical analysis and review.¹⁰ He decided to appoint a commission for this purpose. In the Resolution of the Governor-General in Council of 3rd February, 1882, the Court of Director’s dispatch of 19th July, 1854 was accepted as the basis of educational policy in India. “The Government of India”, says the Resolution, “is firmly convinced of the soundness of that policy and has no wish to depart from the principles upon which it is based.” Since the measures set up in the above dispatch came into active operation more than a quarter century back and ten years had passed since the responsible direction of the educational system was entrusted to the local governments it was considered expedient to institute a more careful examination than the analysis of reports and returns of different provinces. As a thorough and detailed examination of every branch of education was considered to be too expensive it was decided to restrict the scope of the work of the Commission. In its instructions to the Commission appointed for this purpose the Government of India made its intentions clear. The Commission was asked to examine the general result of the operation of the principles of the Dispatch of 1854 and to scrutinize the efficiency of the machinery that had been set on foot for bringing about those ends which the government had in view. An enquiry into the working of the universities and on the state of special or technical education was not desired. The question of European and Eurasian education was also excluded from the scope of the review of the Commission as the Government of India had recently dealt with it. The principal object of the enquiry of the Commission, according to the Government of India, was to examine the present state of elementary education throughout the country and the means by which this could be extended and improved everywhere.¹¹ In view of the inability of the government to provide sufficient funds in this field of education the government desired that the system of grant-in-aid elaborated by the dispatch of


1854 was to be examined specially with reference to higher and secondary education. The best methods of encouraging Indians to come forward and aid in the establishment of schools under the grant-in-aid system were also to be examined and suggested. Special attention was to be paid to the subject of free scholarship. The Commission was also directed to enquire as to what extent indigenous schools existed in the different parts of the country and are or can be utilised as a part of the educational system. The quality and character of the instructions imparted in secondary schools, state of female education, training of teachers, municipal management and the present system of inspection also formed the subjects of inquiry. The Commission was warned that in suggesting measures of extension of primary education the limitation of finances should be borne in mind. The existing state of education among Muslims was subsequently added to the subject matter of enquiry. In February 1882 a memorial was addressed by the National Muhammadan Association of Calcutta in which attention of the government was invited to the decaying state of education among Muslims. It was examined and discussed by the Education Commission.

W.W. Hunter, a senior member of the Indian Civil Service, was appointed chairman of the Commission with several Europeans and Indians as members of the Commission. The Hunter Commission commenced its work on 10th February, 1882 and concluded its deliberations on 16th March, 1883. The Commission heard the evidence of 193 witnesses and received 323 memorials. It made 222 specific recommendations of which 180 were passed unanimously while the remaining were carried by a majority.

In its report the Hunter Commission agreed with the view of Ripon regarding more attention being paid to primary education. According to the Commission, "...while every branch of education can justly claim the fostering care of the State, it is desirable in the present circumstances of the country to declare that the elementary education of the masses, its provision, extension and improvement to be that part of the educational

12. Ibid.
system to which the strenuous effort of the State should now be directed in a larger measure than heretofore." They admitted the exclusive claim of primary education on local funds set apart for education and a large claim on the provincial revenues. The Commission recommended that an attempt be made to secure the fullest possible provision for an extension of primary education by legislation suited to the circumstances of such province.

The neglect of indigenous schools in the scheme of national instruction was lamented by the Commission. The Commission recommended that all indigenous schools serving any purpose of secular education may be recognised and a policy of steady improvement of such schools be followed with as little interference with their personnel or curriculum as was possible.

In the opinion of the Commission the relation of the state to secondary education was different from its relation to primary education as far as providing aid to them was concerned. In their opinion the means of primary education were to be provided by the government without considering the amount of local cooperation, while it was ordinarily expedient for the government to provide the means of secondary education only where local cooperation was forthcoming. Hence, secondary schools were ordinarily to be established on the footing of grants-in-aid system. In their opinion once a district was provided with an efficient high school, government or otherwise, along with its necessary feeders the state should do no more than bestowing grants-in-aid to it.

The Commission excluded from their scope of enquiry the problems of collegiate education which fell under the direct cognisance of the universities. After discussing the various arguments advanced on the subject of the responsibility of the state for providing higher education the conclusion reached by the

15. Ibid., p. 158.
16. Ibid., Para 73 and 74, p. 73.
17. Ibid., Para 288, p. 254.
Commission was, "We are not prepared as a body to adopt any form of expression that may be construed into a demand for the immediate or general withdrawal of the State from the provisions of the means of higher education." In order to evoke and stimulate local co-operation for the gradual transfer of government institutions for collegiate and secondary education to private management, aid at specially liberal rates was to be offered to any local body willing to undertake any such institution under adequate guarantees of permanency and efficiency. The Commission, however, was not in favour of transfer of such institutions to missionary bodies.

The question of examination of text books in schools was also examined by the Commission. It concurred with the recommendations of a Committee consisting of representatives of several provinces appointed in 1873 that separate provincial series of English and vernacular text books should be allowed in preference to a single imperial series.

In order to improve the internal working of the Education department and the schools the Commission recommended that conferences of officers of the Education department and meetings of the officers of the department with managers of the schools may be held from time to time for the discussion of problems connected with education. In such conferences the Director of Public Instruction of the province was to act as ex-officio president. For the discussion of the problems of school management all the deputy inspectors were to hold local meetings of the head masters of the schools in their jurisdiction.

In the opinion of the Commission the grant-in-aid system had not been fairly tried in the recent years because it was generally feared that the transfer of a school from government to

19. Ibid., Para 518, p. 543.
private management may lead to the decay of the institution. Accordingly private effort had not been encouraged on such a scale as was envisaged in the general scheme of education contemplated by the Dispatch of 1854.\textsuperscript{23} The Commission desired that the Department was to pay more attention to evoke and strengthen private efforts and that its success must largely be judged by the increase in the number and efficiency of aided or self-supporting institutions under private management.\textsuperscript{24}

The Commission recommended the preparation of a moral text book based upon the fundamental principles of natural religion for the colleges and the organisation of a series of lectures on the duties of man and citizen in these institutions.\textsuperscript{25} The motive was to help in meeting the two dangers of higher education in India, viz., the exclusive attention to the mere passing of examinations and to the personal advantages derived therefrom. Kashi Nath Trimbuk Teleng, an Indian member, wrote a minute of dissent in this respect. In his opinion it would definitely be a retrograde step in view of the secular aspect of the government.\textsuperscript{26}

In the opinion of the Commission female education was to be treated as a legitimate charge alike on local municipal and provincial funds and was to receive special encouragement. The Commission re-affirmed the principle laid down previously by the Government of India that nobody be refused admission to a government college or school merely on grounds of caste. In places where institutions for aboriginal tribes or such races could not be maintained from government funds the public were to be encouraged to form separate schools.\textsuperscript{27}

The backwardness of the Muslims in education was recognised by the Commission which recommended special encourage-

\begin{itemize}
\item \textsuperscript{23} Ibid., Para 512.
\item \textsuperscript{24} Ibid., Para 497.
\item \textsuperscript{25} Indian Education Commission Report, 1883, Para 335, pp. 307-8.
\item \textsuperscript{26} Syed Mahmood, History of English Education in India, pp. 111-118.
\item \textsuperscript{27} Indian Education Commission Report, 1883, Chapter IX.
\end{itemize}
ment to their education. In its opinion, indigenous Muhammadan schools were to be encouraged, a certain proportion of free scholarship was to be reserved for them, for the inspection of primary schools more Muslim officers were to be employed and in their annual reports the Directors of Public Instruction were to devote a special section on the progress of education among Muslims.  

The Government of India circulated the Report to the local governments for comments. Ripon also requested the Secretary of State to offer his views on it. In his letter to the Secretary of State he wrote, "It will be seen from the Report that the experience of nearly thirty years has brought to light no serious flaw in the general outlines of the policy laid down in 1854 and confirmed in 1859." In his opinion the lack of progress in some directions was due to a departure or failure of the officers to act up to the principles on which the whole educational system of India rested at that time. 

There was a favourable response from the local governments to the recommendations of the Commission. Only the proposal of the introduction of a moral text book met with very scanty support from them. In fact, there was nothing drastic or revolutionary except this proposal in the Report which could evoke criticism. The Government of India in its Resolution dated 23 October, 1884, while reviewing the Report also doubted whether such a text book could be introduced without raising a variety of burning questions. To them it did not appear probable that a text book of morality could be accepted by Christians, Muslims and Hindus alike. Ripon also agreed with the views of Trimbak. The Secretary of State concurred in these views but added that if such a text book was prepared hereafter its merit may be judged and at that time the question may be reconsidered. In 1887 the matter was revived by Cross, who succeeded Kimberley. He requested the Government of India 

28. Ibid.
29. Viceroy’s Dispatch to the Secretary of State, No. 3, dated 12 May, 1884.
30. Ibid.
to take steps for the preparation of such a text book. The Government of India after consulting the local governments was again of the opinion that the end in view would not be attained by the preparation of such a text book.

On 23rd October, 1884, Ripon issued a Resolution accepting most of the recommendations of the Commission, the noteworthy exception being the introduction of a moral text-book and a conscience clause. The Government of India held out hopes of financial assistance in carrying out the policy of the government if reasonable demands for development in education were put forward by them. Before his departure Ripon was not able to consider the recommendations of the Education Commission regarding education among Muslims but he expressed a hope that it would receive full attention of his successor. The Government of India in its Resolution of 15th July, 1885 admitted the backwardness of Muslims in the field of higher education and accepted the recommendations of the Commission. But in view of their policy to treat Indian subjects with absolute impartiality and in the interest of Muslims the Government of India did not advocate any special favour to them in any open competitive examinations or exempt them from tests for entry in public service.

The departure of Ripon, soon after the issue of the Resolution, deprived him from the task of directing the actual implementation of the recommendations of the Commission. Dufferin had every desire to advance the cause of education on the lines suggested by the Commission but on account of the financial stringency caused by the urgent military necessities, the Government of India could not redeem its pledge of financial assistance to the local governments. Opposition of a few officers to the policy enunciated in the Report of the Commission was also a cause of its slow implementation. In 1885, Dufferin reported to the Secretary of State that such feelings of opposition were expressed by a covenanted civilian in Punjab and may be found in other provinces also. But in several fields the results achiev-

32. Ibid.
34. Viceroy's Dispatch to the Secretary of State, No. 5 of 1885, 11th July, 1885,
ed were hopeful. In 1886, Alfred Croft in his Review of Education expressed satisfaction over the fact that in spite of the tendency of 'Departmentalism' the spirits which animated the Commission in the holding of conferences between departmental officers and private individuals interested in education had found complete expression. In his opinion the gradual dying out of the tendency of regarding aided schools as rivals in the field of education by government officers was an encouraging feature.

The problem of the education of European and Eurasians in India was also under the review of Ripon. Shortly after the mutiny Canning had expressed apprehension about the result of neglect of education of European and Eurasian children in India. A survey in 1874 had showed that nearly twelve thousand such children had practically no education. Lytton referred the matter to a Committee in 1879. The Committee in its report recommended the levy of a local educational rate confined only to Europeans which was to be locally spent and was to be auxiliary to voluntary efforts. As a last resort it recommended the sending of Europeans to existing schools of Indians.

In its Resolution dated 18th October, 1881, the Government of India admitted the lamentable position of the education of European and Eurasian children in India. It, however, did not favour the levy of a special rate. In the opinion of the Governor-General in Council necessary provision was to be made in imperial or provincial funds for aiding local efforts. In case where twelve students were secured in a place, a separate school was to be established for them. The establishment of separate schools for them was advocated as it was felt that the atmosphere in the schools of the country was such that the parents would not like to send their wards in them. A Committee was formed for the issue of liberal grants for this purpose in 1882. It submitted a draft code to the Government of India for implementation in Bengal. The same was approved by the Government of India in 1883. The Code was framed on the lines

35. Ibid., p. 344.
36. Ibid.
38. Ibid.
of English codes. It provided grants for instructions in the schools of Europeans and Eurasians with minor divergences from the English codes. The Code was put on trial for two years. In 1885 it was extended to other provinces also.\(^{39}\)

In Ripon's reign the first university of India, which did not owe its origin to state efforts, was established in Punjab. The efforts of establishing a university for the revival of oriental learning along with education on western pattern originated in Punjab in 1865. It resulted in the establishment of the Punjab University College in 1870 by private efforts. In 1877, Lord Lytton, at the time of the Imperial Assemblage in Delhi, promised to introduce a bill for endowing the above institution with the status of a university to confer degrees as soon as the approval of the Secretary of State was received for the same. The sanction of the Secretary of State was received in 1879 on the condition that he was to be furnished with details about the standard of examinations.\(^{40}\) A large and influential deputation including the Maharajah of Kashmir, the Rajahs of Jhind and Mandi, the Patiala Council of Regency, and a large number of European and Indian officials and non-officials waited on the Viceroy Lord Ripon, when he paid his first visit to Lahore on 13 November, 1880. They pressed for the early passing of the Bill in the Legislature. Lord Ripon appreciated the objects of the promoters of the university but did not promise anything because he had not as yet fully considered the question of establishment of a university in the Punjab in all its implications. For the next two years the Secretary of State was in correspondence with the Government of India on the question of the fixation of a requisite standard of examinations to be conducted by the proposed Punjab University. On 5th October, 1882, Sir Ilbert Courtney, the Law Member of the Government of India, introduced a Bill in the Legislative Council to create the Punjab University. While introducing the Bill, he emphasised that in the first place the Punjab University was to be a teaching as well as an examining body. He said, "In this respect, as well as in the circumstances of its origin it differed from other Indian universities

\(^{40}\) *Government of India, Home Department, Education Proceedings*, No. 15, 16th February, 1880.
but agreed with Oxford and Cambridge.” In his speech Lord Ripon expressed similar sentiments. The inaugural convocation of the University was held on 18th November, 1882, at Lahore. In his inaugural address Lord Ripon praised the liberality of the leading citizens and nobles of the Punjab and approved the establishment of a University on a basis different from that of other existing universities of India.

The newly established Punjab University also differed in many respects from the other existing universities of India. The governing body of the University was largely representative in character and served the purpose of an advisory body to the Government of the province, a position hitherto not occupied by any other existing university of India. Its other distinguishing feature was that it did not owe its origin to state efforts but was the product of the initiative and efforts of the people. It was designed to give special encouragement to oriental studies along with imparting education in the higher branches of European knowledge and sciences through the medium of Indian vernaculars. Side by side with it, the University adopted the western system of education, and English language was also used as a medium of instruction. In this way, the University of the Punjab was a unique synthesis of the western and oriental systems of education.

Ripon’s achievement in the field of education does not appear to be remarkable specially when we see it from the view of his special interest in the subject. His desire to make a cautious approach to the problem of such a magnitude in a vast country like India naturally did not give him much time for action. After convincing himself about the soundness of the principles of the educational policy outlined in 1854 the main task before him was to acquaint himself with the shortcomings as well as with the results of the implementation of that policy during the last twenty-five years or so. As soon as investigations were complete, Ripon devoted himself to their scrutiny and laid fresh emphasis on the old principles. But no time was left to him for achieving substantial progress in education. After Ripon, the apathy of officers and lack of finances became the stumbling blocks in the further progress of primary education in India, a subject so dear to him.
CHAPTER IX

The Working of the Arms Act

The people of India considered the amendment carried out by Lord Lytton in 1878 in the provisions of the Arms Act (XXXI of 1860) as an act of administrative coercion. Gladstone and his party members were of the view that it was against their creed. Ripon was, therefore, keen to introduce important changes in the working of the Arms Act so as to make it less severe and discriminatory for Indians.

In 1857 the British Government decided to exercise some kind of control over the possession of arms by Indians as it was felt that the uncontrolled distribution of arms in India might endanger public order and safety. The first Arms Act of 1857 empowered the local governments to control the import, manufacture and possession of arms and ammunitions in the districts in which the provisions of the above Act were to be extended by them. In such areas the officers were authorised to make a general search for this purpose. The Act was operated in large areas of Punjab, Central Province, Bombay, Madras and North-West Province and Oudh. Europeans and Eurasians were exempted from the provisions of the Act. This clause clearly demonstrated the mistrust of Indians by their rulers. Moreover it was based on racial discrimination.¹

After the lapse of the Arms Act of 1857 another Act was enacted in 1860. Under this Act licences for the import of arms from abroad and for transport from one part of India were to be obtained. Such licences were to be granted by or under

¹ N.A.I., Home Department, Public Progs., May 1882, No. 174-195, Minute by Sir Henry Maine.
the authority of the Government of India. It also provided for
the supervision of the dealings of the licensing vendors by offi-
cers and empowered the magistrates to search for arms. If
considered necessary any district or province could be complete-
ly disarmed by the local government. The Act was to be in
force for five years but it was extended for one year in 1865.
In the next year it was extended for an indefinite period till the
Governor-General in Council decided otherwise. In 1873 the
opinions of the local governments were invited regarding the
necessity of placing the possession and bearing of arms under
greater executive restraint. 2 After receiving their replies it was
decided to appoint special officers for granting licences for the
import of arms and ammunition in India and to classify such arms
and ammunitions which required license. 3 In 1875 the local govern-
ments were asked to submit exhaustive reports on the operation
of the existing Arms Act and make suggestions for improve-
ments.

The local governments suggested several amendments which
were duly considered by the Government of India. Lytton pro-
posed changes in the Act of 1860. While this proposed Bill
was under consideration the British Indian Association submit-
ted a memorandum praying for the abolition of the Arms Act.
After some time another memorandum was submitted by the
Association. In these memorandums the proposed exemptions
were characterized as invidious in as much as they made a distinc-
tion between the European and Indian subjects of the Crown. 4
Lord Lytton’s Government did not consider these objections
seriously and passed the Bill. 5

The Arms Act of 1878 imposed heavy duty and severe
penalties on smuggling of arms and ammunitions in order to

2. N.A.I., Home Deptt., Public Branch, Circular No. 3812-21 of
19 December, 1818.
3. Ibid., Public Progs., No. 21, April 1874, and No. 68-69, De-
ember, 1874.
4. Ibid., Public Progs., No. 60-67, March, 1875.
10-13.
prevent an extensive illegal trade in cheap fire arms. In order to impose severe restrictions on the transport of such weapons it was considered necessary to extend the power of search for arms in cases where there were reasons to believe that the arms, ammunitions or military stores were intended for any unlawful purpose or that their possession may lead to the endangerment of public peace.6 The obtaining of licences for possession of arms was made essential in all areas of British India. In this Act the Government of India retained the power of granting exemption to any person or classes from any of the provisions of the Act. As was the case previously Europeans and Eurasians were exempted from the working of the Act. Persons who required protection from wild animals were allowed to have free licences for five years.

The Act was severely criticised by the Indian press after its enactment. According to the Indian newspapers the enactment of such a law clearly implied distrust of Indians by their rulers and it apparently marked the distinction between the conquered and the conqueror. Allegations were also made against the officers for their strict attitude towards the Indians. It was also pointed out that poor Indians had been deprived of the means of protecting their crops from wild animals or themselves from dacoits and beasts. Gladstone agreed to a great extent with these views. In his opinion, the Arms Act of 1878 clearly indicated a feeling of mistrust of the people.7 He also admitted the necessity of providing cheap arms to people for the protection of their life and crops. He further stated that the operation of the Arms Act would prove detrimental to the interests of the development of such public and engineering works in India in which explosive materials were used in large quantity. In July 1880 a deputation led by Man Mohan Ghosh and Lal Mohan Ghosh waited upon the Secretary of State. Besides requesting the raising of age limit for competition in Indian Civil

Service the deputation urged the necessity of repealing the Arms Act. 8

As soon as Ripon arrived in India the Secretary of State requested him to look into the matter as early as possible and initiate proposals for its repeal or improvement. 9 Ripon decided to move cautiously in the matter. 10 He studied the subject with care and tried to acquaint himself with different views on the subject. He addressed the local governments in August 1880 on the subject. 11 He made it clear to them that the Government of India was not considering its repeal. He only desired that the Act may be amended and operated in such a way as to make it completely unobjectionable to the Indians. The replies of the local governments revealed to him that they were prepared to relax the administrative application of the Act but were unwilling to make such changes which may meet the views of the Indians. He was now convinced about the futility of persuading the local governments to agree to his views. Now his main aim was to introduce reforms in the practical administration of the Act without making any attempt to make alterations in the law.

In his minute dated 11 April, 1881 12 Ripon expressed his disinclination to dig the past. His only desire was now to review the working of the existing arrangements with the aim of suggesting improvements in this sphere. For this purpose he put forward the following four main suggestions for consideration by the local governments:

Firstly, a rebate on the duty imposed under the Act was to be granted to persons for purchasing cheap arms, particularly

9. Secretary of State’s Dispatch, No. 9, Home Public to Viceroy dated 25th June, 1880.
10. Viceroy’s Despatch No. 12, Home Public to Secretary of State, dated 20 July, 1880.
11. N.A.I., Home Department, Public Branch Resolution, No. 38/1347-57, dated 28 August, 1880.
12. N.A.I., Home Department, Public Branch Proceedings, No. 10-13, June, 1881.
European guns, was considered necessary by him for the defence of persons. This rebate was to be granted by the Collectors of the districts.

Secondly, as regards the territorial exemptions provided in the Act Ripon found that no general principle had been followed by the local governments in granting them with the result that the Act had hitherto been applied by the local governments in an haphazard and unequal manner. He, therefore, desired to refer the issue to the provincial governments for reconsideration in accordance with the principles which were to be laid down by the Government of India. In his opinion it may be explained to them that Section 13 and 14 of the Act should be regarded as exceptional provisions which were to be applied in portions of the country where their application was really necessary in order to prevent arms from passing into the hands of dangerous classes in Indian states or beyond the British frontiers. The local governments were also to be asked to discuss with their neighbouring provinces the various anomalies in order to remove the striking inequalities in the opinion of the law but such attempts were to be made without suggesting any change in the law.

Thirdly, in the same manner, Ripon wanted to remove the inequalities which were prevalent in different provinces regarding personal and class exemptions. Although he was strongly of the opinion that race distinctions should not form the basis of granting licenses for the possession of arms, he carefully avoided the reopening of the controversy by suggesting the withdrawal of the exemption granted to the European and Eurasian officials and non-officials residing in India. He only considered it possible to ask the European and American travellers to have a license for the possession of arms during their stay in India.

Lastly, the local governments were to impose maximum penalties very rarely.

In May, 1881, a bill was drafted on these lines and was sent for approval to the Secretary of State. In June, 1881, it was circulated to the local governments for opinion.13

13. Ibid.
The replies of the local governments revealed that the proposal to allow a rebate in duty for purchase of cheap fire arms was not supported by a majority of them. Only the Chief Commissioners of Assam and Burma agreed to the above proposal. The general argument advanced by the local governments was that such fire arms were not required by Indians for their legitimate defence purposes. The local governments also did not favour the proposal of granting of any territorial exemption except in case of Lower Bengal. In their opinion it was inexpedient to relax the system of registration and control within the British territory as it was already working fairly. The Governments of Madras, Bombay and Central Provinces recommended the extension of class exemptions to a certain class of people in India. However, the proposals regarding the regulation of penalties inflicted under the Arms Act met with the general approval of the local governments although it was asserted by them that the powers in this respect were not abused by their officers. The Bengal Government brought to the notice of the Government of India a memorandum submitted by the British Indian Association requesting the Government to exempt the peaceful and law abiding citizens of Bengal from the working of the Act.\textsuperscript{14} In their opinion, on account of immense trouble and expenses which a villager had to undergo in obtaining a license he preferred to sell his arms to another person. This practice had done great harm to them. According to the petitioners the number of persons and cattle killed by wild animals in Bengal had considerably increased during the last five years. On the basis of statistics maintained by the Bengal Government the Governor did not accept the above contention.\textsuperscript{15}

The Secretary of State did not send a definite reply on the issue. He only forwarded to the Government of India the opinions of three of the members of his Council.\textsuperscript{16} Sir Henry Maine admitted that the Act was not based on principles but on grounds of loyalty. He, however, did not think it desirable to relax the


\textsuperscript{15} Ibid.

\textsuperscript{16} Ibid.
working of the Arm Act. In his opinion, there were still certain tribes and classes in India, in whom barbarism did not lie very much below the surface and it was very likely that it may break out if arms were to be made easily accessible to them. William Muir and Dalyell were in general agreement with the suggestions of Ripon.

The replies of the local governments disappointed Ripon to a great extent. Their non-possimus attitude (a term used by Ripon) destroyed the hope which he had entertained about getting rid of the anomalies, inequalities and hardships resulting from the operation of the Act. To him, there seemed little possibility of inducing the local governments to administer the Act of 1878 in the spirit embodied by him in his proposals of June, 1881. It did not leave any alternative to him except to suggest amendments in the law in order to place it upon a just and reasonable footing.

In a despatch to the Secretary of State on 22nd May, 1882, Ripon explained the position in great details. He had no desire to reopen the burning question by suggesting changes in the Act but circumstances had forced him to do so. Uptill now he had restrained himself in offering comments about the motives and objects by which the authors of the Arms Acts were actuated but now he expressed his opinion that their aim was to bring about a general disarmament of the people of India as far as it was possible. He attached considerable importance to the dissatisfaction expressed by the Indians and admitted that some of their grievances were genuine. In order to redress such grievances he had decided to introduce legislation embodying a few amendments. In the revised bill proposed by Ripon the major changes suggested were as follows:

Firstly, under Section 8 of the Act of 1878, any person lawfully entitled to possess arms was entitled to obtain a remission of duty in excess of 10 per cent ad valorem upon arms imported by him or purchased

17. Ibid.
18. Ibid.
19. Ibid.
by him from the imported for his private use. It was now proposed that duty on arms valued at more than one hundred rupees was to be charged at the rate of 5 per cent ad valorem. This would prove helpful in discouraging the illegal trade in general arms by villagers possessing license for such a weapon and would also be welcomed by Europeans and others who used higher class of guns.

Secondly, it was proposed to invest the government with power of prohibiting or restricting the possession of ammunition or military stores. The government was to be authorised to regulate the carrying of arms where such regulations were deemed to be necessary for the preservation of the public peace.

Thirdly, the scale of punishments for offences violating the Arms Act in settled districts were proposed to be reduced.

Fourthly, the obligation of reporting offences under the Act, which previously binded every person, was now to be limited to a certain class of officers.

Fifthly, it was thought desirable to retain the power of making special exemptions under the revised measure but the intention of the Government of India was not to maintain any general system of class exemption which prevailed at that time. The Government of India was to be empowered to frame regulations for this purpose.

Ripon requested the Secretary of State to accord telegraphic permission to him in order to enable him to proceed with the measure as soon as possible.20 His anxiety to bring this long- vexed question to a permanent settlement was clearly expressed in the despatch. The Secretary of State, who had initiated the matter at the instance of Gladstone, was now surprisingly silent over the matter. After waiting for a few months Ripon politely reminded him. The reply came in April 1883, nearly after one year of the submission of proposals to him. Hartington did not think

20. Ibid.
it desirable to reopen such a delicate and difficult problem by fresh legislation at that time. Hence, he instructed Ripon not to proceed further with the proposed bill.\textsuperscript{21} Shortly after the receipt of the above decision the Ilbert Bill controversy made the issue an insignificant one. In Dufferin's period an amendment was suggested by the Government of Bombay to extend the period of licenses from one to five years but at that time also it was not considered desirable to make any change in the provisions of the Arms Act of 1878.

Ripon was unsuccessful, firstly, in having the Arms Act administered in a liberal manner and subsequently in having the Act amended on a rational footing. The non-cooperative attitude of the local governments and the hostile views of the majority of the members of the Secretary of State's Council prevented him to reform an unpopular and retrograde measure. The caution exercised by him in dealing with the issue was also indirectly responsible for the above failure. In 1881, his influence both in India and London was predominant but by 1882, when he proposed amendments in the Bill, the chance seemed to have been lost. In case he had proposed amendments soon after Hartington had wrote to him in 1880, perhaps he would have secured the approval from the Home Government. But when we judge his actions in this respect from the view of results these cannot be termed as an utter failure. He was able to bring the prominent defects of the Act to the notice of the Home Government which had no arguments to offer in support of her refusal to sanction the changes proposed by him. It also shows how diligently and patiently Ripon tried to follow the liberal creed. At a time when the Home Government was afraid of reopening burning issues he had the courage to follow his convictions. This was the reason why in spite of his failure to implement remedies in the working of the Arms Act the Indians appreciated his efforts in that direction.

\textsuperscript{21} N.A.I., Home Department, Public Proceedings, August, 1886, 277-287, Dispatch No. 17 (Legislative) dated 26 April, 1883,
CHAPTER X

Reorganisation of the Civil Service

The civil administration of British India was mainly divided into two branches—judicial and executive. In both the branches the statutes reserved superior posts for the Europeans and Englishmen. In the Indian Civil Service the European and English entrants had to sign a covenant and hence it was known as the Covenanted Civil Service. The Uncovenanted Civil Service consisted mainly of educated Indians with a small sprinkling of Europeans and Eurasians earning salaries from Rs. Two Hundred to Eight Hundred. The members of this lower service performed the great bulk of magisterial and revenue work. The proportion between the covenanted and uncovenanted services was one to six.¹

In 1853, it was decided to recruit the members of the Covenanted Civil Service by competition. This decision gave the Indians opportunities to enter the realm of higher services hitherto exclusively reserved for the Europeans. But the lowering of age limit from 23 to 22 in the year 1859 and to 21 in 1866, made it increasingly difficult for the Indians to compete successfully in the examinations. It was also extremely difficult for the majority of the Indians to go to London for the competitive examination. Further, they could not do well in a test which was specially designed to test the results of English school and college education.

Lord Lawrence’s attention was drawn to the difficulties of the Indians in appearing for the competitive examination of the

¹ Betty Balfour, Lord Lytton’s Indian Administration, pp. 524-25.

102
Indian Civil Service and the consequences of the same. But it was Lord Mayo was took up the matter seriously. He pointed out the necessity of passing a law for reserving a limited number of seats in Covenanted Civil Service for Indians.\(^2\) In 1870, an act was passed in the English Parliament which authorized the Government of India to appoint a limited number of Indians to any post in the Indian Civil Service even if an Indian had not appeared in the competitive examination.\(^3\) In 1873, rules were passed in this connection on the assumption that proved merit and ability in the form of past services was to be the best criteria for appointment of an Indian on these reserved posts. In 1875, these rules were superseded by fresh rules which provided that provisional appointments were to be given to Indians of proved merit and ability on the nomination of the local governments or the Government of India.

These rules did not improve matters and the number of Indians appointed in the Civil Service was quite negligible. The non-fulfilment of the promise made by the Government in an Act passed by the Parliament in 1870 was regarded by Lytton as a disgraceful action. In a note dated 30th May, 1877, he proposed two types of Civil Service. In the Covenanted Civil Service he did not propose to allow the Indians as in his opinion they were not fit for certain types of responsible assignments. He proposed the formation of a separate closed Civil Service for Indians to whom fifteen per cent of the appointment of the Covenanted and twenty per cent of the Uncovenanted were to be assigned. Members of this service were to be nominated by the local governments and appointed on probation by the Government of India. Its status was to be same as that of the Covenanted of which it was considered to be a branch but the pay was to be less.\(^4\) The Secretary of State was averse to sanction any scheme which required an approval of the British Parliament. He also feared that the public may accuse them of fostering racial discrimination by creating separate services

\(^2\) Ibid., p. 526.

\(^3\) L.S.S., Malley, The Indian Civil Service (1601-1930), pp. 211-12.

\(^4\) Ibid., pp. 213-14,
for the Indians and Europeans. He, therefore, desired to have a fresh scheme in which the Indians may be appointed proportionately to the number of recruits every year in the Civil Service. Meanwhile the age limit was further reduced to 19 in 1878. This act was regarded by the Indians as a deliberate step to exclude them from entering the civil service.

Finally in 1879, the scheme of a Statutory Civil Service was sanctioned by the Secretary of State. A proportion not exceeding one-sixth of all the recruits to the service in any one year was to be Indians selected in India by local governments on the basis of family attainments or efficiency in the service. The appointment of persons already in service was to be made in exceptional cases because Lytton had personal disliking for the educated Babus of India. In order to ensure the loyalty not only of the entrants but of all the members of their families and provide the government with the support of their influence he preferred young persons from families who possessed great influence in the society. According to him several persons of such families possessed greater abilities and were far more educated than the members of Uncovenanted Civil Service but they did not volunteer themselves for service as the officer's post in the inferior ranks did not provide sufficient inducement to them. In the uncovenanted service all appointments carrying a salary of Rupees two hundred per month or more were to be reserved for the Indians.

The Statutory Civil Service did not solve the problem of recruitment of Indians in the higher services of the government. Although it fixed the proportion of Indians in the Civil Service sufficient number of persons with ability did not join the service. Many of them who joined the services proved to be inefficient. The methods of nominations by the local governments were different in each province. In view of the disappointing results a few local governments soon became inclined to swing in favour of holding competition again. Members of the Uncovenanted Civil Service also felt grieved. They believed that several persons of lesser ability and of lesser experience were working on higher posts than those held by them. As the new service had neither the status nor the prestige of the Covenanted Civil Service the members in the Statutory Civil Service did not feel satisfied. Thus
the above experiment proved to be a failure. The educated Indians began to agitate for the revision of the rules of recruitment in the services. The lowering of age limit fixed for the competition in the Covenanted Civil Service was also resented by them.

In 1879, Man Mohan Ghosh and Lal Mohan Ghosh visited England. They were successful in getting the cooperation of David Wedderburn and a few members of the British Parliament. In July 1880, they led a deputation to Hartington. The deputation requested the Secretary of State for raising the age limit for competition in Indian Civil Service. In India, Syed Mahmood, an eminent barrister, brought such grievances to the notice of Lord Ripon in the summer of 1881. Ripon felt the force of his arguments but he was dissuaded by Lyall from attempting reform in this matter. Lyall believed that it was politically wise to exclude the advanced classes from office and strengthen the conservative elements in the country.

Ripon did not act hastily in the matter. After considerable deliberations he realised that the raising of age limit and the nomination of influential persons in the Statutory Civil Service was dangerous from the political point of view as it bred up ill feelings among the educated Indians. The policy of divide and rule did not appeal to him. He was contemplating over the issue even when the Ilbert Bill controversy was raging at its height and the matter was raised in public by both the parties. Besides objecting to the grant of jurisdiction over Europeans to Indian members of the Civil Service who had been successful in the competition the Anglo-Indians legitimately complained of extending this right to the members of the Statutory Civil Service. The Indians, who were profoundly shocked by the agitation against the Ilbert Bill, were now keen to voice their grievances more loudly than before in this matter.

In spite of the loud protests of the European and Anglo-

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Indians Ripon decided not to postpone the consideration of the issue. He was anxious to recommend the restoration of higher age limit and to change the basis of recruitment to the Statutory Civil Service. He seriously considered several alternatives placed before him. Ultimately he preferred the simultaneous holding of examinations in England and India but it was not pressed by him on account of his fear of opposition by the Home Government. A separate all India examination was ruled out by several members of his Council, who believed like Lytton, that it would result in the almost exclusive recruitment of Bengalis. The alternative which was finally approved by him was to hold provincial competitions for candidates nominated by the local governments on the basis of their education, ability and family background.9 Baring and Ilbert did not object to the immediate consideration of the proposals but other members of the Council desired its postponement as in their opinion due to the Ilbert Bill controversy, the time was inopportune for a change. Ripon had no option but to postpone the issue. As soon as the Ilbert Bill controversy had been settled Ripon wrote to Kimberley.10 The arguments advanced by him were as follows:

Firstly, the present age limit resulted in the recruitment of immature English youngmen in the Indian Civil Service who on their arrival had no option but to mix with the Anglo-Indians who prejudiced them to a great extent. It was, therefore, desirable to recruit Englishmen who had received a thorough university education and were mature enough to form independent views.

Secondly, the Indian public opinion was more bitter and unanimous on this issue. In his opinion, this fact should weigh heavily on those who believed in granting legitimate rights of share to the Indians in the government.

Thirdly, in spite of the disapproval of the concordat of the Ilbert Bill by the Indian public the people of

9. N.A.I., Home Department Public Progs., August and September 1888.
10. Viceroy's Dispatch to the Secretary of State, No. 4, Home Public, dated 20 January, 1884.
Reorganisation of the Civil Service

India had behaved with moderation and dignity. Hence every possible efforts should be made by the Government to meet their reasonable demands. He, therefore, proposed that the age limit for appearing in the competitive examination for the Indian Civil Service may be raised again. In order to facilitate the entry of Indians in this service Ripon also wanted the inclusion of an oriental language as a subject. The total number of Indians in the Civil Service including those who enter through competition was proposed to be eighteen per cent of the total number of recruits in one year. The appointment of Indians who did not appear in the competitive examination was to be made by the local governments in accordance with the rules framed by them for this purpose. Such appointments were to be submitted for approval to the Government of India.

Kimberley did not think it necessary to consult his Council or request Ripon to submit fresh arguments in support of his proposals as he firmly believed that the legitimate aspirations of Indians had been provided for by the creation of the Statutory Civil Service. In his opinion any further demands of the Indians could be met, if necessary, by improvements in the Statutory Civil Service. He was not prepared to raise the age limit unless distinct proofs were available about the lowering of the ability of the English civilians. The Ripon’s request to reconsider the decision did not meet with success.

It is clear from the above account that there were extreme divergent opinions about the problem. Ripon’s argument about the agitation of Indians for raising the age limit and the dignified behaviour of Indians in the Ilbert Bill controversy did not appeal to Kimberley who reviewed the problem from the viewpoint of English candidates. Kimberley did not find any justification for framing the rules with the object of facilitating the entry of Indians in the Civil Service. In his opinion the demands of Indians could be met by improving the Statutory Civil Service which was specially created for Indians.

It must be said to the credit of Ripon that in this matter he sincerely tried to represent the interests of Indians. It was in full conformity to his liberal ideal of satisfying the legitimate aspirations of the people of India. Although he failed to convince the home authorities during his tenure as Viceroy in India he continued to press his arguments even after leaving the shores of India. In 1885 the proposals of Dufferin for the improvement of Statutory Civil Service submitted in accordance with the wishes of Kimberley were opposed by Ripon in England. He threatened to oppose them in the Parliament with the support of a great majority of the members of the Liberal Party. Ultimately in 1886, a Commission was appointed by the Government of India to look into the matter and suggest suitable measures. The Commission supported the contentions of Ripon about the raising of age limit. It also suggested the abolition of the Statutory Service and the transferring of certain posts from the imperial to the provincial services. These suggestions justified the stand of Ripon. However, by that time the public opinion in India was fully exasperated with the policies of the British Government in this matter. Hence they did not welcome the announcement with so much of enthusiasm as they could have shown in the times of Ripon.

CHAPTER XI

Financial Policy

The problems of public finances in India under the crown were manifold and complicated. Prior to 1871 the control of the public finance except the expenditure on 'Home Charges' and certain unforeseen liabilities to be met in England was in the hands of the Government of India. The local governments were absolutely dependent on sums assigned to them by the Central Government for the upkeep of its administrative services. They could only levy local cesses for meeting the cost of few items of local expenditure such as schools and roads. They did not know how much money would be given to them every year because it used to vary frequently. The income of the Government of India was also not fixed. The income from land revenue, a main source of income, was absolutely dependent on the vagaries of the monsoon. Another major source of revenue was the sale proceeds of opium. But the income from the same was not fixed as the price of opium in China fluctuated from time to time. Direct and indirect taxes like License tax, Income tax, Salt tax and others were levied on an experimental basis with the result that the Government of India had to make frequent changes in their budget proposals. The Government of India had withdrawn Income tax twice within a short period. Similarly it was felt that the incidence of License tax introduced in 1877 was not uniform in all the provinces. In certain cases the expenditure of collection of a particular tax did not justify the imposing of the same. Further, the Government of India was not in favour of increasing its income.


109
by levying fresh or heavy taxes because such a measure was considered dangerous for the safety of the empire.

On the expenditure side also the Government of India was not able to exercise control over many items. The exigencies of war and famine forced the Government to shoulder heavy financial burdens. The amount of Home Charges and other expenditure in England could be increased or decreased by the Home Government. In Ripon's time the Government of India was called upon to bear a share of expenditure on British expeditions in Egypt. The continuous decrease of exchange value of the Indian silver rupee in terms of English gold sovereign correspondingly increased the payment of rupees every year by the Government of India.

In 1871 major provinces were made financially responsible for the administration of police, jails, medical services, registration, education, roads, buildings and printing by assigning a fixed sum from which such expenditure was to be met. An increase in outlay was to be provided for by a saving on the existing charges or by the imposition of local taxes. The local governments had powers to allot the revenue thus assigned to them subject to general financial rules. In the budget of the Government of India the amount assigned to the local governments was placed under a single head „Provincial series‟. Central Government did not check or alter the detailed provincial estimates.

These changes proved to be advantageous to the Imperial Budget of the British India but the main defect of this scheme was the absence or lack of interest shown by the local governments in developing the revenues raised through their agency. The allotment of funds to the local governments was also inequitable as it was not determined by the actual needs or resources of various provinces, but was proportionate to the actual expenditure of the different governments. The rigidity of assignment provided no inducement to the local governments for effecting

3. Ibid.
4. Ibid., pp. 140-146.
an economy in expenditure. The allocation of the items of expenditure was not based on sound principles. The provisions about the raising of local taxes by the local governments laid the scheme open to charge of being burdensome to the people.  

In spite of the above shortcomings the scheme of Lord Mayo was successful to a great extent. But still there was ample scope for reforms in the working of public finance in India. Lord Lytton’s government seriously considered several measures for improving the finances of India. There were three alternatives before him by which the income could be raised. These were: fresh taxation, reduction of expenditure and the increased productiveness of the existing sources of revenue or a combination of these means. The third alternative was chosen by Sir John Strachey who believed that efficient administration of revenue and expenditure can only be possible when the local governments and their officers were allowed to have a direct interest in their management. On this principle fresh settlements were made with the provinces by the Central Government.  

Ripon had to deal with the problems of fiscal policies as outlined above. He was an ardent supporter of the free trade policy since his early days. In one of his speeches he referred to the budget of Sir Robert Peel in which Peel had simplified the custom tariff. Thus he possessed sufficient knowledge about problems relating to finance along with the remedies which may prove beneficial in the long run. He was optimistic about his performance in this sphere and despite the heavy expenditure in Afghanistan he hoped to inaugurate his Viceroyalty by a reduction in taxation.  

But after making a searching examination of the whole system of finances of the Indian Government he soon found out that it was not possible for him to have a rigid approach to

5. Ibid.
6. Ibid.
7. Ibid., p. 147.
8. Legislative Council’s Proceedings, Ripon’s Speech, 10 March, 1882.
the problems of finance in India. The Lyttonian regime had incurred the displeasure of educated Indians by his measures like the Vernacular Act and the Arms Act. The people of India highly resented the bearing of the expenses of Afghan War by the Indian Government because in their opinion it was fought in the interests of England and not of India. The heavy cost incurred on the Imperial Assemblage of 1877, in the midst of a severe famine, shocked them. In such circumstances, Ripon felt that any disregard of public opinion was not justified. In one of his speeches he clearly stated, "I am very well aware of the strong feelings entertained in this country with respect to direct taxation...."10 In his opinion it would have been highly unwise to have shown disregard for the strongly expressed public opinion.11 He, therefore, decided to accept the programme laid down by Sir John Strachey and did not break any fresh ground in the domain of public finance.12 The adoption of this attitude was not at all difficult for a man like Ripon who always took pride in not being a strict doctrinaire in his approach to practical problems.

After having accepted the policies of his predecessors, the main task before Ripon was to devise means for improving the existing tax structure. This could be done by equalising the incidence of several taxes, by reducing the cost of collection, by organising the efficient management of expenditure and by the further devolution of financial powers from central to provincial governments. Along with it he aimed at the abolition of protective import duties. But it was to be attempted gradually and in such a manner as not to offend the public opinion in India. He also took special interest in tackling with the problems of land revenue system and the organisation of famine relief in India.13

In order to acquaint himself with the opinions of the local governments about the possibilities of abolishing the License tax

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11. Ibid.
13. See Chapters XIV and XII.
Ripon issued a circular to the provincial governments on 1st October, 1880.\textsuperscript{14} Except the Government of Madras all other local governments did not favour the abolition of the tax. In the opinion of the Government of Bombay the tax could only be abolished if it was replaced by Income tax. As the replies from the local governments were not encouraging Ripon decided to postpone the attempts to reduce direct taxation in the country. Baring also agreed with him and felt that no efforts should be made till the Afghan problem had been settled and Kandahar evacuated.\textsuperscript{15} But in his eagerness to pursue a policy leading towards free trade Baring suggested the removal of cotton duties and the duties on sea-borne salt. Ripon considered it to be an inopportune moment because in his opinion the repeal of cotton duties unaccompanied by reductions of any of the taxes borne mainly by the Indians would arise criticism, especially as the repeal of Vernacular Press Act had been postponed.\textsuperscript{16} Thus, in his first budget Baring did not make any noteworthy change. He only stressed severe economy in expenditure along with giving encouragement to private investors.

The financial statement of 1881-82 contains a detailed analysis of several direct taxes levied in the country along with the changes proposed by the Government of India. Although Ripon and Baring were anxious to make further advancements towards free trade policy financial necessities prevented them, as was the case with their predecessors, in carrying out the policy to a wider extent in their subsequent budgets also. This would be clear from the analysis made by Baring regarding the major items of receipts obtained from taxes.

After the License tax the stoppage of sale of opium in China for which there was a propaganda in England by the Society for the suppression of Indian Opium Trade was considered. The Government of India was not prepared to accept the demands of the English Society. Baring also did not agree to the suggestion of increasing the price of the opium offered for sale

\textsuperscript{14} Finance Department Circular No. 1 and 2, dated 1 October, 1880.

\textsuperscript{15} S. Gopal, \textit{Viceroyalty of India}, p. 199.

\textsuperscript{16} \textit{Ibid.}
in China with a view to discourage its use in China. The arguments advanced by Baring were as follows:

Firstly, the fluctuation in the price of opium could be checked by building a reserve stock and thus the uncertainty about the income from this source could be removed to a great extent.

Secondly, the gradual improvement in the quality of opium grown in Persia and China did not permit any raise in its price.

Lastly, the moral aspect of the case was also discussed. It was, no doubt, true that opium harmed the Chinese people but Baring brushed aside the objection by calling it as an idealistic approach. He wanted the people to consider the problem from the practical point of view.

While considering the practical aspects of the issue Baring discussed two objections—firstly, that the Government of India by having the monopoly of opium sale herself engaged in private trade and secondly, a very heavy export duty was imposed on the opium sent out from India. Baring admitted the fact that in both the cases the course interfered with and restricted the free production of opium and its free trade. But according to him if the Government abandoned its monopoly and reduced export duties there would be a reduction in the prices of opium in India which may result in the increased use of the article by the Indians. It would also result in a decrease of food supply in India because in place of cereals several farmers would cultivate poppy. He also pointed out that at no stage opium had been forced on China and she was still willing to continue the import of opium in the country for it derived a large revenue from the import trade of opium. The incompetence of the Chinese Government, frankly admitted by them, in stopping the use of opium would not change the position in case Indian opium was not imported there. Moreover the loss to Indian Government by the total suppression of cultivation of poppy in India would approximately amount to fifty lakhs. It was not possible to recoup the loss by levying fresh taxes on Indian public. Ripon agreed with the views
of Baring. He said, "Until another substitute, i.e., other form of taxation replaces it, I will be no party to abandon it although the same is unsatisfactory in many ways." The Government of India, however, tried to reach some friendly understanding with the Chinese Government. A Chinese envoy met Ripon at Simla and suggested an agreement whereby the Chinese Government would secure for a long period a monopoly of the right to purchase opium. During this period they would try to reduce the supply from India and increase the yield of poppy in China. But these proposals were not enthusiastically welcomed by the Home authorities.

Baring recognised the evils of the License tax. According to him the main defects of the tax were as follows:

Firstly, the incidence of the tax was unequal on persons of precisely similar conditions of life in different provinces of India and this inequality became greater in the case of the most wealthy portion of the community;

Secondly, the community which paid the tax objected to the fact that professional and official classes did not pay it.\textsuperscript{18}

He, therefore, was of the view that in the present form it could not be incorporated in the fiscal system of the country. But he expressed his inability to do anything in this connection and postponed the issue for a decision next year because any proposal which involved any loss of revenue could not be entertained at that time.\textsuperscript{19}

Steps had already been taken by Lytton’s Government regarding the equalization of the incidence of Salt tax. In 1878-79 the tax on salt had been reduced in the provinces where it was higher while in Madras and Bombay the duties had been increased. This had resulted in the equalisation of salt duties in

\textsuperscript{17} Legislative Council's Proceedings, Tariff Bill, 10 March, 1882.

\textsuperscript{18} Viceroy's Dispatch to the Secretary of State, Finance Department, No. 14, dated 30 January, 1883.

\textsuperscript{19} Financial Statement, 8 March, 1882, Baring's Speech.
India. The salt sources of Rajputana were also acquired by the Government of India at the same time. The salt duty was reduced to a uniform rate of Rs. two a maund by Baring in his budget of 1882-83, except in Burma and trans-Indus tracts. Ripon strongly supported this measure of Baring. 20

The levy of custom duties including duties on cotton were against the principles of free trade but here again the general condition of the Indian finance prevented the Government of India to abolish them altogether in one stroke. In 1864, the duty on imports was reduced to 7½ per cent from ten per cent. Between 1860 and 1867 many articles were exempted from import duties. In 1871, the number of articles on which export duties were levied was reduced to eight: cotton goods, grain, hides, indigo, lac, oils, seeds and spices. In 1875, the rate of duty on imports was reduced and the only articles which remained liable to export duty were rice, indigo and lac. 21 After this measure the situation would have remained more or less the same in the coming decade, had not the interests of the English manufacturers of cotton goods forced the matter into prominence.

The mill owners of Lancashire and Manchester started a movement for the abolition of export duties on cotton from India. They were supported by the Liberals who believed in free trade. The Conservatives also did not oppose it on grounds of principles. Lord Salisbury in a despatch dated 31st May, 1876 wrote, "The true interests of India, as well as the legitimate claims of English industry, required a reconsideration of the matter." But, in his opinion, the abolition of this duty could only be effected when the condition of the finances of India permitted it. He also made it clear that the government had no desire to impose fresh taxation in lieu of the same. 22 His views were reaffirmed in a resolution in the House of Commons on July 11, 1877. Hence in 1878, five per cent duty on coarse

22. Ibid.
yarns produced by Indian manufacturers was abolished and clothes which did not contain finer yarn more than 30 were exempted from duties. But this measure had little effect. In 1879, duties on grey cloth were remitted. This was done by Lytton in opposition to majority of the members of his Council who believed that these reductions had been made not in the interests of India but in the interests of England.\textsuperscript{23} Such sentiments had also been expressed by Indians who looked upon this policy as a distinct injury to them and an injury inflicted in the interests of Lancashire. Baring also expressed the belief that to some extent English goods were protected against Indian goods in this system.\textsuperscript{24} It was also difficult for the authorities to distinguish between duty-free goods in cotton and those on which duty was to be levied. Another effect of the partial repeal of cotton duties was to give protection to one class of Manchester grey clothes against another.

The British authorities continued to consider the question as a revenue question although they held that protection was a great evil in itself.\textsuperscript{25} They were also keen that the reasons and grounds on which their policy was based should be thoroughly understood by the people of India. Lord Hartington, while approving the gradual abolition of the cotton duties, admitted in a meeting on November 11, 1881, with the deputation sent by the Manchester Chamber of Commerce that in some respects the manner in which the concessions were made was somewhat unfortunate.\textsuperscript{26} It was, however, decided that as soon as the financial position improved, the duty would be removed. Hartington urged the Indian Government to repeal the remaining cotton duties in the next budget as there were prospects of a surplus in revenues during the financial year 1882-83.

The Government of India also considered seriously the issue connected with the exchange value of silver. An International

\textsuperscript{23} Ibid.

\textsuperscript{24} Legislative Council's Proceedings, Financial Statement, 1881-82, Speech of Baring.

\textsuperscript{25} N.A.I., Department of Commerce and Finance Progs., April 1882, No. 687-689.

\textsuperscript{26} Ibid,
Bimetallic conference was going to be held in 1882 in Paris. The Indian Government was of the view that the Indian delegation should request the Conference to allow the government to coin silver freely and to continue the use of silver as legal tender for debts of any amount for the period the convention agreed to in the conference. The Government of India may also be given rights to coin gold freely whenever she thinks fit to do so. The instructions given by the Secretary of State to the delegation were generally in accordance with the suggestions of the Government of India. But in his opinion the free coining of silver in Indian mints should be limited to a period of ten years. The Government of India in their telegram of 18th May reiterated their opinion and the same was accepted. India was represented in the Bimetallic Conference by Sir Louis Mallet and Lord Reay. Their statements were favourably received by the participants of the Conference.

But soon differences arose between Baring and Ripon regarding India adopting a bimetallic system. Baring saw in it a remedy for the loss of exchange as the coins of both the metals were to be legal tender money in same ratio to each other as would be adopted by the other members of a union consisting of members adopting the bimetallic system. The Government of India would thus be able to know about the loss and gain in the exchange value. This situation would enable it to initiate any policy of fiscal reform in India. Ripon and Wilson did not agree with the views of Baring who was supported by other members of the Viceroy's Council. In a minute of dissent written by Ripon he clearly expressed his lack of confidence in the soundness of the theory of bimetallism. To him this system appeared to be contrary to the principles of political economy. According to him the theory was based on a misconception of the laws which regulate the value of gold and silver and in course of time it could produce mischievous consequences. Hence it would be difficult to predict the ultimate result of India joining

27. N.A.I., Department of Finance and Commerce, June, 1881, _Telegram to the Secretary of State_, 13 April, 1881.
28. Ibid., _Secretary of States Dispatch_, No. 157, 12 May, 1881.
29. Ibid., _Minute of Lord Ripon_.
the bimetallic union with confidence. He, however, expressed his willingness to consider any measure which may be adopted by the Government of India for promoting the re-establishment of the value of silver. The proposals of Baring were not accepted by the Secretary of State who agreed with the views of Ripon. Thus the problem of loss to the Government of India in exchange value could not be solved in Ripon’s time.

Differences in approach between Ripon and Baring about the gradual implementation of the free trade principles also came to surface during the preparation of the budget of 1882-83. Besides the repeal of cotton duties, Baring also suggested the repeal of all import duties, which Strachey had left except the special duty on liquors. He proposed to fix the salt tax at a uniform rate of Rs. 2.4 per maund and the remission of certain local imports in the North-West Provinces and Oudh. To recoup the loss in revenue, which was estimated as Rs. 12,45,200 a year in case of the repeal of import duties only, he proposed to impose License tax on incomes below Rs. 2,000 a year and on incomes above Rs. 2,000 he wanted to levy income tax at the rate of 3-1\% per cent. The incomes derived from land outside Bengal and Central Provinces were to be exempted from the Income tax. Both these taxes were expected to fetch £1,695,200 per annum.

In submitting these proposals Baring’s aim was to remit indirect taxes and levy direct taxes in their stead for giving the country full advantages of free trade and to secure to the Government elastic sources of revenue.\textsuperscript{30} The number of persons who would be assessed for License and Income tax was expected to be nearabout four lakhs while among these nearly two lakhs seventy-seven thousand were either to be fresh assessees or were obliged to pay more than they were already doing. In Baring’s opinion this number was insignificant when compared to the number of persons who would secure some form of relief from taxation, specially by the reduction of the duty on salt.\textsuperscript{31}

Ripon, a staunch believer in free trade principles, did not

\textsuperscript{30} S. Gopal, \textit{Viceroyalty of Lord Ripon}, p. 201.

\textsuperscript{31} \textit{Ibid},
want to take a risk of offending the public opinion in India by implementing these proposals. According to him it would be opposed on three grounds by the Indians. Firstly, because of their impression that the repeal of import duties was being done to safeguard the interests of English industrialists and merchants. Secondly, the proposed Income tax would irritate the trading and professional classes and all others, including the landlords of Bengal and the Central Province. Lastly, it was not wise, in his opinion, to surrender a substantial source of income from a tax when the levy of the same was not resented by the people. The Chief Commissioner of Burma and the Governor of Bombay supported the views of Ripon. Ripon, therefore, desired the postponement of the levy of such taxes, particularly Income tax which may prove unpopular among the educated public of India.\(^{32}\)

In the meeting of the Council Ripon had the support of the majority of the members but he preferred to appeal to Baring to reconsider his views in the light of the arguments advanced by him and postpone the major reforms for a year. On Baring's refusal the matter was referred to the Home Government. Ripon in a letter to Northbrook wrote that Baring and Mallet discussed the policy in London and Baring came out with a cut-and-dried policy without considerations of circumstances or of persons in this country. In his opinion they overlooked the fact that he had thought much about the Indian problems all his life. Baring was supported by Hartington, the Secretary of State, but Gladstone, Northbrook and Fawcet were not in favour of imposing Income tax in India. Eventually a compromise was effected by Northbrook. Baring agreed to drop Income tax but he did not agree to make changes in proposed rate of License tax. The salt duty was reduced to a uniform rate of Rs. 2 a maund throughout India except Burma and the trans-Indus districts of the Punjab, where a nominal duty of about 4 annas a maund was levied. In North-West Provinces and Oudh the local land cess was abolished. All general import duties leaving only special duties on wine, beer, spirits, liquor, salt, opium, arms and ammunition were abolished.\(^{33}\)

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\(^{33}\) *Financial Statement*, 1882-83.
The attempt of Baring to follow the scheme of direct taxation was not fully implemented in the above budget. Political considerations played a large part in influencing Ripon and several members of the English Cabinet to postpone the reimposition of income tax. Still, he was able to achieve much in the direction of repealing import duties. The reduction of Salt tax benefited the masses to a large extent. The repeal of cotton duties was not welcomed by the people of India who still believed that the interests of the Indians had been sacrificed to that of Lancashire and Manchester.

Soon after the passing of the budget a controversy arose between the Home Government and Ripon about the proposal of the Secretary of State to burden the Indian finances with the total cost of the Indian troops sent to Egypt in 1882. The Home Government believed that the Suez Canal was of far greater interest to India than to England and the British tax payer was already heavily burdened with military expenditure on account of India and, therefore, the cost should be borne from Indian revenues. The main arguments given by Ripon in opposing the demand were as follows:

Firstly, Egypt lay within the sphere of European politics and in deciding upon the course of action which from time to time was to be pursued in Egypt the Home Government had to consider many aspects which lay wholly outside the range of Indian politics and Indian interests,

Secondly, there was no precedent for the above demand. In expeditions to Persia, Abyssinia and Malta Indian troops were sent but full charges of the expeditions were not borne by the Indian Government,

Thirdly, the interest of England in Suez Canal was far more vital than that of India,

Lastly, the proposal, if agreed, would certainly be resented by the people of India. It was not a sound Imperial policy that the dominant race should relieve itself of charges at the expense of its poor subjects.  

34. Viceroy's Dispatch, No. 239, Finance and Commerce Deptt., 4 August, 1882,
The Government of India was, however, ready to bear a part of the cost of the expedition as was done in the case of Abyssinian expedition. The remonstrance of Ripon had some effect on the Home Government. A grant of £5,00,000 was sanctioned to the Government of India for meeting the expenditure but the rest of expenditure amounting to £12,97,000 was to be borne by the Indian revenues. This additional heavy expenditure did not allow the Government of India to pursue a policy of further remission of indirect taxes. The financial burden on the Government of India on account of the Egyptian expedition also adversely affected the programmes of public welfare activities such as education and sanitation. In order to meet such expenses the Government of India was asked to reduce their expenditure.\(^{35}\) Baring expressed his inability to reduce the expenditure under any head except the expenses on military.\(^{36}\) His proposal to increase direct taxes was not supported by Ripon.

In his next budget Baring was able to show a small surplus as he was fortunate enough to have a good harvest in the country. Along with it, the encouragement given to private investors since 1882, was also showing good results. He now proposed to reduce the railway rates for grain and abolished the restrictions regarding minimum loads in order to encourage the export of the article to Europe. But he was unable to reduce the rate of taxes any more. The budget of 1884-85 also did not propose any significant changes in the fiscal system.

Lord Ripon’s government also devoted its serious attention to the scheme of decentralization of finance introduced by Mayo in 1870. The defects of the scheme of 1870 noticed up to the time of Lytton have already been discussed in this chapter previously. In 1877, Sir John Strachey made fresh settlements with all provinces except Assam and Burma. These settlements gave financial responsibilities in regard to several other heads of expenditure. The financial control of services connected with general administration, land revenue, excise, stamps, law, and justice was given to them along with the control of reve-

\(^{35}\) Hansard Parliamentary Debates, Third Series, CCLXXIX, col. 264.

\(^{36}\) S. Gopal, *Viceroyalty of Lord Ripon*, p. 204,
nues raised from law and justice, excise, stamps and license tax. Any increase or decrease in the revenue assignment was to be shared by the provincial and Central Government. Provincial receipts and expenditure were to be shown in greater detail in the Imperial Budget. Settlements with Burma and Assam were made later on by Lytton's Government with some departures. In these settlements a share of land revenue in both the provinces and a few specified sources of income in Burma were substituted by fixed assignments. These agreements were made by the Government of India for short terms in order to enable them to assess the effects of these measures.

Except for Burma and Assam where the agreements were scheduled to expire in the end of 1882-83, the agreements with the provinces were due to expire at the end of the financial year of 1881-82. The Government of India carefully reviewed these agreements in 1881. In its Resolution dated September 30, 1881 it expressed a firm desire to secure a uniform and extended system of decentralization in all the provinces. Hence with the consent of the local governments of Assam and Burma it was decided to terminate their agreement on March 31, 1882. It was also decided to apply more or less uniformly the principle upon which the settlement with Burma was made by Lytton. Instead of giving the local governments a fixed sum of money to make good any excess of provincialised expenditure over provincialised receipts a certain proportion of Imperial revenue of each province was to be assigned for this object. Minimum possible number of heads with minute local exceptions were to be reserved as wholly Imperial while others were to be divided in proportion for the most part equally between Imperial and Provincial. The third category of heads was to be made provincial. Any balance of transfers against the local governments was to be made good by a fixed percentage of its land revenue (otherwise reserved as Imperial) except in Burma where the percentage was to be extended to the Imperial rice export duty and revenue from salt.

38. Resolution dated 30 September, 1881, Deptt. of Finance and Commerce.
Another important change made in the arrangements of 1870 was to modify the powers of the Central Government whereby it could change the assignments of the provinces when some fiscal misfortune or national disaster like famine or war took place. It was decided that the local governments were not to look for special aid except in the case of severe famines and in such cases the aid demanded was to be within limits. The Imperial Government was also not to make demands on the local governments except in cases of disaster so abnormal as to exhaust the Imperial reserves and resources resulting in the suspension of the entire machinery of public improvement throughout British India.40 This Resolution also gave directions for assigning to the local bodies several heads of income and expenditure. The Secretary of State was in general agreement with the Resolution of 30th September, 1881. He, however, considered it undesirable to pledge the Government of India to place itself in the position of proving that in cases of abnormal disaster a state had been reached in which the suspension of the entire machinery of public improvement was forced on them.41 He was also of opinion that the percentage of land revenue of each province to be assigned to cover the excess of its expenditure over its receipts should not be fixed for any definite period and should be liable to adjustment from time to time. The Government of India in its reply expressed its unwillingness to change any of the conditions stated in the Resolution. It did not think that any practical inconvenience would result from pledging the Government of India in the manner contemplated by them.42 The Indian Government also considered it expedient to fix a definite term within which the agreement was not to be altered at the wish of one of the parties. If circumstances needed a revision in the agreement could be done according to a clause in the Resolution which provided that modification in the fixed percentage of land revenue or

39. Ibid.
41. Viceroy's Dispatch to the Secretary of State, No. 128, Finance and Commerce Department, dated 15 May, 1882.
otherwise could be made in case any change in the financial system of the local government was made for imperial reasons.

The Secretary of State waived his objections but advised the Government of India to communicate his views to the local governments at the time of the next revision of the contracts. 42 Baring did not consider this matter to be of much practical importance. As regards the contention of the Secretary of State that the details of the contracts should be sent to him before they were settled, he was of the opinion that, "If there is an Indian subject which can more advantageously be settled in India than in England it is this subject. I am confident that financial details which are very complicated are not understood at the India Office." 43

According to the fresh settlements made in 1882, receipts from customs, salt, opium, post office and telegraphs remained wholly imperial. Receipts from forests, excise, license tax, stamps and registration were divided equally between the Government of India and the provinces while the receipts classified under the head 'Provincial Rates' were made entirely provincial. The receipts from law and justice, public works and education were also provincialised. The major part of the receipts from railways and irrigation remained imperial. The division of expenditure followed, generally speaking, the incidence of the corresponding heads of receipts. But as the outlay devolving on the provincial governments was larger than the revenues assigned to them, the balance was made up by a percentage on the land revenue of each province which was otherwise an imperial receipt. The provincial governments obtained the same financial powers in regard to expenditure under divided head, which now to a considerable extent took the place of head entirely provincial or imperial, as they had enjoyed with reference to heads which were wholly provincial. 44 At the time of the revision of these settlements with the provinces in 1887, 1892 and 1897 major changes were not at all introduced by the Govern-

42. *Secretary of State's Dispatch*, No. 208, dated 6 July, 1882.
ment of India. It clearly proves that Ripon achieved a notable success in making further progress in the scheme of decentralisation of finances in India.

But when we consider the achievements of Ripon in the domain of finance as a whole it appears that his success in this field was not at all spectacular specially when we judge it in the context of the fact that Ripon took special pride in having a deep knowledge of the current economic theories of the west along with a personal insight into the problems of Indian finance since a long time. This knowledge and insight seems to have been overshadowed to a large extent by his fear of opposition from the Indian public. The vision of a follower of free trade policy was blurred by this consideration. He overlooked a stark reality that nobody could possibly prevent the fulfilment of the policy in the near future. It cannot also be said in his defence that by postponing the imposition of such direct taxes, which were essential for the stability of the Indian finance, he was moving in the interests of the Indian public. Thus his fiscal policy cannot be regarded as a far-sighted one.
CHAPTER XII

Policy of Famine Relief and Prevention

From time immemorial famines have been a recurring feature in India. But never before in the annals of India or any other land has there been such a frequency of famines as in the fifty years after the Revolt of 1857, in this country. The heavy incidence of calamities in these famines gradually forced the Anglo-Indian administrators to evolve an integrated policy to fight famines and to reduce the incidence of their severity by increasing the people's power of resistance. After every famine the Government of India appointed an officer or a Commission to examine the circumstances in which famine was bred and the nature of relief operations which might be undertaken. As a result of these investigations the Government re-declared, reiterated and improved the famine policy according to the needs of the time and place. But the frequent changes in the policies of the Government created confusion and controversies in the minds of their officers who found themselves unable to take effective action for the prevention of famine and in arranging relief work for the sufferers during the period of drought. In these circumstances the need of a uniform policy throughout the country was increasingly felt. This task was seriously taken up by Lytton who appointed a full-fledged Commission in 1878.

to investigate the various aspects of famine relief in the country. The report of the Commission was submitted to the Government of India in July 1880, a few weeks after Ripon's arrival in India.

Ripon devoted himself seriously to the consideration of the various recommendations of the Famine Commission. Even before his appointment as Viceroy he claimed to have gained some knowledge about the famine policy of the Government of India. As Under Secretary of State in India in 1866, he had formed his own impressions about the Orissa famine. In his opinion the Government of India had not displayed sufficient energy and farsightedness in tackling the conditions of famine and consequently the results were terrible. He, therefore, regarded it as a test question for the British Government in India. The importance which he attributed to this problem can be assessed from the concern he expressed about it in his first speech in India on 2nd June, 1880, at Bombay. He assured the people about the determination of his Government for preparing itself for such measures as may be calculated to guard against any recurrence of the evil and also for making efforts to alleviate in the most effectual manner the miseries of the people.

Before dealing with the deliberations of Ripon on the report of the Famine Commission of 1878, it would be worthwhile to discuss in brief the recommendations of the investigations of the Commissions appointed after 1857 to enquire into the causes of famine in different parts of the country. Colonel Baird Smith in his report on the famine in North-West Provinces in 1860-61 established a vital connection between the revenue demand of the Government and the famines. In his opinion an oppressive, defective and heavy revenue demand was bound to worsen famine conditions. He, therefore, recommended that the land revenue should be reduced and a permanent settlement be made at least in those parts which were not irrigated by canals. He also recommended the extension of the irri-

5. Viceroy's Dispatch to the Secretary of State, 12 November, 1881.
igation system for the prevention of famine and lessening its severity. To ensure cooperation between the Irrigation and the Revenue Departments he suggested the merger of Irrigation Department in the Board of Revenue with an irrigation member on the Board. He urged the importance of taking special steps for the improvement of internal communications. The report of Baird Smith, though commendable in many respects, did not help in shaping the policy of the Government and remained buried for a long time as a dead document. It shows that the Government was not so much concerned at that time with formulation of any systematic policy.\(^7\)

The severe famine of 1865-67 in Bihar and Orissa again drew the attention of the British administration towards the problem. In his report on famine in Bihar, Cockerell agreed with Baird Smith in pressing for the necessity of improving irrigation and internal communications to fight future famines. He also emphasized the creation of a special agency for collecting accurate information in regard to population, agriculture and the state of trade for enabling the Government to provide relief to the sufferers promptly.\(^8\) The first detailed and critical report on Indian famines was, however, submitted by the Orissa Famine Commission of 1866.\(^9\) Like Baird Smith and Cockerell the Commission pointed out the urgency of improving means of communications and of extending facilities of irrigation as protective measures. They did not agree with the Government’s policy of non-interference with private trade in grains during famines, and recommended free flow of grains from state to state. The Commission, while recognising the need for liberal assessment and certain definite rights of tillers in the land, made a few vague and retrograde suggestions. The Commission did not favour the preparation of a Famine Code. In spite of these defects, the Commission highlighted the horrors and problems of Indian famines and thus paved the way for a correct famine policy.\(^10\)

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8. Ibid., p. 90.
9. Ibid., p. 91.
10. Ibid., p. 91.
As a result of its deliberations on the Report the Government of India tried to lay down an all India policy in this respect by issuing a Resolution in 1868.\textsuperscript{11} Import of foodgrains was to be allowed wherever necessary. Movement of grains to deficit areas was to be encouraged by reduction in railway freight and abolition of octroi duty on grain. The district officer was to be held responsible for starvation deaths. Relief was ordered to be given to all sufferers irrespective of the areas to which they belonged. But it seems that even after this circular a uniform policy was not followed by the local governments in dealing with the famine conditions in their areas.\textsuperscript{12} As for example, in Bombay public works of utility were started on an extensive scale at selected places while in Madras small and scattered works were opened at a large number of centres for providing relief to the sufferers.\textsuperscript{13} It was also felt that the recommendations of Baird Smith, Cockerell and the Orissa Commission in regard to the extension of communications and irrigation facilities had not been seriously attended to by the Government during the last fifteen years. In most of the provinces the government machinery moved very slowly as relief measures were not planned in advance. This delay on the part of the officials resulted in great sufferings to the people.

The famine of 1866-79 was more or less a continuation of the famine of 1873-74, as several parts of India had suffered from scarcity conditions in 1875 also. This continued state of famine and pestilence gave a serious jolt to the Government of India. The resentment expressed by the people of India against the holding of a Durbar at Delhi, in midst of enormous human suffering, might have also aroused the conscience of the British administrators in India to some extent. Lytton, therefore, deputed Sir Richard Temple, who had considerable experience in famine administration in different parts of India for consulting the Governments of Bombay and Madras on the relief operations conducted by them and suggesting measures for their improvement. Temple initiated a policy of strict economy in pay-

\textsuperscript{11} Ibid., p. 107 (Resolution of the Government of India, dated 24th September, 1868).
\textsuperscript{12} Betty Balfour, \textit{Lord Lytton's Administration}, p. 190.
\textsuperscript{13} Ibid., p. 191.
ment of wages to sufferers and was in favour of suspension of revenue in place of remission of revenue in times of calamity. He advocated the opening of large public works under professional supervision, as was done in Bombay. The policy of non-interference with trade was reaffirmed by him. In view of the differences of opinion between the administrators, Lytton realised the need of issuing guidelines to the provinces in order to enable them to follow a uniform policy based on the directives of the Government of India. In a minute dated 12th August 1877, he, therefore, analysed the various problems of famine administration and expressed his views about the policy to be followed in this respect. He reaffirmed the principle followed by the British administration in India up to that time in providing relief to the people suffering from famine. According to him, the Government would spare no efforts to save deaths from starvation but it would not attempt the task of preventing all sufferings and of giving general relief to the poorer classes as it was beyond the means of any government in India. It was also stated that the relief given by the State to the people was to be, as far as possible, in return for some kind of labour. Lytton favoured the starting of long and costly undertakings but desired that the permission of the Government of India may be obtained beforehand by the local governments. The necessity of supplying information regarding food grains and current prices to the officers was recognised by him. He had no objection to the policy of non-interference in trade of food grains but he wanted to give priority to the movement of food grains during the course of a famine. The wisest policy of providing relief was, in his opinion, to construct a network of cheap railways and carefully planned works of irrigation. As this required adequate provision of finances and of giving administrative responsibilities and powers to the local governments, he requested them to form a scheme for the achievement of the above objectives and for enabling the Government of India to provide them with adequate means. He, however, wished to warn the provincial governments that

they will have to meet the cost of the provincial relief works out of their funds to the fullest extent possible for them. He desired that the Public Works Department of the Government of India should constantly advise the provincial governments with a view to help them in making plans for constructions in times of calamity. In the end Lytton earnestly hoped that these principles would also work well in India as in France where they were applied with success by Turgot in 1770-71.

The issue of these guidelines did not improve matters. The situation in Madras in 1878 continued to cause anxiety to the Government of India. On the suggestion of the Secretary of State a famine dictator was appointed by Lytton in Madras. Although the Governor of Madras was entrusted with the above responsibility, a high officer possessing the confidence of the Government of India was attached to him as personal assistant for advising on the measures of famine relief. This settlement with the Governor of Madras did not end the troubles of Lytton. The Home Government was alarmed at the huge expenditure incurred by the Indian Government on the relief measures. A sub-committee of the House of Commons recommended substantial reduction of expenditure on productive public works and the curtailment in borrowing for this purpose to the extent of only £25 lakhs a year. Lytton now decided to appoint a Commission to investigate all important aspects of the famine problem. It consisted of nine members including two Indians with Sir John Strachey as President and C.A. Eliot as Secretary. The final report of the Commission appointed in accordance with the Resolution of 16th May, 1878 was submitted to the Government of India in July 1880.

The Report of the Commission is divided into three parts. In the first part a concise sketch of the geography, population and climate of British India, indicating generally the degree in which each part of the country is exposed to famine is given. In the concluding observations of this chapter the measures to be adopted for famine relief are discussed. In the next chapter the measures for the prevention and protection of famines are discussed. The

last chapter contains a historical review of the famines in India since the Bengal Famine of 1770.

The Commission reaffirmed the principles hitherto followed by the Government of India in making efforts to avoid starvation deaths subject to the limitations of finance. For famine relief large works of public utility carried under the supervision of the officers of the Public Works Department were considered essential. The labourers were to be employed on a subsistence wage. For those who were unable to work, relief in the form of cooked food was to be supplied in poor houses. The policy of non-interference in trade of food grains was reaffirmed but the Government was to be authorised to intervene in special cases. The Commission recommended the grant of liberal suspension and remissions of revenue during the times of famine. Loans to the peasants were to be sanctioned for their rehabilitation. The quantity of food to be supplied to sufferers was also suggested by the Commission. Help in the form of charity by individuals was to be encouraged. Such helps were to be utilised for purposes other than those on which Government was spending money. The necessity of inducing the Indian states to start relief works and help the poor in times of famine so as to prevent the influx of sufferers in British areas was also stressed.  

The formation of a Famine Code was one of the main recommendations of the Commission. The creation of a separate Agriculture Department in the centre and in the provinces was recommended by the Commission. The necessity of keeping records of all famines in the past along with the agricultural and economic statistics of the country was emphasised. In such areas, where famine occurred on a large scale, the appointment of a Famine Commissioner with powers of decision and responsibility of directing the operations was recommended. The creation of a separate reserve fund was also favoured by the Commission.  

18. Ibid.
In the second part of the Report the Commission recommended the substitution of a Commission for the Board of Revenue in Madras, reduction of the size of the districts and application of strict rules to guide the officers in the provinces. In the opinion of the Commission legislation was to be passed for protecting cultivators' rights and efforts were to be made to improve the embittered relations of the landlord and tenants. Elasticity in the collection of revenue was recommended with a view to mitigate the hardships of the peasant and prevent them from plunging into indebtedness. Immediate measures to check rural indebtedness which had increased enormously under the British rule were also suggested by them. Several measures for the improvement in agriculture, viz., better cultivation of special crops, improvement in agricultural implements, cattle breeding, arrangement of agricultural shows and promotion of agricultural education were suggested by the Commission. The construction of 20,000 miles of railways, nearly the double of what was constructed up to that time, was considered essential for the rapid transport of food grains to the areas of scarcity in times of famine. The extension of irrigational facilities was regarded as a great protective measure by the Commission. For this purpose a levy could be imposed in the areas benefited by such works. In order to relieve pressure on lands and divert people from agricultural pursuits on small farms the Commission suggested the opening of several small industries and the promotion of technical and scientific education. The importance of forest-conservancy was recognized by them as a measure of famine prevention and the extension of village forests was recommended by them. The possibility of devising schemes for settling people in unclaimed areas was also suggested by the Commission.

Ripon did not lose any time in circulating the main recommendations of the Famine Commission to the local governments for their opinion. While he was anxiously awaiting their replies the failure of monsoon threatened famine in some areas of India. Ripon immediately organized famine relief opera-

19. (a) Report of the Famine Commission, 1880, Part II.  
(b) Hari Shankar Srivastava, History of Indian Famines, 1858-1918, pp. 165-67.
tions and decided to create a separate Department of Revenue and Agriculture. He was keen to organize such departments in the provinces also as in the absence of such a machinery the usefulness of the Department at the centre was surely to be adversely affected. He noticed that such departments had been established in various provinces in 1870 in accordance with a directive from Lord Mayo, but gradually these departments had been abolished in all other provinces except in the North West Province and Oudh. Except Sir Ashley Eden, the Governor of Bengal, every other provincial chief agreed to revive the department in his province. Later on in 1883, Rivers Thompson, the successor of Ashley Eden, also agreed to the proposal of Ripon. Thus Ripon was successful in persuading all the local governments to implement one of the important recommendations of the Famine Commission. As usual, he allowed greater freedom to the provincial governments in respect of details. The duties of the new Revenue and Agriculture Department were clearly defined by the Secretary of State in a despatch as follows:

1. The collection and embodiment of the statistics of vital agricultural and economic conditions;

2. General improvement of Indian agriculture with a view to increase the food supply and general resources of the people;

3. Proper and better organization of famine relief whenever the actual approach of famine might be indicated by statistical information; and

4. to deal with matters of revenue.

Ripon attached much importance to the finalization of the Famine Code and accordingly a draft was prepared by the Commission in which all the principles of famine administration were embodied. It was contemplated by the Commission that on the

20. N.A.I., Revenue Department, General Proceedings, No. 1-6, January 1882.
21. N.A.I., Agriculture Department Proceedings, No. 46, August, 1880.
22. Ibid., Proceedings, No. 16-18, September, 1883.
basis thus provided by the Government of India the local governments would draw up detailed instruction in accordance with their local needs and circumstances. The above draft Famine Code was circulated to the local governments for their opinion. The local governments agreed about the necessity of such a Code but they differed in details. The draft Code was revised in the light of their criticism and a Provisional Famine Code was issued in June 1883. While circulating it to the local governments it was made clear to them that no departure from its main principles would be permitted without the approval of the Government of India. Thus the Government of India reserved the power of correcting errors, checking expenditure and giving final sanction to the codes. This rule was strictly followed by Ripon while carefully examining the Famine codes submitted by the provinces. He did not allow any one to make major departures from the rules embodied in the Famine Code circulated by him. As for example the suggestion of the Bombay Government to detain compulsorily such persons, who were incapable to work in poor houses was not accepted by the Government of India although they considered the Famine Code prepared by that province as a model in other respects.

Ripon also decided to circulate the Famine Code to the princely states. This work was entrusted to the Foreign Department which circulated the Code prepared by it to the States in 1885. The Government of India acquainted the rulers of the states with the views of the Famine Commission about their responsibility to provide for the relief of the sufferers in their territories. The states were at liberty to frame their own codes in accordance with the internal economy and conditions of their areas but they were asked to follow the Code as far as possible.

The Provisional Famine Code of the Government of India

25. Ibid., No. 6, June 1884.
26. Ibid., No. 85, June, 1884.
27. Ibid., No. 69, March, 1885.
28. Ibid., No. 69, August, 1885.
29. Ibid., No. 49, June, 1883.
which was circulated to the provinces laid great emphasis on village organization. During the course of a famine circle inspectors were to be appointed in the areas of every district for supervising the operation of relief work in every village. In every village either the village headman, a local committee or a government officer was to be appointed as local officer in charge of organizing such measures. Special care was to be taken in regard to the relief of respectable persons, artisans, weavers and orphans. The opening of poor houses was stressed. The in-charge of the police station in an area was to be made responsible for the protection of food grains and for directing the starving wanderers to the poor houses. He was to be given some amount for helping sufferers in an emergency. The Medical Officers of the province and district were to be made responsible for providing medical aid and deputing a medical officer to each big work and poor house. The weaker and unskilled persons were to be engaged in civil agency works under the supervision of the district authority and the able-bodied and skilled workers were to be employed on professional agency works under the control of the Public Works Department. This Department was to be made responsible for the preparation of such works in advance, as these were expected to form the backbone of famine relief administration. Supplementary works were also to be started by landholders or village committees, who were to be provided recoverable advances for this purpose. The Provisional Famine Code recommended the preparation of a register of cattle and government pasture lands. The cattle was to be allowed to graze in these pasture lands during the period of calamity. Prohibition of export and import of food grains from one state to another and shortage of food grains in the government depots was not regarded necessary by the government which, however, reserved the right to intervene in special cases. Contractors were to be appointed for supply of food grains in such areas where the dealers tried to withhold stocks or where communications were difficult. The Code also provided for the establishment of a system which could supply correct information about crops and the state of people.

The preparation of the Famine Codes in the provinces on
the basis of instructions given by Ripon was a remarkable achievement of this period. Although partial and localized famines, which occurred in various parts of India between 1880 and 1896, revealed certain defects and omissions in the working of the Codes. The formation of these Codes was an important advancement in the development of the famine policy of the Government of India.

Two other recommendations of importance which the Famine Commission made, viz., the necessity of passing legislations for improving the relations between the landlords and the tenants and the construction of canals and railways received Ripon's serious attention. These measures have been discussed separately at length in other chapters.

The Famine Commission had recommended the creation of a surplus fund to meet famine expenditure. Such a fund had been created by Sir John Strachey in his budget of 1877-78 by reserving a sum of £13,45,000 for Famine Relief and Insurance. On account of the expenditure incurred in connection with the Afghan war and the fall in the exchange value of rupee, the grant was suspended in the next year. In accordance with the recommendations of the Famine Commission it was re instituted in 1881 by providing one and a half crore of rupees in the budget under this head. Sub-heads for relief, protective works, reduction of debt were created under this head. Actual expenditure on famine relief was to be the first charge on the whole grant, protective works were to be the next and the reduction of debt was to be assigned only when a balance was left after meeting the expenditure on the above two sub-heads. The annual expenditure on protective work was limited to 75 lakhs. The creation of this fund enabled the Government of India to provide money to provinces for famine relief as soon as famine conditions were noticed anywhere.

The recommendations of the Famine Commission regarding

the grant of discount on land revenue paid in advance, advancing loans to agriculturists for improvement of land, suspension of land revenue in times of draught, allowing instalments in the payment of land revenue were also carefully examined by Lord Ripon in consultation with the local governments. In a circular in 1882 Ripon recommended the grant of discount to cultivators for paying land revenue in advance for two reasons. Firstly, it will enable the peasant to meet the revenue of a future year out of the surplus proceeds of a good season, and secondly, it would be an inducement to him to meet the state's demand at a most convenient time. All the local governments except Bombay did not agree to the above proposal. In their opinion it would have no practical effect as the cultivator would prefer to invest his savings for improving his land and moreover it would disturb the financial arrangements of the government. The Bombay Government, like others, considered it impracticable but it was prepared to give a trial. The Government of India, therefore, permitted the Bombay Government to have an experiment by sanctioning 6\% per cent discount to those agriculturists in famine tracts who paid land revenue in advance during a plentiful season.\textsuperscript{34}

The cultivators were authorised to request advances from the Government for improvement of their lands under the provisions of Act XXVI of 1871, but the working of the Act had brought to light certain shortcomings which prevented the agriculturists to benefit from the operation of the Act.\textsuperscript{35} The Famine Commission had pointed out these defects and suggested several measures to remedy them. In the opinion of the Commission the period over which the repayment of the debt was spread was to be considerably enlarged and a reasonable time was to be allowed for the completion of work before the repayment of the loan commenced and the rate of interest charged by the Government was not to exceed what it cost to the Government in advancing

\textsuperscript{33} N.A.I., Revenue and Agricultural, Famine Branch Proceedings, No. 21-32, July, 1884.

\textsuperscript{34} Ibid.

\textsuperscript{35} Report of the Indian Famine Commission, 1880, Part II, Chapter IV, Section III,
these loans. It also recommended that such advances were to be given to the farmers till the effects of famine had passed away. Necessity of allaying the fears of the cultivator about the increase in land revenue as a result of improvement was also stressed. The sanction of the landlord for making improvements was not to be made binding on the tenant and in case of ejectment the tenant was to be assured about compensation for unexhausted improvements made by him. The Government of India instituted an enquiry about the matter and invited the opinions of the local governments. 36 The provincial governments were in general agreement with the recommendations of the Commission. Ripon, therefore, decided to reduce the rate of interest on the loans granted to the agriculturists. The Act of 1871 was also amended by him in 1883, with a view to permit advances for the permanent improvement of the land and it was stipulated that an increase in value as a result of the use of advance was not to be normally taken into account in revising assessments.

The questions of the extent to which remission or suspension of revenue in times of scarcity may be done and the degree of elasticity which could be allowed to revenue system without losing the advantages of a fixed demand were under the consideration of Lytton’s Government. The Famine Commission noticed that during the famine of 1877-78 rigid enforcement of revenue demand created serious mischief in many scarcity areas. The Commission did not think it advisable to force any one to pay land revenue by borrowing when his production in times of famine did not leave any surplus to him after providing for the bare maintenance of his family. The Commission, therefore, advocated a system in which suspension was to be given at an early period in the first instance and such suspensions were only to be allowed to pass into remissions in cases of severe droughts for a long period. The Government of India while expressing its full concurrence to these principles and suggestions observed, “Though the Government of India cannot in all cases expect the cultivator to lay by the surplus of good

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36. N.A.I., Revenue and Agriculture Proceedings, No. 28-50, October 1882,
years in order to meet the deficiency of bad years, it claims that
the suspension of land revenue should as a rule be made good
from the surplus of future harvests.\footnote{37} Only in cases of crush-
ing calamities, remissions were to be granted but suspensions
could be sanctioned in times of famine. For this purpose the
agricultural land was to be divided into three classes. Although
no hard and fast rules were laid down, it was proposed that in
estates where 50 per cent and upwards of the cultivated area
was secured by irrigation, remissions were not ordinarily to be
granted. Estates in which less than 50\% of the areas was secured
from irrigation were classified as insecure areas. In such areas
a scale of suspension corresponding to the loss of crop in in-
secure areas was to be adopted. In the fluctuating areas re-
missions were to be granted. The question of suspension turn-
ing into remission was to depend on the character of subsequent
crops. The sanction of the Government of India was essential
in cases where the amount of remission was more than 10 per
cent of the entire revenue of the provinces. District officers
were to be authorised to act immediately but the orders of the
local governments were to be considered as final. The local gov-
ernments were asked to give their opinions on the above sug-
gestions and propose modifications, if necessary.\footnote{38} As the propos-
ed classification of lands for remission was not considered prac-
ticable by the Secretary of State\footnote{39} the local governments were
now asked to adopt a liberal attitude towards providing relief
in the form of remission but the later experience showed that
the remissions thus granted were quite inadequate and the effects of
even those granted were negated by the delays of the officials.\footnote{40}

The Famine Commission had stressed the need of allowing the
cultivator to pay revenue in instalment at a time convenient to
him as it would save him from taking a loan at heavy interest
from the money-lender. The proportion between the amount of
revenue collected and the amount of produce gathered at the

\footnote{37. \textit{Ibid.}, Proceedings No. 58, October, 1882.}
\footnote{38. \textit{Ibid.}}
\footnote{39. \textit{Ibid.}, No. 1, July, 1883.}
\footnote{40. Hari Shanker Srivastava, \textit{The History of Indian Famines},
1858-1918, p. 261.}
harvest was to be fixed by the Government in order to determine the amount of the instalment. The Government of India agreed to the above opinion of the Commission and requested the local governments to enquire about the desirability of extending this system to more areas. For this purpose they were asked to ascertain the circumstances of each village fully and submit annual reports to show the progress made in this direction.\footnote{41}

The newly created Department of Revenue and Agriculture sent four officers to England for training in agricultural methods. It also requested the Home Government to send an agricultural chemist for carrying out researches.\footnote{42} These arrangements, however, were not effective in carrying out the suggestion of the Famine Commission regarding measures to be taken for the improvement of agricultural methods as we notice that sufficient progress in this direction was not made at the time of review of the conditions of the famine of 1896-98.\footnote{43} One of the reasons for the lack of progress was the absence of initiative among the Indian farmers who feared that any increase in production as a result of extended facilities of irrigation or methods of agriculture would only benefit the Government which would claim it by increased assessment of land revenue.

The establishment of Agricultural Banks in India was also considered by Ripon. While admitting the failure of the Government in inducing the agriculturists to take loans for land improvement he realised the necessity of providing money to them at a moderate rate of interest from banks formed by non-officials.\footnote{44} The suggestion of William Wedderburn, a District Judge of Poona, for the establishment of Agricultural Banks was accepted by him. He requested the Secretary of State to sanction the formation of a Bank in Bombay as an experimental measure as many bankers in the Deccan were willing to form an

\footnote{41. N.A.I., Revenue and Agriculture Department Proceedings, No. 30, September 1882.}
\footnote{42. S. Gopal, \textit{Viceroyalty of Lord Ripon}, p. 187.}
\footnote{43. Hari Shanker Srivastava, \textit{The History of Indian Famines}, 1858-1918.}
\footnote{44. N.A.I., Revenue and Agriculture Proceedings, No. 14, January 1883.}
association for the provision of capital on reasonable terms. The bank was to receive all possible assistance from the Government and was to work in small area selected by the Government. The loans were to be advanced on the security of lands to the peasants after due verification. The Secretary of State did not agree to the above proposal and the matter was not pursued further at that time.

Although Ripon was not successful in persuading the Secretary of State and the local governments in accepting a few of the useful recommendations of the Famine Commission, yet whatever he achieved in this direction can be regarded as substantial. The laying down of a system of administration of famine relief through the Codes, the creation of a separate Department of Revenue and Agriculture in the Centre and the Provinces, the amendments to the Tenancy Acts in several provinces, the extension of irrigational facilities and railways, were some of his important achievements which can in no way be treated as insignificant. In pursuing his objectives, he exhibited a firm determination and tenacity of purpose by constantly impressing upon the local governments to accept the suggestions of the Government of India, based on the findings of the Famine Commission. Behind this steadfastness a deep sympathy towards the sufferings of the masses can easily be noticed.

45. S. Gopal, Viceroyalty of Lord Ripon, p. 188.
CHAPTER XIII

Public Works

The Famine Commission of 1880 had laid great stress on the extension of railways and irrigational works in the country. According to the Commission the famines between 1858 and 1878 had clearly revealed the protective value of the railways. In the severe famine of 1876-78, the situation would have deteriorated in many cases and relief would have been practically impossible if the railways had not helped in rushing food and fodder to the scarcity areas. During this period the railways by carrying 2,998,445 tons of grain to the scarcity areas of South had enabled the Government to alleviate the sufferings of the people to a great extent. Hence the Famine Commission recommended the construction of about 10,000 miles more of railway lines through new guaranteed companies. However, the Commission was of the view that, "among the means that may be adopted for giving India direct protection from famine arising from drought, the first place must unquestionably be assigned to the works of irrigation." This opinion gave rise to serious controversy afterwards.

Ripon's interest in the construction of public works lay chiefly in their efficacy in preventing famine. He made serious efforts to construct railways and canals but financial difficulties came in his way. He tried his utmost to get the approval of the Home Government for his schemes of rapid construction of railways in such areas where famines were frequent but he was

2. Ibid., p. 160.
not successful in convincing them about the necessity of providing more funds for such projects.

A Select Committee of the House of Commons which examined the public works policy of the Indian Government had expressed the opinion that on the whole the past expenditure on railways and irrigation had been beneficial to India and that the policy of borrowing for the construction of productive public works should be continued within certain limits. In 1879, the Secretary of State, while concurring with the above remarks, desired that the annual expenditure on all productive public works from all sources be, for the present, restricted to £2,500,000. Of these £700,000 was to be ordinarily spent on irrigation and the remainder on the construction of railways with good prospects of earning 4 per cent annual interest on the capital outlay within five years of completion. Works which were considered to be merely protective against famine could be constructed by utilizing half of the Famine Insurance Fund, i.e., £750,000. Of this amount, £250,000 were allotted to irrigation and the rest to the railways.

Lord Hartington in a despatch of 1881 outlined the policy to be followed in regard to the construction of public works in India. In the absence of private enterprise irrigation works were to be constructed by the State provided they were estimated to be remunerative in ten years from the date of their completion. In the case of railways every effort was to be made to raise capital through private agencies without any guarantee or a subsidy. If this procedure was found impracticable, limited guarantee or subsidy may be given. The question of constructing new railways was to be considered on commercial principles. Construction of any new line was not to be undertaken unless it was calculated to pay within five years of its opening a profit of four per cent on the capital and its interest. He refused to sanction an annual expenditure of more than 250 lakhs on productive public works and 75 lakhs on protective ones.

8. N.A.I., Department of Finance and Commerce, Proceeding No. 1515, Secretary of State's Dispatch, No. 420, dated 23 October, 1879.

4. Secretary of State's Dispatch, Finance and Commerce Department, No. 1, 6 January, 1881.
The Viceroy had no option but to accept the limits proposed by the Secretary of State although he believed that the amount was meagre for the construction of railways and irrigational works. He also persuaded his colleagues to accept the policy outlined by Hartington in the above despatch. In his financial statement of 1881-82, Baring announced the general concurrence of the Government of India with the above proposals. He, however, did not consider the capital expenditure of £250 lakhs a year as adequate for meeting the present requirements of India. He was hopeful about attracting European capital for the construction of railways in India as the financial aspect of the investment had considerably improved in the last decade.

Lord Ripon's Government was, however, very keen to press the early construction of railway lines needed for protective purposes. In their despatch dated 22 July, 1881 the Government of India drew the attention of the Secretary of State to the Report of the Famine Commission stressing the need of early construction of 5,000 miles necessary for protective purposes. The Government of India was of the opinion that under the existing prescribed limit of 50 lakhs annually on protective works on railways it would take a sufficiently long time to complete even 3,000 miles of railway line, which were considered absolutely necessary. Under these circumstances the Government of India proposed to encourage the private capitalists for undertaking the construction of protective lines by giving them a guarantee of interest which was to be limited both in amount and in duration. The amount of the interest was to be charged against the annual allotment.

The Secretary of State did not concur with the above recommendations of Ripon's government. He did not agree with the view of the Government of India that limits prescribed for the borrowing of money to be used in construction of public works would not be transgressed in case the above procedure was followed. He pointed out that a guarantee of interest upon

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5. Viceroy's Dispatch, Finance and Commerce Department, dated 7 February, 1881 and 20 March, 1881.

a capital estimated to the amount of Rs. 1,825 lakhs would impose a liability on the revenues of India which was not contemplated by the Home Government at the time of fixing the limit on borrowings. The Secretary of State also doubted that for works which cannot be reasonably expected to offer a return of four per cent within four or five years, capitalists of standing would be found ready to embark on other terms than the promise of a somewhat substantial guarantee. He did not favour the embarking of a scheme in which railways of an unremunerative character were built on a large scale. Thus the Secretary of State did not sanction a more rapid outlay than the existing rule permitted. 7 Ripon tried to convince Hartington that the policy advocated by him in no way infringed the instructions of the Home Government contained in its despatch of 6th January, 1881. Instead of spending the Famine Insurance Fund on the construction of railways, he wanted to use it for giving incentive to private agencies so as to enable a more rapid completion of protective lines. 8 In his opinion the Government of India was comparatively well informed and also more impressed with the urgent necessity of constructing railway lines needed for the prevention and relief of famines than those sitting at the Whitehall. Hartington’s advisors, special General Strachey and Sir Louis Mallet seemed to have prevailed upon him to sanction no further changes in the policy outlined by him. 9

So long as Hartington remained in office Ripon’s protests were of no avail. In January 1883, soon after Kimberley took office, Ripon moved again in the matter. He brought to the notice of Kimberley the unsettled characteristics of the policy followed by the Government in the construction of railways. He also pointed out that the restrictions, however necessary and appropriate under the circumstances of the day, now seriously interfered with the construction of protective railway works. The recent experience had shown that private companies had

7. Secretary of State’s Dispatch, No. 365, dated 8 September, 1881.
8. Viceroy’s Dispatch, No. 7 and 16, dated 3 February and 3 March, 1882.
devoted their attention to the construction of such railways which were productive and the amount at the disposal of the Government was largely spent on furnishing guarantees to them. Instead of following a policy in which the railways constructed by the state or the private agencies were generally self-supporting it was recommended that the Government should, in future, withdraw as far as possible from this field and should undertake the construction of railways which from their unprofitable character or other causes could not be made by private agencies.\textsuperscript{10} In view of the urgency and enormity of the problem Ripon asked for the provision of £27.5 million for a period of five years from 1st April, 1883. For this purpose the Government of India was to be allowed to borrow every year £350,000 more than £2.5 million already sanctioned and to make arrangement with private companies involving an annual liability of about £2,55,000.\textsuperscript{11} The Secretary of State considered the above proposals to be far beyond the contemplations of the Famine Commission. In his opinion the Commission did not recommend such a sudden expansion of operations which involved an outlay by Government and private agencies to the extent of three times of the amount of £250 lakhs a year. He expressed his inability to give a final verdict in the matter till the decisions of the Select Committee appointed by the House of Commons for the re-examination of the policy to be followed in this regard were known.\textsuperscript{12} The Government of India explained that their intention was not to enter into any discussion regarding the merits and demerits of the private enterprise in comparison with the state agency but their primary aim was to avert or mitigate the effects of famine and secondly, to develop her resources for enriching the people of the country. Ripon repeated the warning contained in his previous despatch about the serious consequences of delaying a decision in the matter.\textsuperscript{13} He also protested against the charge levied by the Secretary of State that

\textsuperscript{10} Viceroy's Dispatch, No. 20, 23 January, 1883.
\textsuperscript{11} Ibid.
\textsuperscript{12} Secretary of State's Dispatch, No. 231, dated 16 August, 1883.
\textsuperscript{13} Viceroy's Dispatch to the Secretary of State, No. 269, 24 September, 1883.
the Government of India had suggested a sudden expansion of operations. In his reply the Secretary of State maintained that the proposal envisaged a sudden expansion of operations. He also declined to sanction the whole amount of Famine Insurance grant and savings of the provincial balances. In his opinion these funds, though properly applicable to such purposes in years of prosperity, could not be hypothecated in advance for railway construction and thereby removed from the control of the Government, which in the event of a famine would have in the first instance to look to resources before borrowing or imposing additional taxation for meeting the emergency. Without entering into the controversy of sudden expansion of operations Ripon reiterated his views in this matter and submitted revised proposals in the clearest and briefest possible manner. He proposed that all railways proposed to be constructed or under construction were to be divided into two schedules. The railways most urgently needed for famine protection or any other urgent cause were to be constructed within a prescribed time by increasing the amount of loan and utilising certain provincial balances. The less urgent construction was to be postponed for the time being.

The Report of the Select Committee of the House of Commons was forwarded to the Government of India in August 1884. The Committee accepted the view that a more rapid construction of railways was necessary in India. In their opinion it was not possible to maintain a rigid technical distinction between productive and protective lines. The amount proposed to be spent on railways from all sources by the Government of India in the next six years was considered to be moderate. The Committee recommended the borrowing of money in England for carrying out schemes which were to be approved by the Secretary of State for India. The Committee desired that the bulk of these lines should be self-supporting. It also expressed the view

14. Ibid.
15. Secretary of State’s Dispatch, No. 372, 18 December, 1883.
17. Secretary of State’s Dispatch, No. 89, August 14, 1884.
that no portion of the famine grant was to be hypothecated as interest on capital and that no additional taxation should be levied for the purpose of constructing railways. The Committee was also averse to operations undertaken by the Government which were beyond the capacity of the present staff of the Public Works Department. 18 Thus the policy advocated in the Report was made dependent upon the financial position of India and the responsibility of all decisions of borrowing and spending was entrusted to the Secretary of State.

The Secretary of State accepted the recommendations of the above Select Committee. He authorised the Government of India to borrow for all types of public works up to 350 lakhs a year, but all other expenditure on the railways had to be met from surplus funds and not from the Famine Fund. 19 Ripon expressed satisfaction over the fact that the opinion of the Committee was not at variance with his views. 20 It was in agreement with his view that it was difficult to maintain the technical distinction between protective and productive railways. It had also supported the contention that some limit may be assigned to the capital expenditure from funds borrowed by the state on unprofitable lines. Ripon brought to the notice of the Secretary of State that the Government of India never contemplated any increase in the permanent strength of the staff of Public Works Department for indispensable projects. 21

Ripon was now keen to pursue a scheme of rapid construction of railways within the limitations of the latest decisions. But Kimberley insisted that the frontier railways involving an expenditure of £5 million should be laid down first in preference to the construction of other railways. Ripon objected to this proposal as the expenditure of £ one thousand daily on the construction of the railways from Quetta considerably

19. Secretary of State's Dispatch, No. 89, 14 August, 1884.
20. Viceroy's Dispatch to the Secretary of State, dated 29 August 1889.
21. Ibid.
reduced the amount available for the purpose of extending railway lines on other sites. 22 Ripon was of the opinion that the general question of the railways was in no way affected by the necessity of works of security on the frontier. He desired that the protection from both, viz., necessities of defence and famine should be provided concurrently to the full extent necessary in each case. 23 The Secretary of State did not concur with the above view on the ground that the matter depended on the financial position of the Government of India. 24

In spite of all these restrictions the achievement of Lord Ripon in this field of works of public utility is remarkable. At the end of 1880, the total mileage of open lines in India was 9,149 but at the end of 1883 it was 10,498 and 2,647 miles were under construction. In addition to the above 1,217 miles of highest protective values for famine were recommended for sanction. The total mileage completed and in progress up to that time was 13145 against a length of 20000 miles which was considered as sufficient by the Commission for famine relief purposes. Out of 1349 miles of lines opened for traffic during the three years 926 miles were a result of state effort. 25 Besides, 1734 miles had been surveyed between 1880 to 1884. In addition to this substantial achievement, Ripon had also successfully brought home to the authorities in London that the primary concern of the Government was to protect the life of its subjects and that protective railways were an administrative necessity.

Later on, the recognition of his policy led to the utilization of huge sums on the extension of railways in preference to the irrigation works. Between 1880 and 1896-97, Rs. 6,55,50,931 were spent on railways and only Rs. 18,60,671 on irrigation works in the same period from the Famine Insurance Fund. 26 This

23. Ibid.
24. N.A.I., Finance and Commerce Department, Proceedings, No. 485-86, April, 1885.
25. Ibid., No. 1 to 4, February, 1884.
policy was clearly in contravention to the views of the Famine Commission which recommended more expenditure from the Famine Insurance Fund on irrigation in preference to railway works.

This later development might be due to the fact that the importance and value of railways as a measure of protection against famines was generally recognised and the railways had gradually become the source of more profits in comparison to the irrigational work.

Ripon cannot be at all blamed for a departure from the policy recommended by the Famine Commission regarding the constructions of irrigational works. His inauguration of the Sirhind Canal on 24 November, 1882, speaks of his interest in this type of protective work also. The canal from Swat river was also completed in his time and its extension was under consideration. Expenditure worth Rs. 44.91 lakhs was sanctioned by him for the construction of three canals in Punjab, namely, Chenab Canal, Lower Sohag and Para Inundation Canal in Montgomery and Multan districts, and the Sidnai Canal of Ravi. In Bengal and Orissa the completion of Orissa Canal system was sanctioned and a large and important canal was under construction along the east coast of Bengal as a provincial work. In the Bombay province three protective irrigational works, viz., Nira Canal, Gokrak Canal and Mhasrad Tank with an estimated cost of Rs. 66.78 lakhs were under construction. In Sind the Desert and Begari Canals were completed while Eastern Nera Canal was nearing completion. Greater attention was paid to the areas of South where the famine was severe in 1876-78. The Godavari Canal Work and the Krishna works were being rapidly completed. The Buckingham Canal passing through Madras was under construction as a provincial work. Another tidal canal project from Ganjam to Gopalpur was under preparation. In 1883, the work on Rushikulia Irrigation Scheme which was to utilise the waters of Mahanadi and Rushikulia was started as a protective work. A dam across Penar river known as Sangam Project was under progress. Similarly the unfinished work on

27. Ibid.
Barur Tank Project was taken up. Repairs of many minor irrigation works in Madras were undertaken. The work on Periyar Project was undertaken as objections were raised by the ruler of Travancore about the diversion of water from river Periyar which flowed through his areas. Survey of a canal in Bellary from Tungabudhara was under investigation.28 Thus in his period about a thousand miles of main and branch canals and about 1,200 miles of distributary streams were cut and over a million more acres irrigated. No doubt more was needed but within the limits of the finances it does not appear to be a negligible achievement.

In pursuing a policy of constructing public works of utility as a measure of preventing famine and giving relief rapidly to the sufferers Ripon came in sharp collision with the Home authorities. The Conservative members of the House of Commons even charged the Government of India with extravagance in the expenditure on public works. He strongly protested against the charge that the Government of India was proposing sudden expansion of operations and was extravagant. Ripon courageously stuck to his views to such an extent that the Secretary of State was constrained to remark in the end that there had been no material change in his views even after the report of the Select Committee had been considered by him.29 But it must not be overlooked that Ripon, who maintained that protective railways were the primary concern of the State, was always ready to accept the limits prescribed by the Home Government and modify his proposals in the light of the observations made by the Secretary of State. Thus he was never rigid in his approach to such policies.

28. N.A.I., Revenue Proceedings, No. 1 to 4, February 1884.
29. Secretary of State’s Dispatch, No. 148, of 27 November, 1884.
CHAPTER XIV

Revenue Policy

From his early career Ripon had attached great importance to the land problem. As Under Secretary of State for India, he had supported the stand of Lord Lawrence in championing the cause of the tenants of Bengal. While on his journey to India, he had expressed a hope that he would be soon able to turn his attention to the problem of land reforms in India. At the end of the first year of his stay in India he characterised it as the greatest of all the problems in the administration of the country.

The Famine Commission of 1880 had examined several aspects of the problem of land reform in India. The relations of the government to the landholders and of the landlord to the tenant were examined in great details by the Commission in a critical manner. The members of the Commission strongly felt that the relations between the landlords and tenants with occupancy rights were not in a satisfactory state and were becoming more and more hostile every year. They stressed the necessity of passing legislation for protecting cultivator’s rights. They also pleaded for elasticity in the collection of revenue and desired relaxations in the rigid system of collection. By the

2. Ibid., p. 82.
3. Ibid., p. 88.
5. Ibid., p. 21.

154
time Ripon considered the recommendations of the Famine Com-
mission he was already seized with the problem of revising ten-
ancy laws in Bengal. The Government of Bengal had suggest-
ed a revision of the laws which were in force in this province
for a long time. Although Ripon had received these proposals
a month after his arrival in India he postponed the issue till he
had fully acquainted himself with the problem. It was only in
1881 that he tried to tackle the problem with all seriousness
knowing fully well that it was not an easy task.

The Permanent Settlement of Bengal introduced in 1793 had
not dealt with the question of the rights of tenants against the
landowner. According to the ancient practive the raiyats of this
province were entitled to occupancy rights in case they paid
the rent fixed by the state. The Zamindars gradually usurped
the rights of many tenants on one pretext or the other. The neces-
sity of improving the position of the tenants was, therefore, soon
felt. According to an enactment of 1859, a raiyat who had occupied
land for twelve years consecutively was entitled to occupancy
rights on the same. But it did not improve matters on account
of two reasons. Firstly, the landlord did not allow his tenants
to occupy the land for twelve years and secondly, even if in some
cases, for some reason or the other, a tenant was able to con-
tinue for the above tenure, he had to prove it in the court of
law. This, however, was not an easy task as the landlord made
it practically impossible for him to do so.

Serious agrarian disturbances in Pabna district of Bengal
in 1873 opened the eyes of the authorities who made repeated
attempts to solve this problem. In 1875, Agrarian Dispute Act
was passed as a temporary measure to meet emergencies like
those of 1873. Though the act provided for rules for the deter-
mination of the rates of rent it did not introduce any change
in the law of enhancement. It was only a measure dealing
with the procedure. Moreover, the bill expired before it could
be enforced. Rivers Thomson, the Lieutenant Governor of

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8. Ibid.
Bengal, took up the matter seriously in 1876. After considering several proposals the Government of Bengal proposed a measure providing for more speedy realization of arrears of rent. A Select Committee of the Bengal Council found it impracticable to confine itself to the above limited object and desired that the whole question of revision of the law should be taken in hand. In April 1879, the Government of India sanctioned the appointment of a Commission to prepare a digest of the existing laws in Bengal and draw up a consolidated enactment. Though the Commission submitted its final report in 1881, it prepared a draft bill embodying its recommendations in 1880. These proposals were forwarded to Ripon soon after his arrival in India, as has been stated earlier.

The main principles of the Bengal Rent Bill submitted to the Government of India were as follows:

Firstly, to give to the raiyat the same amount of security in his holding as he enjoyed under the customary law;

Secondly, to ensure to the landlord a fair share in the increased value of the produce of the soil; and

Thirdly, to lay down rules by which all disputed questions between landlord and tenants could be reduced to simple issues and decided upon equitable principles.

Proposals to grant occupancy rights to such ryots who had held land for three years were also made in the Rent Bill.

Lord Ripon agreed with the Bengal Government about the urgent necessity of passing a legislation to achieve the three main aims outlined above. But the proposals made in the Bill were considered to be inadequate by him. In place of attaching the right of occupancy to individuals, he wanted to attach it to land. The recommendations which he made to the Secretary of State in a despatch in March 1882 were mainly as follows:

(i) In order to restore the position which the ryots held

9. Ibid.
10. Viceroy’s Dispatch, Revenue Department, No. 6, 21, March 1882.
in Bengal under customary laws it was proposed that the occupancy rights carrying with it the privilege of a legal rent were to be attached to all raiyatti lands. Such rights were to be enjoyed by all settled raiyats. All lands which were not private, were to be considered as raiyatti land.

(ii) The proposal of the Bengal Government for the re-establishment, rectification and enforcement of pargunnah rates subject to certain modifications was accepted along with the suggestion that such rates could be enforced by the Collector for periods extending from ten to thirty years.

(iii) No contract was to debar a raiyat from acquiring a right of occupancy in the raiyatti land.

(iv) The occupancy right could be transferred by sale subject to a right of pre-emption vested in the landlord and except where the local government prohibited the transfer of the right to non-agriculturists.

(v) Due compensation was to be paid to raiyats for the improvements made by him.

(vi) Sub-letting of lands by an occupant raiyat was to be discouraged by certain expediency of which the most important was the limitation of the amount of rent recoverable from raiyats.

(vii) When the rates were undisputed the speedy realization of arrears was to be arranged by a modified method.

(viii) Where a suspension or remission of land revenue had been granted, such remissions and suspensions were to be authorized; and

(ix) the question of introducing throughout Bengal a system of village records and field survey was to be taken up.

In view of the continued agrarian disturbances, though on a smaller scale than those of 1873, Ripon urged the Secretary of State to sanction the above proposals which in his opinion
would effectively solve the problem.\(^{11}\) He had his own fears about the opposition of the members of the Indian Council, but he sought to introduce his advocate into that body by trying to secure the support of Ashley Eden, who, while in India, had consented to attach occupancy rights to land.\(^{12}\) But Eden changed his views after joining the Indian Council. The Secretary of State in his telegram of 6 August, 1882, and despatch of 17 August, 1882,\(^{13}\) while accepting a majority of the recommendations made by the Government of India, did not agree to the proposals of taking the classification of lands instead of the status of tenants as the basis on which the recognition of the occupancy right was to be effected, and of attaching this right of all raiyatti lands to settled raiyats. In his opinion it made a great and an entirely novel departure from both the ancient custom and existing law of Bengal. According to the Secretary of State the failure of the enactment of 1859 was not due to an error in principle but the provision which placed the burden of proof of continuous occupation of the land on the shoulders of the tenant. The Home Government preferred Rivers Thompson’s proposal of conferring occupancy rights to a resident raiyat who had occupied and paid rent for it. Resident raiyat was defined as one who or whose ancestor had occupied land in that village or estate for a period of twelve years. Thus the Secretary of State was not willing to abandon the principle underlying the enactment of 1859.

Besides the opposition of the Secretary of State’s Council, several high British officials and the Anglo-Indian community in India also voiced their opposition to the proposals. Their opposition to this measure was inspired by the general feelings of dislike for him which had intensified by that time among them. Garth, the Chief Justice of India, and with whom relations of Ripon were strained, wrote a memorandum on 6 September, 1882,\(^{14}\) long before the draft of the bill had been.

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13. Secretary of State’s Dispatch, Revenue Department, No. 54, 17 August, 1882.
finalized and published the same in the newspapers simply with the object of embarrassing Ripon. He declared the Rent Bill to be a measure calculated to drive the landlord towards his ultimate ruin. He viewed with horror the revolutionary provisions of the Bill, the object of which, according to him, was to sacrifice wantonly and unnecessarily the rights of one section of the community for the benefit of the other by violating laws and usages which had been sanctioned by courts and legislatures for nearly a century. The Anglo-Indian community started an agitation against the Bill which continued unabated till the passing of the Bill in its amended form in 1885.

In his reply to the Secretary of State, 15 Ripon maintained that in his proposals there was no departure from the ancient customs but a return to the same and that they did not differ more widely than the suggestion approved by the India Council. According to him the Act of 1859 by placing the twelve year limit definitely made a departure from the customary laws which did not place any restriction regarding the period of occupation. Hence the approval of the above clause again was not in conformity with the ancient laws. The proposal of the Government of India which envisaged the attaching of occupancy rights to land in place of individual tenants was much nearer to the traditional laws according to which a cultivator was not ejected from a land which was permanently cultivated by him so long as he paid the rent at customary rates. The suggestion of treating every acre of land, which fell vacant either by pre-emption on the part of landlord or by death, failure of heirs and the abandonment of land by the occupant, as free from the operation of the law was also regarded by Ripon as an unsound one, because it left a proportion of the cultivators unprotected. The proposal of granting occupancy rights to a raiyat who or whose ancestors had occupied the land in a village or in an estate for twelve years was also fraught with serious consequences. The landlord instead of shifting the tenant will have a direct inducement to prevent, by every means in his power, a raiyat to acquire occupancy rights by turning him out of the land. Moreover,

15. Viceroy’s Dispatch to the Secretary of State, Revenue, No. 16, 17 October, 1882.
the old difficulty of proving his occupancy right would not be removed. It was also brought to the notice of the Secretary of State that the effect of this proposal would be harmful on other places in case the same was not simultaneously applied and if applied it would hamper the improvement in the relations of the landlord and the tenant.

Although the Secretary of State adhered to his former opinion, yet he expressed his willingness to give his assent to the Bill as proposed by the Government of India. But it was made clear by him that his final decision was reserved till the Rent Bill had been discussed in the Legislative Council. 16 This proposal was not acceptable to Ripon 17 as it created problem for him both in the case of its rejection or approval by the Legislature. If after serious efforts on the part of Ripon the Bill was approved by the Council only to be rejected by the Home authorities, the Viceroy would be in a predicament. On the other hand, if the Bill was rejected in the Council, the position of Ripon would be weakened. He, therefore, wrote that he was prepared to introduce a Bill in accordance with the instructions of Lord Hartington.

In such circumstances a deadlock was created in which no further progress was possible in the matter. Kimberley, who replaced Hartington, allowed Ripon to introduce a Bill in the Council in accordance with the wishes of the Home Government. 18 On 2nd March, 1883, the revised Bill was introduced by Ilbert in the Council. After ten days the Bill was referred to a Select Committee. Meanwhile, the Anglo-Indian community whipped up their agitation against the Bill. They were supported by the upper middle class of Bengal whose interests were affected adversely in one way or another. Thus there was a serious danger that the Bengal Tenancy Bill might drive a wedge just at the time when the racial conflict aroused by the Ilbert

16. Secretary of State’s Dispatch to Viceroy, Revenue, 15 December, 1882.
17. Viceroy’s Telegram to the Secretary of State, Revenue, 18 December, 1882.
18. Secretary of State’s Telegram dated 30th December, 1882.
Revenue Policy

Bill was at its height. Ripon had written to Hume about the unholy alliance between the Anglo-Indian Defence Association and the landlords. The agitation influenced a few moderate landlords like Jotindra Mohan Tagore who desired that there should be a compromise over this issue also as has been done in the case of Ilbert Bill. In 1884, a memorial was submitted to the Viceroy by the Central Committee of Zamindars and other landholders of Bengal. 19

The deliberations of the Select Committee commenced from November, 1883. In March, 1884, a preliminary report was submitted by the Committee along with a revised draft of the Bill. Out of the ten members of the Committee four recorded a note of dissent to the report. The revised Bill was republished and subjected to a careful examination by separate divisional conferences of the executive and judicial officers of the Government. On 15 September, 1884, the Governor of Bengal submitted his views on the Bill. The Bill could not be passed in Ripon’s time as the Select Committee, which renewed its deliberations in November, 1884, submitted its final report early in 1885. Again there were notes of dissent by several members of the Committee regarding many of its provisions although a majority of them fully accepted the principles of the Bill. 20 The Bill was finally passed on 11th March, 1885, and came in force from 1st November, 1885, except the clauses relating to distraint and disposition of rent, the operation of which was postponed to the beginning of February 1886 to enable the High Court to frame necessary rules. 21

The Bengal Rent Bill, which underwent a great amount of searching criticism and examination of the Bill for ten years, perhaps the longest period for any other legislative measure, in its final shape was in some respects a compromise with the original Bill submitted before the Council in 1883. The regulations of 1859 were left untouched in the Bill. Instead of grant-

21. Ibid.
ing occupancy rights to raiyats on all lands held by him in a village or an estate, it limited the right to lands in the same village only. The transfer of rights by the raiyat was left to be regulated by local customs and the pre-emption right of the landlord was not recognized in this case. In order to ensure fair rent to the tenant it was stipulated that the rent could only be increased by a contract between the tenant and the landlord made outside the court. In such cases of enhancement the Act allowed only two annas in per rupee of the old rent. It was, however, provided that a higher rate of rent might be recovered by suit in case it had actually been paid for three years. The onus of disproving the raiyat's claim to the right of occupancy was not thrown on the landlord. It was also laid down that the price lists would determine the proportionate increase in the value of produce of a land. Rules were also framed to guide the courts in determining the status of a tiller of land. The procedure for the registration of the transfer of tenure was prescribed. The Act established a system for the commutation of rents payable in kind, specified the grounds on which a non-occupancy raiyat was to be ejected, prescribed rules for instalments, recepits and interests upon arrears, encouraged the raiyat in making improvements, restricted subletting, provided for cases in which holdings could be surrendered or abandoned, protected the interests of the parties in cases of disputes between co-sharers, laid down a procedure for recording private land of proprietors and provided for protection to sub-tenants when interests of superior holder was relinquished or sold in the process of the execution of a decree from the court.

The above analysis of the Act of 1885 shows that the Act was more workable and practical than the proposals of 1883. Although it was considered as falling short of ideal perfection by Ripon and his main supporter Ilbert yet they admitted that the same embodied substantial improvements in the law and went a long step forward in the right direction.

The proposals of Ripon to reform the tenancy rules in Oudh were also passed in his successor's period. Lord Canning had restored the confiscated estates of Oudh to the Talukdars in 1859. In the sanads or instruments of grants there was a provision that
the talukdars were secured in the possession of all the subordinate rights formerly enjoyed by them. The Government, however, reserved the right to intervene in any instance in which the obligations of the talukdars to deal with the tenants in a considerate manner were flagrantly ignored to the detriment of the agricultural prosperity of the estate. Sir George Couper, the Chief Commissioner of Oudh, regarded this clause as the Magna Carta of Oudh peasantry. 22 But a clause in the Act of 1869 which empowered the talukdar to make his bargain annually with all but ex-proprietary tenants who were few in number and to evict them at the end of year by paying him compensation for improvements nullified the effects of the provision in the sanads of 1859. The result was a rapid increase in number of ejectments through court or otherwise along with a steady rise of rents. An inquiry which was instituted in 1873 was resumed in 1876. In 1881, George Couper, while reviewing the result of these enquiries, expressed satisfaction over the fact that landowners as a class were not abusing their powers and that the condition of cultivating classes had considerably improved but in some cases there was scope for the Government to take an early action by exercising the right of intervention reserved in the sanads. In 1882, Couper ordered the estate of Salamau taluka to be taken under the direct management of the revenue authorities as the talukdar of that estate had completely failed to fulfil the obligations provided in the sanad. 23 On an appeal made by the Talukdar to the Lieutenant Governor, Sir Alfred Lyall, the case was referred to the Government of India in July, 1882, for final decision. Lyall recommended that the requesstration orders of Couper should be rescinded with a serious warning to the Talukdar that in future any grave abuse of privileges or disregard of responsibilities would render intervention. The Government of India found serious evidence of neglect and mismanagement on the part of the Talukdar but were reluctant to sanction the extreme measure of forfeiture. 24 Ripon, however, felt that the effect of the reversal of the orders

23. N.A.I., Revenue Proceedings, No. 2, June, 1884.
24. Ibid., No. 16, October, 1882.
of Couper would be harmful to the interests of the peasants of Oudh and therefore it was decided to give serious attention to the problem of providing them with some kind of protection.

On the recommendations of Alfred Lyall, Major Erskine was deputed to collect reliable information about the present state of affairs in this connection as it was considered necessary to solve the problem. Erskine submitted his report in June 1883. After referring it to selected officers of the province Lyall submitted his proposals in December, 1883. Erskine did not think that the condition and prosperity of the cultivating class as a body was adversely affected but the pressure on land which was increasing with the growing numbers of peasants would soon create a situation in which their conditions would further deteriorate under the present law. In his opinion, remedial measures which could be adopted, should be such as to protect cultivating tenants as a whole. He also pointed out that the rents were increasing every year as the same were determined by competition except where produce was shared. In the discussions which followed between the local government and the Government of India the necessity of a legislation was felt by both. The leading features of the scheme submitted by Lyall were as follows:

1. The sitting tenant was to have in all cases a statutory period of occupation for seven years from the last date of settlement of his rent or holding;

2. the enhancement of rent at the end of the above period was to be limited to $6\frac{1}{2}$ per cent on the current rental value;

3. the local government was to be vested with power to vary the limits of enhancement from time to time within periods of not less than seven years in any district or part of a district;

4. after the expiry of the statutory period, a landlord who did not make terms with his tenant may either issue notice of enhancement or of ejection. But the enhancement was to be within the limits prescribed above.

25. Ibid., No. 2, June, 1884.
In case the tenant did not agree to the proposed enhancement, the holding was to be treated as vacant but the landlord was not to be entitled to get more rent from the new tenant than $6\frac{1}{2}$ per cent of the old rent. In cases of ejectment the old tenant was to be paid compensation for disturbance and for the improvements made by him. Such amount was to be the annual rent last paid by the ejected tenant.

5. At any time after the expiry of the statutory period and before the settlement with a new tenant, the landlord was to have the right to file a suit for the ejectment of tenant from an area not exceeding one-fourth of the holding without payment of compensation for the disturbance on grounds to be regarded as sufficient by the court;

6. The right of renewal was to be personal to the occupant tenant; and

7. The state was to be empowered to revise the rents or to make an authoritative settlement of the land for a period not exceeding ten years.

Although the scheme was on the whole favourable to the talukdars, it was agreed to by the Government of India as it also placed the tenants in a better position than they occupied at that time. Under these proposals a tenant was secured to his holding for a period of seven years and at the end of this period he was to receive compensation for improvements made by him in the land in case he was ejected. The Government of India, however, did not approve of the suggestion of empowering the courts to evict a tenant without any compensation from one-fourth of his holdings on a plaint being submitted by the landlord. It was willing to empower the local government to reduce the limit of enhancement in any district or part of a district but was not prepared to bestow on the local government the power of raising rents as considerable powers were already vested in the landlords for the same. As regards the right of renewal to be treated as personal, explanation was asked whether it was also to accrue to the heirs of the tenant.²⁶

In their reply the Local Government maintained that it was necessary to avoid the hereditary character on the statutory leases for allowing some opening for market rate. In their opinion the heir could be allowed to hold land till its lease but was not to be entitled to any compensation for the disturbance caused to him by ejectment.  

The Government of India requested the Secretary of State to sanction the proposals of the Lieutenant Governor of Oudh excepting the two suggestions of granting the courts the right to deprive a tenant of one-quarter of his holding and of paying no compensation for disturbance to the tenant’s heir in case of ejection. Although Lyall and Ripon did not anticipate much opposition from the talukdars, Kimberley and his Council delayed the matter because they were frightened by the agitation of landlords against the Bengal Rent Bill. Subsequently they voted the moderate proposals of the Government of North-West Provinces. The Secretary of State held that there was not sufficient evidence of oppression, violation of contracts and danger to peace. Dufferin fulfilled Ripon’s wish by insisting on the need for a cautious legislation such as proposed by the Government of North West Provinces. The Bill was sanctioned in 1886 with an alteration that the compensation to be paid by the landlord for the eviction of a tenant which had originally been fixed at a year’s rent was changed into a stamp duty on a notice of eviction.

In his eagerness to avail of any opportunity to introduce reforms in the tenancy system with a view to improve the conditions of the tenant Ripon made an attempt to amend the Punjab Tenancy Act. With the gradual extension of canal system in several areas of Punjab, persons migrated to such districts which were previously sparsely cultivated. In order to induce people to settle in such areas the Punjab Tenancy Act XXVIII of 1968 provided that if a person who at the

27. Ibid.
28. Ibid.
29. Secretary of State’s Dispatch, No. 103, Revenue, 13 November, 1884,
date of passing the enactment was the representative of one who settled as a cultivator in the village along with its founder, was deemed to have a right of occupancy. During the next decade some settlers in the Sirsa district of the province were subjected to ejectment as they could not produce satisfactory proofs of their being settlers in 1868.30 Ripon requested the Lieutenant Governor of Punjab to investigate the matter. Sir Charles Aitcheson did not recommend any amendment in the Act as he was of the view that the evil of large number of ejectments was of a temporary character.31 The Government of India did not agree to the views of the Punjab Government that the matter should be left untouched so that the proprietors may make good terms with the cultivators without whom they could not make out their position. Strong action in amending the Tenancy Act was desired by Ripon who called for the personal views of Aitcheson.32 In his minute Aitcheson acknowledged the fact that the Act of 1868 was not a perfect one but did not agree to reopen the issue till the necessity of modifying it was clearly proved as it would raise controversies.33 As regards enhancement of rent it was suggested by him that the settlement officers may be empowered to fix the rent of occupant tenants in cases of alterations in government revenues or where improvements had been effected at government expense. He pointed out certain anomalies in the practices prevalent in Sirsa and Hissar areas and other parts of Punjab.34 The Government of India requested the Punjab Government to propose necessary amendments to remove the anomalies. In July 1882, the amendments were proposed by Aitcheson. The main features of his proposals were as follows:

1. All previous agreements between landlords and tenants or agreements entered in settlement records should be treated as cancelled and the ejected ten-

30. N.A.I., Revenue Department Proceedings, No. 19-21, June, 1881; Punjab Administration Report, 1878-79.
31. N.A.I., Revenue Proceedings, No. 4 to 6, June, 1882.
32. Ibid.
33. Ibid., No. 33-34, August, 1882,
34. Ibid,
ants should be entitled to compensation for growing crops and improvements;

2. The rights of occupancy granted to cultivators and their representatives who settled in villages along with founders before 1868, should be restricted so as to limit the acquisition of occupancy right by co-operation in village settlement prior to 1868;

3. Cash rents of tenants-at-will was not to be ordinarily less than the rents fixed for occupant tenants of the lowest class in the neighbourhood or more than full rent defined to be double the revenue as proposed above; and

4. The descendants of the tenants-at-will making improvements should, if they succeed to the holding, be able to claim compensation for expenditure incurred by his predecessors.

On the suggestion of the Government of India the Lieutenant Governor withdrew his approval to the proposal of enhancement by reference to the revenue rates and clarified his proposals by stating that the cash rents of tenants-at-will were to be fixed at the time of settlements for the period of settlement in terms of land revenue and cesses. Ripon wanted that the Act should be further amended so as to make it more favourable to tenants-at-will. In view of the strained relations between the tenants-at-will and landlords in Sirsa he desired an early action. As regards the considerations of political inexpediency raised by the Punjab Government in making amendments the Government of India was of the view that any postponement of the issue was likely to increase rather than diminish the dangers of political situation, but it was disposed to accept the decision of the local government to defer them. Ripon desired that the Bill as finalised after these discussions should be introduced early. The measure was delayed as the

35. N.A.I., Revenue Proceedings, No. 21-22, January, 1881.
36. Ibid.
37. Ibid.
Punjab Government was not enthusiastic about it. After four revisions, the measure was introduced in June 1886 and passed in 1887.

In another part of the North-West Frontier Province of that time an Act was passed for the benefit of the landholders in Ripon's period. The financial condition of the tenants in Jhansi district was extremely deplorable and in a large number of cases they were deprived of their lands by the landlords or the moneylenders. The main objects of the Jhansi Encumbered States Act of 1882 were threefold. Firstly, landholders not hopelessly insolvent were to be rescued by means of government loans equal to six times the annual profits made to them on the security of their holdings; secondly, the estates of hopelessly insolvent landholders were to be purchased by the government and the purchase money was to be applied for the discharge in full of all debts and encumberances on the estates; and lastly, such landlords whose estates had thus been purchased by government were to be retained on their estates with as little change as possible. Within a year it was noticed that the moneylender outbid the government at the time of auction. Hence in 1884, bidding in auction up to a price equivalent to ten times the annual profit was allowed to the government.

The consideration of the Report of the Famine Commission had also motivated other provinces to initiate measures for improving the lot of the cultivators. Ripon was fortunate to have general agreement with the proposals of these provinces. In Central Provinces the Tenancy Act of 1883 substituted the Act of 1859. The leading feature of this Act was that in all cases of occupant tenants the rent was fixed at the time of settlement. In the case of ordinary tenants the Revenue Officer was empowered to alter rent in cases of increase or decrease of land revenue. A tenant-at-will was to be allowed to purchase occupancy rights by payment of a fixed sum equal to thirty months' rent. After an agreed enhancement of rates there was to be

38. N.A.I., Revenue Proceedings, No. 10-13, September, 1883.
39. N.A.I., Revenue Proceedings, No. 11, January, 1884.
40. Baden Powell, Land Systems of British India, pp. 486-90,
no further enhancement for seven years. If the tenant did not agree to an enhancement, he was to be evicted but on payment of compensation equal to seven times of the enhancement demanded. In Assam it was proposed to grant occupancy rights to every settled cultivator. The Chief Commissioner of Burma started the collection of data as a preliminary step to tenancy legislation. The Governor of Madras entrusted the task of drafting a bill for the protection of hereditary rights to tenants in the estates of the Zamindars to a committee.

Lord Ripon’s government also paid serious attention to the reform of the settlement system in Upper India and other places where permanent settlement was not in operation. This was done at the instance of the Famine Commission who had drawn the attention of the government towards the necessity of reviewing the policy in the interests of owners as well as tenants of the land.\textsuperscript{41} This was not at all an easy task as the question of introducing permanent settlement in Upper India was being considered since 1793 and had, in the course of time, assumed the form of a controversy.

The first serious attempt to gain a mastery over the complicated situation of agricultural system in Upper India was made by enacting Regulation VII of 1822. Under this Regulation a scheme to gather the results of minute investigations of tenures and occupancy rights along with the valuation of land was drawn up. But after eight years of cumbersome investigations substantial progress could not be made with the result that the scheme was dropped. Regulation IX of 1833 dispensed with the process of minute investigations provided in the Regulation of 1822. According to this Regulation two-thirds of the net assets of the rental value of the land was to be fixed as revenue for a period of thirty years. The net assets or the rental value was to be determined by the assessing officer on the basis of general information to be gathered from each village at the time of settlement. Later on the revenue was reduced to one-half from two-thirds of the net assets of the rental value. The beneficial effects of the long term assessment impressed Colonel

\textsuperscript{41} Report of the Famine Commission, 1880, Chapter III, Section II.
Barrd Smith so much that in his Report of Famine of 1860-61 he advocated a permanent settlement of these areas also as this would enable them to offer greater resistance in cases of famine. Sir Charles Wood, the Secretary of State, announced his resolve to effect permanent settlement in Upper India also. These orders led to a lengthy discussion between the local government, Government of India and the Secretary of State. The Government of the North-West Province pointed out that the agricultural conditions in many tracts of the areas were in a backward state and that the scale of rent rates in other fully developed areas were comparatively low. In such conditions the introducing of permanent settlement would result in loss to the government Lord Lawrence, therefore, proposed that the permanent settlement may be extended only to those tracts where rent rates as well as agricultural conditions were fully developed. Only such land where 80 per cent of the cultivable area was under cultivation should be regarded as developed. His proposals renewed lengthy discussions in which Lawrence, Mayo, Northbrook, Charles Wood, Stafford Northcote, Sir John Strachey and many other senior and experienced officers of the Government of India took part. A Select Committee of the House of Commons appointed to give their considered opinion on the subject abstained from expressing any opinion and only desired that opinions on both the sides should be placed before the Secretary of State in Council to enable the Government to form a judgment on so important a question. After a few years the Government of North-West Province submitted a mass of papers embodying different views on the subject. When the papers were being studied by William Muir, the Finance Secretary of the Government of India, the difficult question of depreciation of silver was causing considerable anxiety to the Government. By that time this problem had clearly manifested satisfactory proof of the danger of attaching permanency to a fixed money assessment. Therefore, in 1879, the papers were deposited without orders.

Lord Ripon reopened the question by preparing a memorandum on land settlements which were current in the temporarily

42. N.A.I., Revenue Department Proceedings, No. 1-5, October, 1884.
settled areas. He forwarded this memorandum to the Secretary of State with a Resolution in which directions were given to local governments to make no new settlement unless a careful examination of the circumstances of the districts or tracts of which it was proposed to revise was made. The proposals of the Government of India were to accept existing revenues as they stood in all districts in which the local governments were on general grounds assured that the present revenues were reasonably adequate. In districts where these were inadequate the revenue was to be determined with the help of records in case the same were in good order. Full enquiry was to be made where records were not complete. The settlement was to be made for a period of twenty years. After the expiry of this period of twenty years the revenue was to be adjusted in accordance with the rise of prices, but such a rise was to be effected in case of more than fifteen per cent rise of prices. In all fresh settlements the power of final decision was to rest with the supreme government.

The Secretary of State gave his assent to the decisions of the Government of India although he had his own doubts about a few of the proposals. He pointed out that in cases where existing assessment was inadequate, there might be two enhancements in the revenue rates, the first one at the time of revision and the other after twenty years. In such cases prospective enhancements may perhaps be higher than what were due. The Secretary of State desired that settlement of revenue in the Central Province may not be done at present as that province had a regular revision. He also desired that the Governments of Bengal and Madras may be consulted. Thus the general concurrence of these two local governments was soon obtained and communicated to the Secretary of State. Thus a long standing controversy of introducing permanent settlement in Upper India or maintaining the system of long term settlements was finally settled in the time of Ripon.

43. Viceroy's Dispatch, Revenue Department No. 14, 10 October, 1881.
44. Secretary of State's Dispatch, Revenue Department No. 24, 22 March, 1883.
45. Ibid.
With all the sincerity at his command, Ripon had dealt with the problems of agrarian nature. He carefully examined all the prevalent tenancy systems in India and with his untiring energy tried to introduce reform with a view to improve the relations between the landlord and the tenant. Along with this his aim was to improve the general conditions of the cultivators. Taking the recommendations of the Famine Commission as the basis he touched almost all the problems which were the causes of the weak resistances of peasants during the periods of scarcity and sought to remedy them through legislation or otherwise. It was rather unfortunate that the Anglo-Indian community opposed him in this field of activity also and most of his measures were either delayed or altered by the Secretary of State. Still his achievement in this sphere can be regarded as quite substantial.
CHAPTER XV

Development of Local Self-Government

The creation of the municipalities and district boards in their present form may be attributed to the British rule in India but it must not be overlooked that such institutions existed in this country from time immemorial. The British Government in India only imposed new or different ideals and suggested different methods from those in vogue in this country formerly.

Before the mutiny two types of local bodies worked in the British territories of India. There were municipalities in the Presidency towns and of a different type in the smaller towns and cities. A brief history of both the types of local bodies is traced here to enable us to assess the importance of reforms carried out by Ripon in this direction. In 1683, a corporation and a Mayor's court was established in Madras in accordance with the charter given by James II. A civil government was instituted with a mayor, alderman and burgesses who were empowered to levy taxes for the building of a guide-hall, a jail and a school-house and for such further ornaments and edifices as were thought convenient for the corporation and its inhabitants. However, in actual practice there was a Mayor's court with aldermen but there were no burgesses. Hence these courts exercised judicial rather than administrative functions. The first statutory enforcement of Municipal legislation in India is con-

tained in the Charter Act of 1793, which empowered the Governor-General to appoint Justices of Peace for the Presidency towns from among the Company's servants and other British inhabitants. In addition to their judicial duties these Justices of Peace were authorized to provide for scavenging and repairing of streets by levy of tax on houses and lands. Between 1840 to 1853, elective principle was introduced to a limited extent in the three Presidency towns. In 1856, acts were passed for the improvement of the conservancy of the Presidency towns which concentrated all municipal functions in a body corporate consisting of three nominated and salaried members. These Acts did not give any power to raise funds and in them the cooperation of the local residents was not sought. Thus the power was concentrated in a few hands. The operation of these acts, therefore, created a lot of difficulties and the provinces sought their own remedies. Several changes were introduced by them which gradually changed the character of these municipalities. But at the time of the assumption of viceroyalty by Ripon they were still far away from the system of local self-government as was known in England or in Europe at that time. They had still a limited electorate. They were controlled by the government through a strong executive centred in a government official. Although the local bodies had been given full control over their finances their main function was to supervise the water supply, drainage and conservancy.

No attempt was made before 1842 to introduce any legislation for creating municipalities in other towns. In this year an act was passed in Bengal enabling the inhabitants of any place of public resort or residence to make better provisions for purposes connected with public health and convenience. It did not operate in that province except at one place. Firstly, because it could take effect only when two-thirds of householders voluntarily applied for it and secondly because the taxation enforced under it was of a direct character.  

The next attempt at Municipal legislation was the passing

of an act in 1850 for the whole of India. This act was also permissive in nature but it was more workable and unlike the Act of 1842 of Bengal it made provision for taxation by indirect methods. A number of municipalities were now formed in the towns of several British provinces. However, certain drawbacks still obstructed the smooth working of the municipalities in these towns. In 1860 Charles Wood, the Secretary of State, enquired about the working of these institutions. The Government of India, in its turn, enquired from the provinces. The reports of the governors highlighted the difficulties experienced in persuading the Indians to submit voluntarily to taxation for purposes of municipal administration but it was hoped that if the measure once established would be successful, specially in large towns. In September, 1864, John Lawrence expressed a different opinion about the participation of Indians in municipal administration. According to him the Indians were perfectly capable of administering their local affairs and he wanted the government to leave as much as possible of the business to be done by the people by means of funds raised by themselves and that their work should not be hampered by official interference. Later on, he agreed that people were really indifferent to local improvement and initiative should be taken by the local officer by consulting influential citizens and improvements should be carried out by degrees.

The Report of Royal Army Sanitary Commission of 1863 stressed the need for more extensive reforms. In pursuance of their suggestions acts were passed in Bengal in 1864 and 1868, in Madras in 1865, in Punjab in 1867, in N.W.P. and Oudh in 1868 and the Act of 1850 was amended in Bombay. In pursuance of these Acts a large number of municipalities were established in the provinces during this period. These bodies proved to be more useful in improving the sanitary conditions of the town.

It was only in 1870 that the government undertook a concrete step in the direction of self-government. In a resolution of 1870 Lord Mayo emphasised the need of local interest, supervision and care for achieving success in the management of funds devoted to education, sanitation, medical, charity and local public works. He also directed each province to bear a part of the expenditure of the local bodies. In his opinion, "The operation of the Resolution in its full meaning and integrity will afford opportunities for the development of self-government, for strengthening municipal institutions and for the associations of natives and Europeans to a greater extent than hitherto fore in the administration of affairs."

Acts were passed in Madras in 1871, in Burma in 1874, in Bombay, Bengal, N.W.P. and C.P. in 1873 widening the sphere of utility of the local bodies and extended the elective principle in few cases. It may be observed that the motive behind Lord Mayo's Resolution was primarily to increase administrative efficiency rather than giving concessions of self-government for its own sake. 8

Northbrook did not favour the extension of self-government in rural areas. He decided to stop the increase of local taxation for two reasons, firstly the people were not yet fit for a compulsory rate and secondly, it might provoke discontent among them.

Immediately after his arrival in India Ripon developed genuine interest in developing the local self-government in the country. During his tour of Punjab and Sindh in 1880, the problem was brought to his notice 9 by the people. There was a great deal of agitation in the Indian press in the later seventies for the extension of self-government in India. 10 In its report the Famine Commission also emphasised the need of extension of local self-government as a measure for providing further relief to local

10. Local Self Government in Punjab—Monograph No. 8, Punjab Govt.
sufferings. After studying the problem Ripon found that elective principle was not introduced in the country as it was believed that the people of the country were either not fit or not interested in the management of the local bodies. Hence the official element perdominated the municipalities of India. According to Ripon one of the major faults of the bureaucracy in India was the jealousy of the officials towards the non-officials and their habits of not allowing them "to interfere in any way whatever, with any portion however restricted, of the administration of this country." He was, therefore, convinced that the experiment of local self-government was languishing in default of active sympathy from above. In his opinion the measures of local self-government were not given a fair trial and hence these measures had failed. It was, therefore, not unnatural for a man who even contemplated the introduction of an independent Indian element into the Imperial Council to think of introducing the same into the local bodies to a larger extent. He did not share the views of a large majority of the English officials in India regarding the incapability of Indians in taking share in the administration of their country. In his opinion to deny that there has been an onward march of thought and aspiration in India was to behave like the fabled ostrich. According to him instead of repression the guiding and controlling of the stream of progress was the greatest task before the Indian Government. He was thinking silently as to how he should take steps to implement his ideas. The quinquennial revision of the provincial contracts gave Ripon the opportunity of putting forward his policy of extending the principle of local self-government.

It was a pleasant surprise for Ripon to know that Baring also realised the need for increasing the association of Indians with the administration of their country. At that time Baring was considering the question of renewal of contracts of the financial arrangements made by Mayo. He decided to extend the policy of financial decentralisation so as to suitably transfer seve-

ral items of receipt and expenditure to local bodies. Thus the exigencies of administration also necessitated the implementation of the plans of Ripon on a wider scale.

Ripon had no desire to introduce in India any cut and dried system framed upon an English model or based upon English political theories. Before deciding a course of action he and Baring wanted to ascertain the actual position of the local bodies and acquaint themselves with the connected problems and their possible solutions. Ripon had no objection in postponing the reforms for a year or two in order to evolve a form which was most acceptable to the local bodies and done with their consent.

The Resolution of 30th September, 1881, while referring to the Resolution of Mayo, which stated that apart from administrative convenience the scheme of financial decentralization had a wider object of associating the people in the administration of few important local functions, clearly observed that just as the Government of India was delegating responsibility and powers to the local governments, so the latter in its turn was expected to hand over to the local bodies those functions which admitted of management of finances by them and also of providing these bodies with sufficient financial resources. In the Resolution the Central Government requested the local governments to scrutinize provincial, local and municipal accounts with a view to ascertain the possibility of transferring certain items of administration to committees comprising of non-officials and wherever possible of elected members. The local governments were also asked to suggest measures which might be necessary to ensure the extension and success of local self-government in India. It was emphasised in the Resolution that the desire of the government was to secure the local bodies from hasty or needless interference of officials but it would not permit these bodies to obstruct the good of their fellow citizens in cases where they showed themselves permanently unwilling to discharge the duties entrusted to them.

On October 10, 1881 another communication was despatch-

18. S. Gopal, Viceroyalty of Lord Ripon, p. 91.
ed to the local governments which proposed the establishment of a committee in each district in which all functions of local administration other than embraced by the municipalities were to be concentrated. Sub-committees for sub-divisions could be formed in subordination to these district committees. The District Magistrate was to be the ex-officio chairman of the committee while his deputy was to be the head of the sub-divisional body. Two-thirds of the members were to be non-officials elected or nominated as might seem suitable. So far as the framework of the district bodies were concerned these proposals were not different from the previous one but in respect of power some improvements were fore-shadowed. In addition to the building of roads and drainage the committees were to be given other local functions.

The spirit underlying these proposals were not properly understood and appreciated by several local governments and their officials. The Bengal Government wrote to the Government of India, "if the policy was really to succeed, it must be introduced with utmost caution and that any attempt to force suddenly upon the country at large an elaborate system of administration based upon the practice of Western nations and foreign to all traditions and ideas of the people must necessarily result in failure." Sir Ashley Eden, the Governor of Bengal, also observed, "If the measure was uniform it would fail by being either too elaborate for the backward districts or too simple for the most advanced." He was of the opinion that to extend the system of election indiscriminately was to court failure, and desired to have the Magistrate of the District as Chairman of the Board. The Chief Commissioner of Central Province remarked, "In times no doubt more interest will be taken in election specially as Municipal institutions seem to him to be taking firm root in all towns." The Madras Government considered the elective system as a failure on account

15. Ibid.
Development of Local Self-Government

of the unfamiliarity of the people with the system and also of the disinclination of respectable classes to offer themselves as a candidate on account of the risk of being defeated in the election. The Governor of Punjab expressed regrets about the unwillingness of the Europeans to come forward in the elective system though it worked well in his province. The opinion of the Governor of North West Province and Oudh was, "It would, however, be premature as yet to expect different results." But he hoped that in course of time people would take more interest in the affairs of the local bodies. The Government of Bombay was happy to report that, "The harmony and cordial cooperation long existing between Native and European elements of the population of Bombay are nowhere seen than in the Municipal Government." But in view of the tendency of exhibiting a certain amount of jealousy, an impatience of control, and an inclination to claim as a right such concessions over which the government had retained discretionary powers the Governor stressed the necessity of imposing limitations on elective principle by nomination of certain members and of retaining the special powers of the government officer. He favoured granting of more powers of self-government to larger towns of the Presidency but desired that it should be gradual.

The local governments also made detailed suggestions about the actual working of the local bodies. Besides expressing fears about the possibility of an ultimate failure of the measure, the local governments were also worried about the deterioration in efficiency of administration as a result of the introduction of elective element in the local bodies.

The objections of the local governments impressed upon Ripon the need of explaining the actual spirit underlying his proposals. In view of the encouraging response of the public in this matter he decided to make a cautious as well as a real and

17. Ibid., 203, May, 1882.
19. Ibid., No. 213, May 1882.
20. Ibid., No. 218, May, 1882.
21. Ibid.
substantial advancement in the direction of local self-government. He was convinced that, "the cause of comparative failure which had hitherto attended our efforts are to be found in the character of these efforts rather than in object itself to which they have been directed." He was also aware of the opposition of many high officials, like Sir Ashley Eden, to the proposal of making a citizen as chairman of the local board but he was strongly of the opinion that as long as the chief executive officer was the chairman as a matter of course there were little chances of the non-official members taking any real interest in the local business.

The Resolution of 18th May, 1882 explaining in detail the principles of his policy was framed on the suggestions of Ripon. He, however, did not claim any novelty for them. According to him many of these directions were already embodied in the provisions of the existing laws and he had set them in order to show clearly his own views about the principles on which he wanted the government to act. Though he was to some extent an idealist he took care to seek practical remedies for the extension of the local self-government for making a success. The main aim of the government was clearly explained in the Resolution of 18th May, 1882. According to the Resolution, "it is not primarily with a view to improve the administration but as an instrument to promote political and popular education, that measure is being brought forward." The Government of India admitted that in the beginning there would be a few cases of failure but if the officials co-operated in the successful implementation of the policy and induced the people to undertake the management of their affairs, the measure would ultimately prove a success. The Government of India believed that the people were not indifferent to self-government and it would be a wise policy to utilize the services of intelligent public spirited Indians and to create in them a capacity for self-help which

22. Govt. of India, Department of Finance and Commerce, Proceeding No. 616, Minute by Lord Ripon.
23. Ibid.
24. Ibid.
25. Ibid.
in the long run may prove useful to the government in lessening its ever increasing burden of work.

The operative part of the Resolution was divided into two parts. The first part related to the mode in which local boards, whether municipal or district, were generally to be constituted. For this purpose no hard and fast rule was laid down on account of variation in local circumstances. Although Ripon personally liked the extension of elective system to a considerable extent he left widest choice to the local governments as to the mode of election to be adopted. In a letter to Tom Hughes he had discussed the various methods of election which were in vogue in India or could be introduced but he neither wanted to force his liberal ideas on this country's soil in this matter nor he advocated the representation of the people on the type of democracy prevalent in Europe. His only desire was that as a rule there should be a large preponderance of non-officials in the government and the number of nominated members should never exceed one-third of the strength of the boards. After giving the local governments largest possible freedom to try different schemes in different places in view of the varied circumstances of different areas the Resolution laid down certain principles. Municipalities and local boards were to be established wherever possible. The area of jurisdiction was to be small so as to enable the members to have local knowledge and interest. The smallest administrative unit should ordinarily form the maximum area to be entrusted to a local government. It was left to the local governments to decide whether these boards should be independent or controlled by district committees.

The second part of the resolution defined the degree of control which the government was to retain over the local bodies and the manner in which the control was to be exercised. The control was to be exercised from without rather than from within. The government was to revise and check the acts of the local bodies but not dictate them. The government was to retain the rights to suspend the board temporarily or to interfere or to set


27. *Ibid,*
aside its proceedings. The power of absolute suppression required the sanction of the Government of India.

As regards the position of the Executive Officer of the District in the local bodies under his jurisdiction the Resolution did not lay any hard and fast rule but a hope was expressed that he would not be the chairman. While Ripon was aware of the need of placing the local boards under the direct guidance of the District Officer in some districts, he was also convinced, "that this arrangement, though it may be necessary in some cases, is not in itself desirable, either as regards Boards or as regards the Executive Officer." He further added, "If the Boards are to be of any use for the purposes of training the natives to manage their own affairs, they must not be overshadowed by the constant presence of the Burra Sahib..." Hence while giving the local governments full powers of supervision and control in order to prevent the local bodies from doing mischief, Ripon’s intention was “to keep the chief executive officers as much as possible off the local Boards.”

The type of control he wanted was similar to that which the English Parliament had given to the English Government over English municipal bodies. In other words it should be an amount of control which no body could reasonably complain.

The local bodies were to be given control of all local rates and cesses within their jurisdiction and if provincial charges were to be transferred the management of equivalent revenues was to be made over to them. The Boards were to have the freedom to initiate and direct the construction of local works.

Ripon was anxious to ensure the success of the measures advocated by him. He, therefore, wished that the principles were to be applied gradually. In an address to Delhi Municipality on November 5, 1881, he observed, the impatience of those men who are zealous for improvements which are calculated to

28. Ibid.
29. Ibid.
30. Ibid.
31. Ibid.
confer benefits on a large community should not allow to ob-
struct or abandon the principle of self-government.

He also took great care to explain that the new arrangements
should be consistent with the habits and customs of the people
diff erent parts and drawn up with consultations with repre-
sentatives of different classes and districts. According to him,
"They should be based as far as possible upon the indigenous
native institutions which still exist and that we should avail
ourselves to the utmost of those organic groups...which are
still found among us."

The Resolution of May 18, 1882 was the most liberal and
the best possible enunciation of the policy of local self-govern-
ment in India. After seriously considering all the connected
problems in the existing set-up it gave specific guide-lines for
the successful implementation of the suggested measures. Thus the
Resolution was a step in right direction with many advantages
and no drawbacks.

The Resolution evoked different kinds of reactions from
different quarters. The public welcomed the measures and con-
sidered Ripon as the true champion of English liberalism.
Ripon had definitely earned their goodwill by this act. His
appeal to the people for cooperation to make the implementation
of the measures a success further endeared him to them. Ripon
was greatly surprised at the attachment shown by the Indians
and the vast amount of confidence placed in him by them.
Ripon was right in thinking that steps should be taken to ful-
fill the modest aspirations of the people. In the Council Baring
and Hope were his ardent supporters. Others were uninterest-
ed but not in any way hostile to these measures. But the Gov-
ernors and senior officers of the local governments were alarm-
ed to a great extent by the suggestion of having a non-official

34. S. Gopal, Viceroyalty of Lord-Ripon, p. 96.
36. Ripon to Secretary of State, May 22, 1883.
chairman. They were profoundly shocked and did not relish the sacrifice of efficiency in administration and economy in expenses at the altar of popular education. Hence a substantial majority of them objected to the proposal of Ripon which envisaged the control of local bodies from without. The Anglo-Indian sentiment was at large apathetic or contemptuous towards the reforms but it had no idea to resist it.\(^{38}\)

The Secretary of State was inclined to favour the view of Ashley Eden that the "Magistrate should lead and not drive." He was supported by a few members of his Council.\(^{39}\) His Council was also not happy with Ripon on this issue as he had not consulted them before issuing such an important and significant Resolution. The opposition in the British Parliament was also alarmed at the doctrinaire assumptions which motivated Ripon's in India.\(^{40}\) In reply to such objections of the British officials of India, the members of the Council of the Secretary of State and the Conservative opponents in England Ripon maintained that he had not framed any new policy in this respect but had only followed Mayo's policy.

In such circumstances it must have dawned on Ripon that it would not be an easy task for him and his successors to implement the measure in its true spirit. This sort of feeling did not damp the spirit of Ripon who considered the extension of local self-government as not only expedient as a measure of instructing Indians in public administration and political responsibility but also in the highest traditions of imperial trusteeship.\(^{41}\) He, therefore, tried in the best possible manner to persuade the local governments in British India to pass legislations as early as possible on the lines suggested by him. He, however, did not chalk out a definite programme for passing of the acts in the provinces. Complete freedom was given to the local governments for formulating its opinions and plans according to the circumstances existing in their areas.

\(^{38}\) *Fortnightly Review*, 1883.


\(^{40}\) S. Gopal, *Viceroyalty of Lord Ripon*, p. 96.

\(^{41}\) S. Gopal, *British Policy in India*, 1858-1905, p. 147.
Sir John Morris, the Chief Commissioner of the Central Province, was the first to pass a fresh legislation on the subject. He had expressed optimism about the possibility of the greater interest being taken by the people in the affairs of the municipality even before the issue of the Resolution of May 1882. He, therefore, took immediate action to introduce a bill in the Legislative Council of the province. The Central Province Local Self-Government Act (Act I of 1883) formed villages into circles and circles into groups. For each group a local board was established and for each district a District Council was formed. These District Councils were empowered to exercise control over the local Boards unless the Chief Commissioner declared any of the Board to be independent of it. The village headmen, representative of trades and professions who could be either nominated or elected and persons nominated by the government were to become the members of the local boards. Representatives of various groups, of trades and professions and nominated persons formed the District Council. In both the local boards and the District Council the nominated element could be only a third of the total strength. Both the institutions were allowed to elect their Chairman. The Deputy Commissioner was given powers to prohibit any action or suspend its performance or order the execution of any act only in an emergency. In case of persistent negligence or incompetence the Chief Commissioner was empowered to supersede a Board temporarily with the consent of the Governor-General in Council.

By sheer accident a backward province like the Central Province was the first to introduce an experiment of this advanced nature. At that time a bill for putting cesses on land for local purposes was under consideration of its Council and the Chief Commissioner, who was optimist about the success of Lord Ripon's Resolution, availed of the opportunity to modify the bill on the principles enunciated by the Viceroy. He, however, 

42. N.A.I., Home Department, Public Proceedings, May 1882, No. 202—Letter No. 2895-100, dated, 6 August, 1881, from the Chief Commissioner. C.P.
made it clear that it was drawn for the Central Province in accordance with the prevailing circumstances of that area. He admitted the retention of considerable official control but was hopeful about the gradual lessening of the same.

The Viceroy, who favoured the allowing of utmost possible discretion to the local governments, approved of the Bill although he observed that it placed more restrictions on the local institutions than what was envisaged by him. The Secretary of State in his dispatch of 18 April, 1883, criticised the Act as going too far. He was doubtful about the ultimate success of having an elected chairman and observed that the Deputy Commissioner as the President of the local body would probably be more effective and less irritating to the people. He was also not in favour of improving the system of election on unwilling and unsympathizing recipients. He desired its application in only a few selected localities. Lord Ripon was surprised to receive this dispatch which questioned the validity of the two main principles of extraneous control and elections on which he had based his whole scheme. It was clear to Ripon from the observations of the Secretary of State that his criticism was of general nature and not restricted to the Central Province. This implied that the Secretary of State had gone back on the assurances given by Gladstone and other Liberal leaders for giving whole-hearted support to the principles of the policy of Ripon though there might be differences in details.

Ripon was not prepared to accept this situation. In a letter to Kimberley, he expressed his willingness to resign. Besides the sacrifice of his principles it weakened his influence and authority over the local governments and the people at a time when he needed all the support he could secure.

45. Dispatch of the Secretary of State, Legislature No. 13, dated 19 April, 1883, op. cit. S. Gopal, Lord Ripon's Viceroyalty in India, p. 98.

46. Ibid., p. 98.

47. Ibid., p. 99.

48. Dispatch of Lord Ripon to Kimberley, 21 May 1883, op. cit. S. Gopal, Viceroyalty of Lord Ripon, p. 100.
Kimberley in his reply explained that his dispatch was not intended to criticise the general principles of the policy of Ripon. He had only doubted whether the people of the Central Province were as widely prepared for and desirous of elective bodies as Ripon seemed to think. As for the exercising of government control he had merely emphasized the importance of admitting the Indians to a larger share in the management of their local affairs without weakening the authority and influence of the district officers. In the end the Secretary of State assured Ripon of his support. Ripon accepted these explanations and there was no further talk of resigning.

The next local government which moved a bill in its council was North West Province and Oudh. After the receipt of the Government of India's Resolution of 30th September, 1881, the local government had issued seven resolutions in March and April, 1882 embodying the existing system of local administration by committees in the towns and districts of the province. On receipt of the Resolution of May 1882 from the Government of India, Sir Alfred Lyall, the Governor, appointed a committee of sixteen members including four nominated non-official members to discuss and advise on the points referred to in the above Resolution. The report of the Committee was submitted on 30 September, 1882, and was accepted by a Resolution on 5 December, 1882.

Elective system was introduced in all the municipalities except such townships as Nainital and Fatehpur Sikri. In addition to these elected members all Honorary Magistrates exercising powers within the area of a municipality were authorised to become ex-officio members. Voting was to be held by wards and


50. Ibid.


52. N.A.I., Home Department Proceedings, No. 151-54, April 1883, Minute by Sir Alfred Lyal, dated 22nd April 1882.

53. Ibid.

54. Ibid.
not by castes, creeds or guilds. The municipal boards were allowed to choose their own chairmen—official or non-official—except in a few towns to be specified by the Government where the presidency of the Chief District Officer was necessary for the time being. Except in Kumaon and Tarai areas an area of a Tehsil was to form the jurisdiction of a local board. A central board in each district was to maintain favourable mutual relations between various subordinate boards. In the beginning a system of careful and consultative nomination of the elected body was preferred to election by unfamiliar methods but in districts where a sufficiently large electoral body could be constituted, a list of persons was to be prepared by the district officers for giving them the right of election. The number of these persons was to vary according to the circumstances of each division but the same was not ordinarily to be more than 100 or less than 25. Such lists were to be periodically revised. These electors were authorized to appoint a certain number of their own men either by election or by nomination to serve on the sub-divisional board for a period of 3 years. The Tehsildar was also to become a member of the board of his area. Ordinarily he was not to attend the meetings. The nomination of a non-official chairman by the District Board was to be approved by the local government. The sub-divisional boards were authorised to appoint their own chairman. The district officials were given powers to go through the proceedings of the local bodies and make suggestions. A district officer was empowered to order the provisional suspension of the bodies. His decision was to be submitted for orders to the local government who had full powers to suspend it finally.

Sir Alfred Lyall seems to have accepted the principles outlined by Ripon in his Resolution of May 1882 but he had been somewhat towards the cautious side. The Government of India, while giving approval to these proposals, pointed out that the arrangement of Central District Board may work well in small districts where attendance could be secured but in larger districts and where communications were difficult it was desirable to constitute more than one central board or to provide for elec-
tion of a limited number of delegates from each board.\textsuperscript{55} In their opinion greater powers of nomination and control could have been retained by the local government in the case of municipalities. Further the plan of nominated electorates in the sub-divisional boards was rather narrow. In view of the assertion of Lyall that independence would be given to these members and the fact that he was in general agreement with Ripon’s policy the Viceroy did not insist on Lyall’s abandoning the caution which may have been justified in certain parts of India.\textsuperscript{54} The bill framed on these lines was passed on 14th September, 1882.

The local government of Punjab was more or less in full agreement with the proposals of Ripon. A resolution was issued by Sir Charles Aitcheson, the Governor of Punjab, stressing the importance of the education of people to manage their own affairs. His intention was to give them real power.\textsuperscript{57} In a bill proposed for forming district and local boards the decision of location and size of the local boards was left to the local government. The membership of a board was not to be less than six. Such sub-divisional boards were to be established throughout the provinces except where political circumstances rendered it risky or at a place where there was a shortage of funds or competent personnel. In such localities, panchayats were to be created. The District Committees, composed largely of delegates from these sub-divisional boards, were to be empowered to deal with matters of common interest. In the District Committees and sub-divisional boards at least two-thirds of the members were to be non-officials of whom as many as possible were to be elected. The control of the local officials was gradually to be dispensed with and if the district officers thought otherwise the burden of proof lay on them. The local government was given power of supervision over these district boards. The Bill made no mention of non-official chairman. It was left to be decided on its merit in each case. In case an elective system was introduced

\textsuperscript{55} N.A.I., Home Department, Public Proceedings, April, 1883, No. 151-54.
\textsuperscript{56} S. Gopal, \textit{Viceroyalty of Lord Ripon}, pp. 102-3.
\textsuperscript{57} Cross, \textit{The Development of Self-Government in India} (1858-1914).
anywhere it could not be abolished unless proposed by a majority of electors or sanctioned by the Governor-General in Council for reasons affecting public interest.

The above bill for the constitution and working of the district and local boards was approved by the Government of India. Ripon liked the bill very much and called it 'my model bill'. It was passed in the Imperial Legislative Council in 1883. An Act on these lines was passed for the municipalities of Punjab in 1884.

Ferguson, the Governor of Bombay, was not in agreement with Ripon's policy. He had already expressed his fears regarding the elective system and considered it premature to introduce the same in towns particularly in small ones. Soon after the issue of the Resolution of May, 1882 the Bombay Government invited the opinions of the Commissioners and senior officers of the province. In its Resolution of 19 September, 1882 the Government of Bombay traced the progress made by the municipalities and other local bodies in the province. According to this Resolution the people of urban and rural areas in Bombay were enjoying a large share of local self-government under the existing Acts. In the local bodies the non-official element predominated and there was allround progress under the guidance of the Collector. Although the District Municipal Act of Bombay contained provisions authorising the government to grant elective franchise to city municipalities the Governor regarded with uncertainty and anxiety the bestowal of unlimited powers on communities so new to their exercise by one step. In his opinion it was essential for the safe working of the scheme to continue the existing practice of Collector acting as president of Municipalities and District Boards but his interference could be minimised as far as possible. He was to use his powers very sparingly. He was not to vote under ordinary circumstances and would not be

58. N.A.I., Home Department, Public Progs., May 1882, No. 218.
60. Ibid.
61. Ibid.
empowered to suspend the operation of a resolution passed by a majority of the members. A resolution which he dissented was to be referred to the Government. One half of the members were to be elected and the remaining were to be either ex-officio members or nominated by the government. The number of such ex-officio members was to be restricted to three only. The Governor of Bombay rejected the claim put forward by the members of the Poona Sarvajanik Sabha that the educated and professional classes should be allowed direct and separate representation on various boards. The President of the bodies was to be appointed by the Government. He was to be allowed to give his casting vote which would always give the official and nominated members a majority. The Collector was to be authorised to set aside an election without assigning any reason and his dismissal was final. The voting right was not to be extended to all adults of 21 years of age or more but to certain category of educated persons, government servants and pensioners, and those who paid certain taxes. Provision was also made for permitting various castes to elect their own representatives as and when necessary. In talukas the qualification for membership was limited to property holders. The Bombay Governor requested the Government of India to reconsider its decision about the referring of cases of absolute suspension of any Board to the Supreme Government for final decision and desired that the power should vest in the local government. It also desired to maintain control over the exercise of several types of local funds.

The above Resolution of the Bombay Government dated 19 September, 1882 was published in the newspapers before it was forwarded to the Government of India. Thus Fergusson publicly accused the Government of India of subverting a system which was functioning successfully in his province.

Lord Ripon in his letter dated 4 October, 1882 to the Governor of Bombay refuted the allegation of having any intention of subverting the existing system in Bombay or of conferring un-

62. Ibid.
64. Ibid.
limited powers upon Municipalities and local boards. He accused the local government of not making an effort to know the desires of the Central Government before issuing the Resolution. Fergusson said Ripon's telegram of 23rd September seeking prior information reached him too late but this cannot be regarded as an excuse of such an obvious departure from the requirements of personal and official courtesy. Ripon expressed his inability to accept the claims of the Bombay Government about the perfection of the existing system in their province. He pointed out that the elective franchise had only been granted in only one city out of ten municipalities in Bombay province. He also did not favour the idea of allowing the Collector to remain as Chairman for some time but in view of the declaration that in some advanced towns non-official Chairman would shortly be appointed and that the Collector will have no powers of suspending a resolution passed by majority he was prepared to allow a fair trial of the experiment. In spite of the assurance given by Fergusson to try the experiment in the ungrudging spirit he still maintained that the measures suggested by the Government of India were somewhat sweeping. He quoted the opinion of Lee Warner that, "If the sheep of India are to be turned adrift in the fields of experimental administration without their official shepherds I believe the work of the last twenty years would be undone." In their reply the Government of India preferred to remain silent and did not add anything to the views expressed in their previous letter. On 27 November, 1882 the Bombay Government forwarded to the Government of India two bills for approval. These two bills did not satisfy the Government of India who pointed out the following defects in these bills.

65. N.A.I., Home Department Public Progs., No. 149, October 1882.
67. N.A.I., Home Department Public Progs., No. 149, October 1882.
68. N.A.I., Home Department Public Progs., No. 18-21, January, 1883.
69. Ibid.
70. Ibid.
Development of Local Self-Government

Firstly, the Collector was made a member in every case,

Secondly, the Bill made the appointment of President by Government compulsory,

Thirdly, half of the total members were to be nominated or were to be ex-officio.

The Government of India pointed out that the powers of supervision by the officers had been made more stringent than what was the position at that time in Bombay, e.g., in city municipalities it was proposed that the President should have the power to refer to the Government for orders any resolution of the Commissioners from which he dissented while at that time he could only suspend the operation of the decision and refer to the government any resolution carried against a minority of Commissioners.\textsuperscript{71}

As regards the contention of the Bombay Government to retain the powers of suspension with them the Government of India was of the opinion that the grounds upon which suspension was ordered may be intimated to the Supreme Government and that such suspensions should be temporary and for a specified period. The Government of India did not favour the proposal of the Bombay Government to have powers to modify or alter at any time the qualification of voters or those who wanted to stand for elections. But it permitted the Government of Bombay to have this power with the provision that any such alteration made after the system had been once introduced should take effect only after six months.\textsuperscript{72} The Government of India also advised that the power of preparing budgets and accounts which was proposed to be vested in the President should be laid on Commissioners collectively. In the end Ripon wrote, "His Excellency in Council cannot but regard them as drawn in an unnecessary restrictive style and likely, therefore, to defeat the objects of both the Government of India and of the local government itself."\textsuperscript{73} The Secretary of State was apprised of the situa-

\textsuperscript{71} Ibid.
\textsuperscript{72} Ibid.
\textsuperscript{73} Ibid.
tion by the Viceroy who forwarded the copies of letters exchanged with the Bombay Government. Ripon made it clear that the controversy which arose out of the publication of the Resolution of Bombay Government was not of his seeking and he had no desire to prolong it. He had, therefore, abstained from replying to the arguments of the Bombay Government about the interpretations of the May Resolution of the Government of India. He reaffirmed his stand about the applying of the above resolution in its full meaning and integrity to those parts of the country only where it might in the opinion of the local government be practicable to adopt it. Fergusson agreed to modify the bills on the lines suggested by the Government of India. But he took sufficiently long time to pass the bills. The District Board Bill received the assent of the Government of India in March, 1884 and the Municipal Amendment Bill on 12 April, 1884. These Acts removed the distinction between the city and town municipalities. In all municipalities except a few specified ones at least half the members were to be elected. The rules of franchise and qualifications of the voters in Municipalities and Local Boards were more or less the same as were incorporated in the bills of 19 September, 1882. The President was ordinarily to be nominated unless the Government allowed election. Although Ripon was not fully satisfied with the new bills he accepted them as further progress was not prohibited in these bills.

In his letter dated 8 April 1882 Sir Ashley Eden, the Governor of Bengal, had made elaborate proposals about the extension of local self-government in the province. His only desires were: firstly, uniform measures should not be applied to all the provinces and districts, secondly, the measures should be introduced with utmost caution and lastly the measures should suit local conditions. In the opinion of the Government of India as embodied in their reply dated 31 May, 1882 it did not seem a matter of insuperable difficulty to frame an act which may provide the outline of a working system which suited generally to

74. Ibid.
75. S. Gopal, Viceroyalty of Lord Ripon, p. 108.
76. N.A.I., Home Department Public Progs., No. 272-73, May, 1882.
all districts which were developed. The Government of India, however, had no objection to the changes within reasonable limits regarding the constitution of the local committees and in the extent of their functions and powers.77 Ripon also asked the Bengal Government to reconsider their views about the retention of officials as Chairman in the light of the Government of India's Resolution of May, 1882 and advised them to give them the elective principle a free scope of trial.

On 19th July, 1882, Rivers Thompson, who had since replaced Ashley Eden as Governor of Bengal, forwarded to the Government of India a circular addressed by him to the District Commissioners of Bengal. He agreed with the opinion of the Government of India about giving freedom of action, as far as possible, to the local boards but according to him when a Board neglected its duty in spite of official remonstrances the only remedy was the absolute suppression of the Board after reference to the Supreme Government. He also did not like to entrust this power to the District Officers and proposed the creation of a Central Board, similar to that of England, appointed but not controlled except in matters of general policy, by the Government.78 This proposed central or local government Board was to consist of three persons including a chairman of the standing of a Commissioner with experience and two nominated Indians. Rivers Thompson agreed to in other respects with the Government of India. He was willing to grant municipalities the right to elect members and a chairman if desired by a third of the ratepayers. In rural areas where election was unknown he wished to introduce them gradually over a period of ten to twelve years.

The Government of India in their letter dated 22 August, 1882 clarified their intention about the supervision and control of District Officer over the local boards. The District Officer was intended to occupy a dignified and influential position of supervision and control acting as arbiter between all parties in his local committees while not involving himself directly in debates

77. Ibid.
78. N.A.I., Home Department Public Progs., No. 135-137, Aug., 1882.
or disputes that are incidental to the working of committees. The Government of India now made it quite clear that in any law for giving effect to their policy distinct provisions should be made for the supervision by the District Officer of the proceedings of every local board within his jurisdiction. He might be given powers of removing shortcomings in the local administration or directing the local bodies in ordinary matters without its being necessary to refer it to the local government or to the Central authority. He might also be empowered to suspend the execution of work under special circumstances for the time being. But it would only be in cases of gross and persistent default that the power of suspending the Board was to be exercised by the local government. In the opinion of the Governor-General in Council, "lest the transfer of these duties to an independent Central Bureau might militate against the success of this experiment by lessening the sense of responsibility in respect of it and by which the local government ought itself to be especially activated." To the Government of India it appeared doubtful whether a Board constituted for this purpose would look as really representative. It would be an official body or at any rate would be looked upon as such. It would have no special local knowledge of a kind or superior to that possessed by the local government and it would not command the same amount of support from local authorities that the government is always able to secure. As regards the proposal to allow the election of a chairman on request from one-third ratepayers and introducing elections in villages gradually it was suggested that efforts to establish rural boards on the basis of panchayats may be made in selected districts and instead of waiting for a petition the government should reserve full rights in matter of establishing local boards. Ripon writing to Rivers Thompson as a friend urged him to work 'without haste and without rest' and politely asked him to reconsider his suggestions.
The Lieutenant Governor of Bengal was not convinced with the arguments given by the Government of India regarding the creation of a Central Board. In his opinion the measure would fail as an instrument of political education in case the local executive officers were vested with more powers than was really necessary. He argued that in the beginning there will be many cases of interference and few enthusiastic people would certainly resent it without realizing the consequences and thus the interference by the District Officer would defeat the purpose. But in case the local boards are left to work for themselves under the control of a Central Board they would learn to perform the task efficiently. He, however, agreed to empower the District Officer to have a day-to-day supervision of the work of the municipalities and provisionally prohibiting any action or execution of any work in the interests of public interest. The Government of India was satisfied with the above explanation and agreed to the creation of a Central Board for the province subject to the approval of the Secretary of State.

In 1883 the Government of Bengal proposed two bills—one for municipalities and another for rural boards. The Bengal Municipal Act received the assent of the Governor-General in Council in March, 1884. According to it all municipalities except those excluded by the government were to be granted elective system. The maximum number of the members of a board was fixed as 39 out of which two-thirds were to be elected, in case election was permitted, by male residents of the age of 21 or above provided that they had paid three rupees tax per annum or possessed a university or medical degree. A few municipalities were authorised to elect the Chairman. The names of the municipalities where elective system and election of a Chairman was not allowed were specified in the Act. The government was not empowered to extend these rights to other municipalities of the province. The Commissioner was empowered to suspend the municipalities for a specified short period

85. Ibid.
86. Ibid.
with instructions to report the matter to local government for further action.87

The creation of a Central Board in the Local Board bill required the sanction of the Secretary of State for India as it involved an increase in provincial expenditure.88 The Secretary of State did not agree with the suggestions of Rivers Thompson and consequently the passing of the Bill was considerably delayed. The Bill was passed in Dufferin’s period on July 12, 1885 and was last of the Ripon’s group of local self-government measures. The Act, as finally passed, created District Boards but left the establishment of local Boards dependent on the judgment of the Lieutenant Governor. The Chairman of the District Board was to be elected. Electorate of local boards was to consist of members of union committees, adult men who paid a one rupee road cess or of those who possessed an annual income of Rs. 240 or of those who possessed a university degree or was a pleader. Qualification required for members was payment of Rupees two as tax or a taxed income of Rupees one thousand. The local boards were entrusted with such functions as the local government considered fit. The functions of these boards were more or less similar to those of local boards in other provinces.

Grant Duff, the Governor of Madras, was satisfied with the working of the municipalities and local bodies in his province. While offering remarks on the Government of India’s Resolution of 1881 he observed in a letter dated 9th February, 1882 that these bodies were already exclusively employed in a large amount of local work and were in control of sufficient funds.89 In reply to the above letter Ripon drew the attention of the Government of Madras to the Resolution of May 1882. He observed, “as regards the transfer of provincial services to local funds, more has perhaps been done in Madras than in any other

parts of India but it by no means follows that real self-government has as yet received sufficient or adequate development.** In his opinion the preponderance of official element in the local boards and the inordinately large areas of the boards in Madras had limited the administrative powers of the Board and they had not been properly utilised as a means of training the people in the management of their own local affairs. On receiving this communication Grant Duff made proposals on the lines of the May Resolution of the Government of India but in April 1883 he was persuaded by his officials to pronounce himself in favour of non-official presidents in only three municipalities as an experimental measure and elections only in taluk committees, which were to be the primary rural agencies, and in municipalities with more than 25,000 inhabitants.* Ripon was not prepared to accept such suggestions which prohibited the election of non-official presidents and taluk committees. He induced Grant Duff to make it less rigid.

In its preamble the Madras Municipal Act of 1884 did not make any mention of self-government. It only said that it was expedient to make better provisions for District Municipalities for certain measures of public utility. The number of members in the municipalities was to range from 12 to 24 out of which the number of official members was not to exceed one-fourth of the total number. The non-official members were to be elected by males over 25 years of age who should not be criminals or contractors of municipalities. The Governor was authorised to modify the orders of the Board, dissolve or suspend it in cases of neglect or default. He was also empowered to remove the Chairman. Extensive powers of supervision were given to the Collectors of Districts.*

The Madras District Boards Act of 1884 provided a Board of not less than 24 members under the chairmanship of the Collector of the district. By special authorisation of the Governor in Council, the members could be permitted to elect a chair-

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92. Legislative Department Proceedings, July and August, 1884; Progs. No. 70-84.
man. Members were either to be elected or appointed as de-
cided by the Governor. Where authorised the elected members
were to make up three-fourths of the membership. The Taluk
Boards, Panchayats and tax-payers were authorised to vote. The
Taluk Boards were to be generally presided by the Revenue
Officer. Only in cases where it was specially permitted by the
Government a chairman was to be elected. Powers to intervene
and if necessary to supersede in cases of negligence, default and
illegality were reserved to the Government.93 Ripon gave assent
to these bills of Madras as he had done in Bombay because it
seemed to him that these bills did not prohibit further progress.
He, however, desired that the Madras Government may authorise
elections of Presidents wherever practicable and to exercise its
powers of supervision moderately.94

The Government of Burma decided in April 1882 to intro-
duce elective system in the Municipality of Rangoon and to ex-
tend the same to others in case the system proved successful
in that city.95 The Government of India in their letter dated
23rd June, 1882 referred to their Resolution of May 1882 and
advised the Government of Burma to introduce elective system
in other towns also and to lay down precisely the limits of con-
rol over the municipalities. As there were no rural boards in
Burma up to that time the creation of such boards was also
suggested.96 The Governor of Burma was not willing to establish
boards for rural tracts until the town boards working in 24 areas
functioned satisfactorily.97 Ripon left the final settlement of the
issue to the discretion of Burma Government’s but suggested the
enactment of a provision for the establishment of rural boards
in the proposed measures.98 Election of three-fourths of the
members was held in the municipalities of Rangoon, Moulmein,
Akyab, Bassein, Henza and Toungoo in 1882. In the twenty-

93. Ibid.
94. Ibid.
95. N.A.I., Home Department Public Progs. No. 206-208, June,
1882.
96. Ibid.
97. N.A.I., Home Department Public Progs. No. 103, Septem-
ber, 1882.
98. Ibid.
four town committees all members were nominated. The Governor and the District officers were given powers of control similar to those in other provinces.

In 1874 there were only two municipalities in Assam, one in Gauhati and other in Sylhet. During the next few years municipalities in five more towns and town unions in five areas were established. Charles Bernard, the Chief Commissioner of Assam, in his letter dated 2nd November, 1882, expressed his opinion against the formation of District Committees as means of communications in the province were undeveloped. He was in favour of having an official as Chairman. Elections were to be held if one-third of the rate-payers submitted a petition for it. The Chief Commissioner also desired that in the districts where tea-planters were in sufficient numbers half of the non-official members of the Board were to be from the tea-planters. The power of superseding the Board in case of neglect was to vest with the provincial government, who was to report the matter to the Supreme Government. As the Chief Commissioner had submitted his views in regard to the former Resolutions of the Government of India and not with reference to the May Resolution of 1882, he was asked to reconsider the matter in the light of above Resolution. In the Bills proposed by the local government of Burma elections were authorised in the main five cities of the province. Males paying municipal taxes to the extent of at least two rupees a year were qualified to vote. The municipalities were to elect their own chairman; if they elected an official as chairman, the vice-chairman was to be a non-official. In the district boards elections were to be allowed only in three districts. The farmers who paid revenue to the government were authorised to vote. In place of subordinate branch committees for sub-divisions independent local boards with official chairman were to be created. The remaining two districts were divided into circles where a panchayat or local council was to be set up for assessing house-holders and paying the watchmen. It was hoped that these local councils would develop in course of

99. N.A.I., Home Department Public Progs. No. 204-208, July 1883.
100. Ibid.
time as the constituents of a district board. The powers of control over the local institutions were in agreement with the suggestions of the Government of India.

Local self-government acts were passed in all provinces except Bengal before Ripon left India. Dufferin, who believed in the continuity of the administrative system, did not make any change in the policy of Ripon in this sphere and in 1885, the Act in Bengal was also passed. The gradual passing of the Bills reveals that no attempt was made for having a scheduled programme about the enactment of the Acts. The provinces were left free to formulate the details regarding the composition of their bodies, the extension of franchise and the system of control in accordance with the conditions existing in their areas. In spite of the fact that in these legislative measures the spirit of the Resolution of Ripon prevailed the enactments did not produce the desired results as the drafting was the work of senior officials, majority of whom were inclined to defeat Ripon’s policy in practice. Besides these senior officials in India, the members of the Council of the Secretary of State also suffered from the same malady. Kimberley, the Secretary of State for India, did not prove to be an ardent advocate of local self-government in India. The Viceroy could not get full support even from those senior officials who were considered to be liberal. Grant Duff, the Governor of Madras, who had been a Liberal member of Parliament, and to whom Ripon had requested to sound the liberal trumpet, did not have the courage to overrule the opinions of his officials. Another main cause of the limited success of the measures of the local self-government passed as a result of the Resolution was the centralization of executive power by the Collector. Although in the local self-government Acts which followed the Resolution of May 1882, it was provided that the Collector could only intervene in special circumstances, the District official devised several ways to maintain his effective con-

102. S. Gopal, British Policy in India, 1858-1905, p. 146.
103. Ibid., p. 146.
104. Report of Royal Commission on Decentralisation, 1909, p. 269, view of R.C. Dutt,
trol over the local boards. But the British officials in India held different view for its failure. They attributed it largely to the apathy of the public. It is true that to a large extent the history of the local self-government fully justified Kimberley’s prophecy, “that the chief danger lay in the apathy and not the activities of the people.” But it must not be forgotten that in the presence of official control exercised in an effective way the people were not expected to exhibit keen interest in the proceedings of the local bodies of their areas.

Ripon in one of his speeches had said, “In having planted this small tree of self-government, we are always pulling it up to look at its root in order to see how far they have got down in the ground, I venture to say that this experiment will be more successful than those which have preceded it.” His hopes were belied as the tree planted by him never took firm root in Indian soil during the coming years. In directing the new born spirit of progress in India into a right course through this measure he had not shut his eyes to the practical difficulties of a despotic government, but he certainly under-estimated the problem. He expected loyal support from the officials but he was not fully aware of the uneasiness of the British officials and non-officials in India which was increasing day by day as a result of his policies. It goes to the credit of Ripon that despite the massive official inertia he managed to attain so much in the sphere of local self-government.

Although Ripon did not succeed in his objective of popular education through measures of local self-government he endeared himself to the Indians by his efforts in this direction. His sincerity to work for the redemption of the pledge given by the Liberals made him immensely popular in Indian circles. The educated Indian never blamed him for the limited success achieved by him in his efforts of educating the Indians for taking part in the government of their country.

CHAPTER XVI

The Ilbert Bill Controversy

Lord Ripon’s reign witnessed a serious conflict between the races in India after the Mutiny of 1857 over the controversy of the Ilbert Bill. The organised resistance of the Anglo-Indians to the proposal of granting criminal jurisdiction to senior Indian members of the Covenanted Civil services over Europeans and British subjects and the outburst of popular indignation of the people of this country on this issue creating a wide gulf between the two made the Ilbert Bill one of the important landmarks of the modern Indian history. Nobody including Lord Ripon could foresee that this controversy was fraught with far reaching consequences and would inspire leaders of Indian national movement to organise the Indian National Congress. In fact, Lord Ripon attached more importance to the development of local self-government as a measure of popular and political education than to the Ilbert Bill. According to him, “The one (local self-government) is a policy looking onward to the future and intended to meet in time, the great difficulty of our rule here, the other in a single measure, sound in its purpose and inevitable sooner or later but which except as witnessing to a principle will have little practical effect.”

The problem of placing the British and European subjects under the jurisdiction of Indian officers in criminal matters was not new to the British administration in India. The Court of Directors, in one of their despatches of 1834, wrote to the Governor-General, “When the Act of 1833 clearly says with regard


206
to the British born subjects that you shall not pass laws making them capitally punishable otherwise than by King’s Court, it does by irresistible implication authorise you to subject them in all other criminal respects as in all civil respects whatever to the ordinary tribunals of the country.” It clearly implied that race distinctions would not be recognised in the administration of justice in the British territories of India. Accordingly a law was passed by Lord William Bentick which extended the civil jurisdiction over British born subjects to Indian Munsifs, Sadar Amins and Principal Sadar Amins. The law was denounced by the Europeans residing in India, but Macaulay, the Law Member, brushed aside their objections as he was of the opinion that the measure was inadequate and the government was also thinking of granting criminal jurisdiction to Indian officers over Europeans.

The next step was taken in 1849. Bethune, the Law member, proposed to make all persons residing in British territories in India amenable to the criminal jurisdiction of the Company’s Magistrates or courts outside the Presidency towns subject to the reservation that they shall have no powers to sentence a person to death. Lord Dalhousie opposed the measure. In his minute he stated, “that the time has come when the British subjects should now be brought within the jurisdiction of Criminal Courts in mofussils as they have long been under the Civil Courts but I am not prepared to place the British subject under the criminal law administered in these courts or to deprive him of his privilege of being judged by English law until we can place him under a criminal law equally good.” The European community which had settled in large numbers in Bengal, Bihar and Assam also opposed the Bill. Consequently the Bill was withdrawn. This was resented by the educated Indians who in a meeting held in April, 1857 in Calcutta strongly pleaded for the abolition of privileges of British born subjects.

2. Dispatch of the Court of Directors, Legislative Deptt., 10 Dec., 1848.
3. Minute of Lord Dalhousie—Legislative Council Progs., 19th April, 1850.
4. Vipin Vihari Majumdar, History of Political Thought from Rammohan Roy to Dayananda, Vol. I.
The Queen’s proclamation of 1858 reaffirmed the declarations of 1833 and clearly stated that distinctions of race, religion, caste, creed or colour would not be maintained. In 1861, the enactment of the Penal Code removed many disparities in the administration of criminal justice. Lord Dalhousie’s objection of applying the Indian law to European subjects was allayed with certain provisions in the Code. The High Courts which were established in the same year were made supreme over all courts of British India. But the situation did not improve materially as far as granting of criminal jurisdiction to Indian judges over European and British subjects was concerned. The Act of 1861 provided that only a Justice of Peace could exercise jurisdiction over such subjects. At that time no Indian officer or Judge was nominated as a Justice of Peace and hence there was no possibility of a trial of a European by an Indian judge. Soon after Indians were allowed to compete in the Civil Service, and the possibility of an Indian member being made a Justice of Peace began to perturb the British Officers and the European residents of India. The expansion of the English press in India, the increased facilities for communications, the congregation of Englishmen at hill-stations and the formation of exclusive clubs by them tended to render the Anglo-Indian outlook fairly uniform.

Hence the position was that on the one hand the Home Government was anxious to render British and European born subjects amenable to the jurisdiction of district courts; on the other hand the senior officials of the Government of India while supporting the measure wanted to avoid, as far as possible, the possibility of placing the Europeans and British-born subjects under the jurisdiction of Indian officers of the Covenanted Civil Service. In 1872, the Government conferred small powers on the local courts by allowing a magistrate, who could hitherto pass a sentence of two years’ imprisonment on an Indian, to inflict three months’ imprisonment on a European, and by permitting District Judges who could pass a sentence of death on an Indian to punish a European offender with only one year’s im-

5. Legislative Council Progs., 4 January, 1884, p. 175, Speech of Ilbert.
prisonment. The reactionary element which was predominant among the officials, however, soon seized an opportunity to get it undone. In the same year during the revision of Criminal Procedure Code it was passed by a narrow majority in the Legislative Council that powers given to the District Courts should be exercised only by the European and British born officials. Sir James Stephen, who was the mover of the bill, did not try to justify it on principles but on grounds of administrative convenience. The passing of the bill created discrimination in the Statute Book by depriving Indian members of the Covenanted Civil Service to exercise such powers which were given to their European colleagues. An exception to the above rule was, however, made by Act IV of 1877 which authorised a Presidency Magistrate, whether European or not, to exercise the same jurisdiction over Europeans as over Indians within the limits of the Presidency towns.

The constitution of the Civil Service underwent an important change in Lytton's reign. In 1879, it was decided that a proportion not exceeding one-fifth of the persons appointed by Secretary of State to the Indian Civil Service each year should be Indians who were to be nominated by the provincial governments. Several British officials in India now argued that it would not be desirable to extend the criminal jurisdiction over European British subjects to all Indian members of the Covenanted Civil Service. Leaders of Indian public opinion were keen to get this invidious distinction, based on race, removed as early as possible from the Statute Book. In 1882 when the Criminal Procedure Code was under revision, Raja Jotindra Mohan Tagore pointed out this anomaly to the Viceroy. Lord Ripon, who had already discussed the matter with his Executive Council in June 1881, informed him that the subject would receive full consideration of the Government. In fact the Viceroy had de-

cided that it was not the opportune moment to alter the existing law for investing the Indian civilians with powers of trying European and British subjects in the Mofussil, although he had no doubt that the change was a question of time and that it will have to be made and ought to be made.  In his opinion the change would be a normal outcome of certain necessities by no means urgent to the administrative policy. It is clear that the Ilbert Bill was not a part of Ripon’s reforming policy. The conclusion is further supported by a statement made by Ripon afterwards, “that if he had known that it would cause so much uproar, he would not have brought forward the bill.”

The decision of postponing the desired change in the Criminal Procedure Code had to be reversed in the same year on receipt of a letter from Sir Ashley Eden, the then Lieutenant Governor of Bengal. Sir Ashley Eden was, however, not the real author of the Bill. It was only when Behari Lal Gupta, I.C.S., had submitted a note on 30 January, 1882 to the Bengal Government after consulting Sir Ashley Eden and others that the Government of India was moved to remove the restrictions placed on the Indian Magistrates for trying European British subjects. Gupta, therefore, can rightly be called the real author of the Ilbert Bill. In his official capacity he was the first Indian civilian to give expression to the feelings of humiliation caused by the above restriction. He had joined the Indian Civil Service in 1871 along with Romesh Chander Dutta and Surendra Nath Banerjee. The only other Indian to become a member of the Indian Civil Service before them was Satyendra Nath Tagore. Gupta was the Officiating Presidency Magistrate of North Calcutta before he was promoted to the rank of District Magistrate in the interior. He must have realised his anomalous position in respect of his restricted jurisdiction over European British subjects. Before him Satyendra Nath Tagore, who was serving in Bombay, had also faced a similar situation when on having reverted for a time to an appointment at Thana (Thana) he could not investigate a charge of simple hurt against a European, though he had given entire satisfaction as a District Magistrate in the Mofussil.

and Sessions Judge. It, however, fell to the lot of Gupta to raise the issue and point out the anomaly to the Bengal Government. The Government of India, while recommending the introduction of the Bill in the Legislative Council, wrote to the Secretary of State, "That the anomalous nature of the present arrangement was forcefully brought out in Mr. Gupta's case. While officiating as Presidency Magistrate, he had under the law, as it stands, full power over European British subjects even in comparatively serious cases, and exercised these with satisfaction to the local Government and the public. On his removal to a more responsible appointment in the interior he ceased to be qualified to deal with even the most trivial cases affecting Europeans."

Behari Lal Gupta in his memorable note dated 30 January, 1882, had pointed out that under Act IV of 1877 in Presidency towns a Presidency Magistrate, whether himself a European or not, had the same jurisdiction over Europeans as over natives of that country, but an Indian Magistrate or Sessions Judge had no authority to enquire into a complaint affecting an European British subject or to try a charge against him unless he was a Justice of Peace. Gupta forcefully brought out the fact that under the existing law, invidious distinctions would be created between Europeans and Indians and that many practical inconveniences would arise in the case of Indians who in the course of time expect to attain the position of a District Magistrate or that of a Sessions Judge. He anticipated strong objections against any proposal to extend generally the criminal jurisdiction over European British subjects to all members of the Covenanted Civil Service and therefore suggested that this extension should only be limited to an Indian holding the office of a Magistrate of a District or that of a Sessions Judge. He also desired that the amendment might be carried out in the Bill of Criminal Procedure Code which was at that time under consideration in the Council. Sir Ashley Eden, however, postponed the submission of Gupta's note to the Government of India until the new Criminal Procedure Code had become law, as the Bill had then reached its final stage in the Council, and it was obvious that the question, which was of such importance
and difficulty and about which it was impossible to take action without consulting other local governments and the Secretary of State, could not with propriety be raised at so late a stage of the discussion of the Bill. But at the time of submission of the above note to the Government of India the Bengal Government strongly expressed its opinion that the law should be expeditiously amended in the direction indicated by Gupta. Sir Ashley Eden wrote to the Government of India, 'The time had arrived when all native members of the Covenanted Services should be relieved of such restriction on their powers as are imposed on them by Chapter XXXIII of the New Code of Criminal Procedure, or when at least Native Covenanted Civilians, who have attained the position of a District Magistrate or Sessions Judge, should have been entrusted with full powers over all classes, whether Europeans or natives, within their jurisdiction.' It may, however, be mentioned that after retiring from the governorship of Bengal, Sir Ashley Eden did not support Lord Ripon's proposals in the Secretary of State's Council of which he had become a member.

Shortly, after the receipt of the above letter from Eden, the Government of India circulated it to the provincial governments for opinion on 28th April, 1882. As Sir C.P. Ilbert took his seat in the Legislative Council as Law Member on 1 May, 1882 he acquired the knowledge of the proposal only when the replies were received by the centre. But since the Bill was first introduced in the Council by Ilbert it is known after his name.

In general all local governments except Coorg gave their opinion in favour of removing this distinction between Indian and European members of the Covenanted Civil Service provided that they were individually found qualified to exercise these powers.13 The Governors of Bombay, North-West Province and Oudh, Central Province, Burma, Assam and Resident of Hyderabad concurred in the view that an Indian Civilian in the position of a District Magistrate or Sessions Judge should have powers equal to that of his European counterpart. Grant Duff, the Governor of Madras, was in favour of the proposal although

13. Govt. of India, Legislative Dispatch, No. 33 to Secretary of State, 9 December, 1882.
The civilian members of his Council did not recommend any change mainly on the assumption that the reform would be unpopular with a certain class of Europeans. One of the members named Carmichael even hinted about the possibility of an agitation. The Chief Commissioner of Assam and the Resident of Hyderabad, however, expressed the opinion that the change was not likely to provoke any serious opposition on the part of the European community. Thus with the exception of a senior member of a provincial Executive Council no one warned the Viceroy about the possibility of a serious European agitation against the Bill. Among the members of the Executive Council of the Viceroy only Wilson, the military member, opposed the change.

The Government of India in their despatch to the Secretary of State on 9 September, 1882, therefore, wrote, "It appears to us clear that if changes in law are inevitable, as we think they are, it seems to us desirable to make them at a time when the whole machinery of our criminal administration is being put on an improved footing." The intention of Ripon's government was to synchronise the change with the commencement of the operation of the revised code, viz., on 1st January, 1883.

The Government of India proposed that all District Magistrates and Sessions Judges were to be ex-officio Justices of Peace and were also to be vested with powers of exercising criminal jurisdiction over European and British subjects. Local government were to be empowered to confer these powers upon those members of the: (a) Covenanted Civil Service, (b) Native Civil Service constituted under Statutory rules and the Commissioners who were already exercising first class magisterial powers by nominating them as Justices of Peace. In the latter case the limitations restricting the jurisdiction of particular class of magistrate was to be based not on any difference of race, but simply on differences of training or experience.

14. Ibid.
15. Ibid.
16. Government of India, Dispatch to Secretary of State, No. 33, 9 September, 1882.
17. Ibid.
The Secretary of State received the above proposals in the end of September, 1882. It was put for discussion on the agenda of the meeting of the Secretary of State’s Council going to be held on 16th October, 1882. Meanwhile Hartington consulted Sir Henry Maine, the Legal Member of the Council, who was at Paris at that time and was not likely to attend the scheduled meeting of 16th October. He wrote a private letter to Maine on 8th October intimating him that there was general agreement among the authorities in India and probably his Council would also not oppose the measure. But as the question may lead to discussion and excitement among Europeans in India, Hartington had some fears. Maine forwarded his opinion in a minute dated 10th October, 1882 to the Secretary of State. He was in agreement with Hope, a member of the Executive Council of the Viceroy, that the powers should only be conferred on Indian Civilians who had attained the status of a District Magistrate or Sessions Judge. He, however, was against rejecting the proposals of the Viceroy specially when these were supported by the local governments. He, therefore, advised that the Viceroy should be privately warned of the “seriousness of the European explosion” and that he should be advised to consult some of the non-officials, including European members of the Legislative Council and the Advocate General about it.18

The minute was received by Hartington on 22 October, 1882. He circulated it with other connected papers to the members of his Council. The proposals were approved in a meeting on 5th December, 1882 with a request to Hartington to convey the warning to the Viceroy privately. Ripon afterwards wrote that he did not receive any such warning from the Secretary of State. Probably Hartington forgot all about it. Ripon was, therefore, right in believing that the members of the Indian Council were not opposed to the measure.19

Even if Ripon had received the private warning he would not have changed his mind on account of reasons analysed below:

19. Ibid.
Firstly, he did not appreciate the attitude of the members of the India Council who, in his opinion, were out of touch with the realities in India due to their long stay in England.

Secondly, experienced and senior British officers in India like Lyall, Elliot, Bayley and Stewart had supported the proposals. Ripon considered them to be in closer touch with the Indian administration. Hence, to him the opinion of these people carried more weight than Maine or any other member of the India Council.

Thirdly, Maine had opposed the repeal of Vernacular Press Act and amendment of Arms Act but Ripon did not experience any trouble. His opinion was, therefore, considered by Ripon not to be of much value.

On receipt of the concurrence of the Secretary of State to the above proposals the bill was introduced by Ilbert on 2nd February, 1883 in the Legislative Council. The proposals were the same as embodied in the Government of India’s despatch of 9th September, 1882 to the Secretary of State.

It seems rather strange that no serious warning was given to Ripon by experienced officials of India. Their failure to realise the exasperated mood of the Europeans and Anglo-Indians against Ripon’s government and to analyse the causes of their resentment is surprising. Perhaps they regarded it as a purely administrative measure. The officials, who were unlikely to be exposed to criminal prosecutions, failed to realize the depths of fear and passion which the Bill was likely to stir among their non-official countrymen.

The discontent among the British officials and the European residents of India against Lord Ripon’s rule was growing slowly. Majority of them did not like the liberal policy of the government. Certain measures passed by Ripon’s government before the introduction of the Ilbert Bill had increased the annoyance of these classes. In February 1882, the Government of India, at the suggestion of the Secretary of State, had lowered

20. Secretary of State's Dispatch, dated 8th November, 1882.
the qualification for admission to the Indian engineering colleges including the Thomasan Engineering College, Roorkee, and declared that only Indians were eligible for guaranteed appointments in the Public Works Department. Accordingly, from 1883, no European and Eurasian was admitted in such colleges. This step naturally alienated them.

The Secretary of State wanted to pay equal salaries to puisne judges of all High Courts, which meant that salary of the judges of High Court of Calcutta had to be reduced as they were getting more as compared to judges of other High Courts. Garth, the Chief Justice of India, opposed the proposals. He was supported by several members of the Governor-General in Council. Ripon, therefore, requested the Secretary of State for India to reconsider the decision but Hartington was adamant. The implementation of this measure created resentment among Europeans. Ripon's determination to grant officiating promotion to Ramesh Chander Mitter to the post of Chief Justice in place of Garth, who intended to proceed on leave, further strained the relations between the Government and the English judges of the court. Garth applied for leave which was sanctioned by the Viceroy. Ripon consulted the Lieutenant Governor of Bengal about the appointment of a substitute. This procedure was in accordance with the action of Lytton in similar circumstances in 1878. Rivers Thompson, the Lieutenant Governor of Bengal, had no objection to give the officiating chance to Ramesh Chander Mitter, the seniormost judge of the Calcutta High Court on the basis of race but pointed out that as he did not possess sufficient experience of criminal work, Cunningham, the next man in seniority, might be promoted. Ripon did not consider it as Mitter's fault and intended to give him the officiating promotion. Garth, who was already annoyed with the Government, wrote to the Viceroy that he intended to cancel his leave in case an Indian was appointed in his leave vacancy. Ripon was not moved at all by this communication. Garth did not cancel his leave and

23. S. Gopal, *Viceroyalty of Lord Ripon*, p. 120.
for the first time an Indian occupied the chair of the Chief Justice of Calcutta High Court. These two incidents alienated the English members of the Bench, the Bar and the Civil Service. The admiration and affection shown by the Indians further prejudiced the Europeans against the Viceroy. The increasing popularity of Ripon among Indians correspondingly made him unpopular among the Europeans and Eurasians. They were searching for an issue which affected the interests of all the elements of Anglo-Indian opposition so that a united front could be established against Ripon. Such an opportunity was provided by the Ilbert Bill.

As soon as the Bill was introduced in the Legislative Council on 2nd February, 1883, it caused alarm among the Anglo-Indians. Evans, a non-official member of the Legislative Council, said, "that he had heard only today what the proposed measure was and that it should be postponed." Under the leadership of Branson, an eminent barrister; Keswick, a leading Calcutta merchant, and Furrel, an Anglo-Indian journalist, the frightened Europeans decided to prevent the passing of the Bill through the Council. According to them the practical result of this measure would be to place their women folk at the mercy of unsympathetic Indian magistrates. They also made contemptuous and insulting references to Bengalis. In their opinion it would also result in the flight of European capital from India. Evans met the Viceroy on 19th February, 1883. The Viceroy's explanation about the Government's intention of passing the Bill in the next session satisfied Evans. The first sound of alarm outside the Council chamber was raised in the columns of 'Englishmen'. The cry was repeated by almost every Anglo-Indian journal in India. Meetings were held in all presidency towns and in small towns where even a dozen Europeans could gather. A meeting attended by two to three thousand persons was held

25. Legislative Council Progs., May 1884.
26. P.C. Ray, Life and Times of C.R. Das, p. 120.
27. Ibid.
in Calcutta on 28 February. It was decided to form a European and Anglo-Indian Defence Association. The association was to act as a standing vigilant committee for the protection of rights and privileges of their class.\textsuperscript{30} Thirteen hundred rupees were collected on the spot. The speakers of the meeting delivered fiery speeches. They also warned the capitalists of Calcutta and other places of Bengal, Bihar and Assam that in case Indians were given the power to act as their judges, their white agents would not get proper justice and, therefore, they would suffer in pockets.\textsuperscript{31} The matter was discussed in the Legislative Council on 9th March, 1883. Evans was the chief spokesman of the opposition.\textsuperscript{32} He brought forward following arguments against the Bill:

Firstly, it was never demanded by the people of India;

Secondly, it sought to deprive European and British subjects in India of a privilege which they felt indispensable for their protection and which was the only counterpoise they possess to the immense disadvantage they were placed under, as mere isolated units in the midst of a foreign and unfriendly population which regarded perjury as a legitimate contrivance for gaining in a false criminal case;

Thirdly, it sought to subject English women to the indignity of being tried by men who were polygamists and who regarded the females with contempt; and

Fourthly, it did not add to any administrative convenience. Even if it did, it could be obviated in other ways.

According to Evans, Sir Ashley Eden in his letter of 20 March, 1882, had only recorded his opinion and did not desire an immediate action. Hence it was necessary to consult the Bengal Government again when the opinions of the local governments were called for.\textsuperscript{33} Although Ripon admitted an error in

\textsuperscript{30} Ibid.

\textsuperscript{31} J. Lambert, Criminal Intelligence Deptt. Report—op. cit.; Lucian Wolfe—Life of Lord Ripon, p. 121.

\textsuperscript{32} Legislative Council Proceedings, 9th March, 1883.

\textsuperscript{33} Ibid.
tactics he decided not to bid a hasty retreat over the issue. He agreed with the view of Rivers Thompson, the Governor of Bengal after Eden, that the measure was not so urgent as to place himself and the Government in a situation of bitter hostility yet in his opinion it was not proper to withdraw the bill as it would mean conceding victory to the opposition which was gaining strength day by day. He, therefore, tried to defend the proposed measure and convince the opposition of its necessity.

The Viceroy, in his speech, referred to the request of Maharaja Jotindra Mohan Tagore in 1882 to raise the question before the Select Committee. This was done by Ripon in order to show that leaders of Indian opinion were asking for the abolition of such privileges. 34 In accordance with the existing procedure, Ripon did not consider it necessary to consult the Government of Bengal again, specially when Eden had written clearly in his letter, “The time has now arrived for the change....” Even if Eden wanted to offer a different opinion he could have done so in the capacity of a member of the Secretary of State’s Council, a position which he had acquired after his being relieved from Bengal, at the time of consideration of the proposals by the Secretary of State. The favourable opinion of all the local governments except Coorg along with the approval of the Secretary of State was mentioned by him in support of his decision to introduce the Bill immediately. He informed the Council that the Bill has been drafted in strict accordance with the instructions of the Secretary of State. 35

In the opinion of Ripon the scope of the Bill was less than that of the Bill brought forward by Bethune in 1849 and that of 1857. The proposals of 1857 would have subjected Europeans to the jurisdiction of Mofussil Courts of every grade but this bill, if it were passed that day, would confer jurisdiction over European British subjects upon only two persons in India. This number would increase to five during the next few years. It was, therefore, a convenient time for change. 36

34. Ibid.
35. Ibid.
36. Ibid.
He regarded the Bill as necessary for administrative convenience. According to him, the existing situation not only created an inconvenience in the administration of justice but resulted in considerable hardship to concerned suitors and witnesses. It also caused inconvenience in the posting of the higher officials. In an area, where large number of European subjects had settled, an Indian Civilian could not be posted as Sessions Judge or District Magistrate.\textsuperscript{37}

Ripon further argued that the power of the High Court was a sufficient safeguard against any Indian judge acting in an unjust manner.\textsuperscript{38} Ripon concluded his speech by saying, "I confess it appears to me that it is far wiser and far more in the true and substantial interest of those over whom the jurisdiction is exercised, that it should be introduced now, when the persons who would obtain the powers are very limited in number, when the circumstances under which they enter the Civil Service insures their ability and when all their proceedings can be watched."\textsuperscript{39} He also felt that the opposition was not directed against the principle of this particular measure but was against the declared policy of the Parliament about the admission of Indians to the Covenanted Civil Service.

Ripon's reasonings, sound as they were, could not satisfy the agitators who were bent upon creating trouble against him. A meeting of the European and Anglo-Indian Association was held on 29th March in Calcutta in which the intemperate speeches of the speakers were beyond all limits of decency. Consequently, it gave rise to counter agitation by Indians who considered the Bill as nothing but a small instalment of a policy destined to culminate in granting self-government to them. They were not slow to analyse that the assertion of racial superiority and its perpetuation was the real cause of the opposition. But it goes to their credit that in spite of contumacious and insulting references to their social life, the libel on character of their women and the provoking comparison of the Indians to jackals, the

\textsuperscript{37} Ibid. \\
\textsuperscript{38} Ibid. \\
\textsuperscript{39} Ibid.
Indian people and the press acted with great moderation and forbearance.  

In midst of the controversy the Government of India seriously considered the replies from the local governments to whom the matter had been referred to again in accordance with the decision of the meeting of Legislative Council held on 9th March, 1883. Bengal preferred complete abandonment of the measure. The Governors of other four big provinces opposed its withdrawal and suggested several amendments. Four minor administrations advocated its withdrawal and two opposed it suggesting modification in details. The recommendations of the Governors were based on the opinions of the officers who were consulted by them. A large majority of the British officers advised its withdrawal, a few were in favour of compromise and the number remaining neutral was negligible.

Ripon was prepared to consider favourably a proposal made by the Bombay Government in May 1883 under which a right to claim a jury was to be given to Europeans in serious cases but at that time there was nothing before him to presume that if such a proposal was accepted it would lead to a satisfactory settlement of the controversy. He was convinced, "The real question which underlines this controversy is not confined within the narrow limits of the Bill, but extends far beyond them and brings into discussion some of the fundamental principles of British policy in India. We have, therefore, to deal with a large question of policy and we have no doubt that the abandonment of the Bill under existing circumstances, would in the light of controversy that has arisen, be regarded as a withdrawal on the part of the Government from the principles which have been gradually and steadily applied by our government for a long series of years going back to 1833."

It clearly shows the determination of Ripon at that time in not acceding to the demands of

42. *Ibid*.
43. *Viceroy's Dispatch to the Secretary of State*, 10 August, 1883.
European agitators. As usual he was, however, prepared to compromise as far as the details were concerned. The Viceroy, therefore, recommended the following amendments:

(i) The jurisdiction, which was to be conferred by the Bill upon Indian Magistrates over European British subjects, was to be confined to the District Magistrates and Sessions Judges Ex-officio;

(ii) Clause one and seven of the Bill was to be omitted. It implied that the existing powers of the local government in respect of the appointment of Justices of Peace were not to be altered.

(iii) On the basis of an amendment suggested by Turner, Chief Justice of Madras, it was recommended that a High Court was to be authorised to exercise the power of transfer given by Section 526 of the Criminal Procedure Code in any case in which it was made to appear that such transfer was expedient for the ends of justice and also in any case in which prior to the commencement of the hearing the Government, the complainant or the accused notified to the Court its or his intention to make an application under Section 526.

By this time the controversy over the bill had assumed such serious proportions as if the whole battle of India’s future was being fought over this question. In reply to the meetings and demonstrations of the Anglo-Indians the Indians also organised four monster meetings in May and June in Calcutta. These meetings were held to protest against the arrest of Surendra Nath Banerjee, the Editor of ‘Bengalee’, in a contempt case but the people clearly expressed their serious resentment over the agitation of the Europeans and demanded the passing of the Bill. The controversy also raged fiercely in the press. The newspapers of England including the ‘Times’ and the Anglo-Indian newspapers of this country expressed their indignation over the proposed measure. The liberal press of England was, however, in favour of the Bill. The European and Anglo-Indian Association made serious efforts to stir the public opinion in England against the

44. Proceedings of the Legislative Council, May 1884, Appendix A.

Bill. A meeting was held in London on 25 June, 1883. A deputation waited on Kimberley, the Secretary of State of India, on 26 July who informed the members about his decision of not instructing Lord Ripon to withdraw the bill. He was, however, not inclined to oppose modifications, if any, suggested by the Government of India.

The interest of the controversy during the last months of 1882 shifted from India to England. The Anglo-Indian Associations of India sent Atkins as their representative to arouse public opinion of England in their favour. He reached England in October, 1883. He failed to get support in his first appearance at Edinburgh. Another representative named Branson was then sent to deliver a series of lectures to represent their case. The propaganda now began to bear fruit and the opponents of the Bill succeeded in making it a platform issue in England. Sir James Stephen, a retired member of the Indian Civil Service, expressed his opinion against it in the 'Times' while Hunter, another retired Indian Civil Servant, wrote in its favour. The first authoritative statement of the Indian view about the controversy was placed before the English public by Lal Mohan Ghose in a public meeting held in London on August 1, 1883 under the chairmanship of John Bright, a member of the English Parliament. He traced the history of such laws and sought to justify the Bill on the basis of rights granted to Indians in the Charter Act of 1833 and the Declaration of 1858. In this meeting Sir George Campbell and Sir Richard Temple, two retired officials of the Government of India, opposed the measure. In the end a resolution expressing full confidence in the administration of Ripon was passed. Maxmuller, the eminent scholar of Sanskrit, also expressed his opinion in favour of the Bill. In his letter to the 'Times' dated August 5, 1883, he expressed his surprise over the opposition when such a privilege had already been granted to the civilian officers of Ceylon who belonged to that island.

46. Ibid., pp. 399-403.
48. Ibid.
Ripon's proposals of 10th August, 1883, to which the Secretary of State had given its approval in his despatch of 8 November, 1883 were made public by Lord Northbrook in one of his speeches at Bristol in early December. This declaration made the meetings of both the parties more stormy than before. There were even talks of direct action among the Anglo-Indian and European communities of India. A conspiracy was hatched to overpower the sentry of the Government House in order to put the Viceroy on board a steamer at Chand Pal Ghat for sending him to England.

During the period of this controversy Ripon was always willing to seek any settlement which would secure a general acquiescence and which did not involve sacrifice of any principle. He was not perturbed by the opposition of a majority of the members of his Executive Council. Ilbert and Sir Evelyn Baring (in later life he became Lord Cromer), the Law and Finance Member respectively, had always supported Lord Ripon, while Colvin, Rivers Thompson and Wilson did not agree with the proposals. In conformity with his views, he was always ready to consider any proposal which came within the limits of the true principles of the English Government in India.  

His attitude towards the controversy made it easier for Colvin and Evans to start negotiations with him for a settlement of the issue. On December 22, 1883 Evans proposed that an European accused should be allowed to claim a trial by a judge of his own race. This was not accepted because it admitted distinctly the principle that a European British subject had a right to refuse to be tried by an Indian magistrate or judge. Colvin then suggested to the Government that the Bill should be referred to a select committee for considering the granting of rights to an European British subject appearing for trial before a District Magistrate or a Sessions Judge to claim a trial by jury subject to the following conditions:

Firstly, no distinction was to be made between European and Indian District Magistrates or Sessions Judges.

51. Ripon's Speech in Legislative Council, 7th December, 1883.
52. Legislative Council Proceedings, 7th January, 1884.
Secondly, the powers of the District Magistrates were to be extended to imprisonment of six months or a fine of Rs. 2,000.

Covin believed that this amendment, while it took nothing away from the Indians, gave to Europeans in the districts little or nothing which they did not possess at that time. According to him in the majority of the cases the Europeans would have no right to claim a trial by jury as summary cases were ordinarily disposed of by the Justices of Peace below the rank of a District Magistrate.

While accepting these proposals on 25th December 1883, Ripon again emphasised that without sacrificing any principle he was willing to seek any settlement which may secure a general acquiescence. He had no objection in giving the right to a European or British subject to claim a trial by jury. Soon a compromise was reached and the terms of the 'Concordat' were approved by the Secretary of State. It was decided that the Bill was to be referred to a select committee and the Government was to give its consent to the terms of Concordat in the committee.

On January 4th, 1884, Ilbert moved a resolution to refer the Bill to a Select Committee. He explained, "The object of the government was to remove a disqualification based on race and to substitute a qualification based on personal fitness." Ameer Ali and Kristo Das Pal expressed the dissatisfaction of Indians over the Concordat and advocated the extension of jury system to the Indians as well. The debate revealed a misunderstanding about the terms of the Concordat. While Ilbert believed that where a District Magistrate was unable to obtain a jury the majority of which consisted of European British subjects the case was to be referred to the Court of Sessions Judge. But the representatives of the Anglo Defence Association including Evans held that where such a difficulty arose, the case was to be transferred to another District Magistrate and not to the Sessions Judge. Consequently there were three days of suspense and

53. Ibid.
56. Ibid.
active negotiations on the issue. Ultimately the Government agreed to refer the case to the Sessions Judge acting as District Magistrate whenever such a situation arose.

On 7th January, 1884, the debate was resumed in which the resolution moved by Ilbert was passed. In his speech the Viceroy made it clear that the terms of agreement would be binding on both the parties. The report of the Select Committee was presented to the Council on 18th January. The Bill as amended was as follows:

(a) The powers of appointing Justices of Peace was to remain as at present.

(b) All District Magistrates and Sessions Judges were to be ex-officio Justices of Peace and were to be empowered to try European British subjects.

(c) District Magistrates were to be empowered to pass upon a European or British born subject a sentence extending to six months' imprisonment or two thousand rupees fine or both but any European or British born subject charged before a District Magistrate was to have a right to request to be tried by a jury of which not less than half the members were to be Europeans or Americans or both.

(d) A European or British born subject committed for trial before a court of Sessions Judge was to have a similar right even in those districts where the trial before the Sessions Judge were ordinarily not done by the jury.

It was also stipulated that where a jury was claimed before the District Magistrate and he had reason to believe that a jury composed in the required manner cannot be constituted without an amount of expense, delay or inconvenience, he was authorised to transfer the case for trial to such District Magistrate or such Sessions Judge as the High Court may by general rule approve or as the local government by special order direct. The Court to which a case was thus transferred was to try it with all convenient speed with same powers and according to the same procedure as the District Magistrate from whose court it was transferred. The High Court was also empowered to order the transfer of such cases to another court. Ameer Ali's proposal that
when Magistrates tried a case in which they had collected evidence for the prosecution or acted as prosecutors the accused could demand transfer to other court was also accepted and incorporated.

The Bill was moved in the Council on 25 January, 1884. The Maharaja of Darbhanga moved an amendment to the effect that the right to claim a jury may be extended to Indians in all cases of trial before a Sessions Judge. He, however, withdrew it in response to the appeals of Ripon and Ilbert. The recommendations of the Select Committee were approved and the Bill was passed on that day. Thus the immunity which Europeans had enjoyed in the mofussil till 1872 was practically restored, for it was hardly in human nature that in the closed and limited Anglo-Indian society, where everyone knew everyone else, a jury with a European majority would be free from personal sympathy towards the accused. Further only a few cases in which the appropriate sentence was to range between three to twenty months' imprisonment were placed under the jurisdiction of the District Magistrates and Sessions Judges. The Concordat was thus a virtual though not avowed abandonment of the measures proposed earlier by the Government and a complete success for the European and British agitators.

The Ilbert bill controversy had far-reaching consequences on the political life of India. The solidarity among the official and non-official Europeans was proved beyond any doubt. It was apparent to the Indians that the Europeans would always present an organised opposition to such measures. Their success also demonstrated the weakness of the Government in dealing with them. During the heat of the controversy Ripon was informed about the grave consequences of employing European soldiers against Europeans in this country. The complete success which had crowned the resolute opposition of the European community forcefully impressed upon the Indians the political power of organised

58. Ibid.
59. John Strachey, India.
agitation specially when they saw that with Gladstone as Prime Minister of England and Ripon as Viceroy a measure which was only a small instalment of a long debt of justice due to them could not be passed. They, therefore, concluded that the justice of a cause was insufficient for its triumph in politics and that the only path of victory lay through agitation.

The rankling sensation of defeat, disgrace and humiliation in the hearts of the Indians which the Ilbert Bill controversy left behind in its trail went a great way towards impressing the Indians that in the world success did not depend so much upon men as on organized efforts and so paved the way to united and concerted action. It brought into forefront the question of a political organization of an all Indian character. The Indian Association of Bengal organised the First National Conference in Calcutta on 28, 29 and 30 December, 1883. This conference became an important landmark in the history of the political organisation as it was the first all Indian conference which offered a model to the Indian National Congress inaugurated two years later. The event also made an abiding impression on people like Chittaranjan Das who was only a boy of eleven at that time. It stirred their wrath and shaped their political ideas and programmes. Thus the early throbs for the making of a new nation in India manifested themselves during this period.

The Ilbert bill controversy intensely increased the racial bitterness. The equilibrium of Indian society was badly jolted by it. Kimberley, who at the time of controversy, hoped that the Bill would soon become a matter of ancient history, shortly afterwards wrote to Dufferin, “I need not say, how entirely I agree with you that it is most important to put an end to the division of whites and blacks into two camps. Besides the an-

64. *Ibid*.
noyance it causes, the prolongation of such discussions might have serious political results." Several retired British officers like Hume also wanted to bridge the gulf between the two races. Their efforts and the desire on the part of Indian leaders for organising a common front led to the formation of an all Indian political association which came to be known as the Indian National Congress.

Ripon has been blamed for lack of firmness on this issue. It has been said that Ripon was not the man for the crisis. Although he believed in his master's principles but lacked his (Gladstone) moral stamina and intellectual strength. But when we examine the circumstances in which he was placed at that time it would seem that he acted courageously throughout the crisis. The united opposition of the European and British community in India did not unnerve him. But the opposition of all the members of his Council except Ilbert and Baring and only of Ilbert after the departure of Baring during the controversy forced him to think seriously whether he should overrule their opinions on a issue which according to him was not so important as other measures like local self-government. The opposition of the governors and the officials was also a factor to reckon with. In these circumstances if he had got the full support of the Home Government he would have not made such a retreat. But Gladstone and his Cabinet were unwilling to go beyond general assurances of confidence in him. They were also reluctant to take a specific decision on the issue." They were ready to accept whatever modifications he suggested. The refusal to take a specific decision or enable a House of Commons to vote on the issue as suggested by Ripon, Kimberley's ill-fated interview with Atkins, the replacement of Baring by Colvin, the poor morale of Ripon's Council and the weakness of the European police force justifies his action in making a retreat." The only alternative before him was to resign. But again it may be said in his de-

66. Kimberley to Dufferin, 8 January, 1885, op. cit.; S. Gopal, British Policy in India, p. 152.
67. Ibid., p. 150.
68. S. Gopal, British Policy in India, p. 159,
fence that from the very beginning he did not attach much importance to this issue and hence did not make it a prestige issue for himself. He was always ready to admit his mistakes and rectify them.

Though Ripon failed in carrying out a just measure for the Indians he was not blamed by them for his part in the controversy. According to them Ripon was left in lurch by the Home Government, the system of administration in the country and the lack of organised movement among the people of India. The hostile outbursts of the Europeans against him made him immensely popular among the Indians. He was looked upon by the ignorant, “especially since the recent agitation on the Ilbert Bill, as a new incarnation of God.”  

He was venerated and honoured by Hindus and Muslims alike. In a visit to Aligarh on 18 November, 1883 the Muslims carried him on a sedan chair on their shoulders, a honour which was not bestowed upon any former Viceroy.

CHAPTER XVII

Growth of National Consciousness

The most outstanding effect of the impact of the West was the growth of nationalism in India. But this type of consciousness was confined to the elite of the Indian society who with the development of education had begun to feel its force. The intellectual class realised the necessity of forming associations for voicing their grievances and requesting the Government of India and the Home Government for reforms in the administration with a view to secure more powers for the Indians. These associations were, however, mostly parochial. Although the idea of organising an association, which may become the nucleus of an all India movement, originated before the coming of Ripon in India, it fully matured in his times. At the first session of the Indian National Congress, its President W.C. Bonerjee defined its policy as the fuller development and consideration of those sentiments of national unity that had their origin during Lord Ripon’s regime. Thus the events of Ripon’s time with their reactions on the people of India constitute an important landmark in the history of the freedom movement of India.

Since the times of Raja Ram Mohan Roy many societies had been active in Bengal. The Landholders’ Society established in 1838 primarily worked for safeguarding the interests of the landholders. The Bengal British India Society, since its inception in 1843, demanded the fulfilment of promises made in the Charter Act of 1833. These two associations were amalgamated in a new one in 1851, named as the British India Association. A branch of the same was established in Madras but it soon cut off its connection with its parent body. In Bombay
province Bombay Association founded in 1852 was active till 1873. From this period onwards a branch of East India Association of London became active in the province. Poona Sarvaganik Sabha established in 1867 forcefully represented the views of the people to the Government. A few advanced political thinkers of Bengal started in 1875 a new Association named Indian League with the aim of awakening political consciousness among the people. The Indian Association formed in Bengal in 1876 was also an active body in political matters. In addition to these political associations there were many other organizations of local character in different parts of India which may be regarded as feeder institutions. In the seventies of the nineteenth century all such associations were seriously thinking of organizing an all India body. The measures of administrative coercion passed during Lytton's reign along with the reckless squandering of finances on the Delhi Durbar and the Afghan War in the midst of a severe famine and the organized opposition of the Anglo-Indian community to the policies of Lord Ripon which reached its climax in the Ilbert Bill controversy brought into the forefront the question of a political organization of all India character. It is in this context that the activities of the various associations during the period of Ripon will be studied in this chapter.

As has already been stated, several measures of Lord Lytton evoked opposition from the intellectual class. One of the important topics which engaged their attention was the regulation which reduced the age limit of the competition for the Indian Civil Service examination from 21 to 19. The Indian Association organised a public meeting in Calcutta to register an emphatic protest against it. It also submitted a memorandum to the British Parliament praying for the raising of age limit to twenty-two years and holding of simultaneous examination at London and at one or more centres in India. In 1879 the Indian Association decided to send Lal Mohan Ghosh and Mani Mohan Ghosh as special delegates to England for carrying on propaganda and for presenting the demands of the people. In July 1880

Lal Mohan Ghosh led a deputation to Hartington pleading for raising the age limit for competition. The injustice was also brought to the notice of Lord Ripon by several associations and eminent Indians in their individual capacity. Although Ripon did not act hastily in the matter, he was convinced that it was dangerous from the political point of view as it bred ill feeling among the educated Indians.

The public opinion in India was also very much aggrieved on the passing of the Vernacular Press Act by Lytton. Protests were made by the Indian Associations in a meeting in Calcutta. The Poona Sarvajanik Sabha also lent its full support to the Indian Association. These protests had their effect. Gladstone, the leader of the Opposition in the House of Commons, moved a Resolution which was fully debated. On their assumption of office in 1880, Gladstone and his party men were keen to remove this gagging act from the statutes without any further delay. Ripon always firmly believed that any discrimination which was maintained between English and Vernacular press would fail to satisfy Indian opinion.

Lord Lytton’s Government had ignored the protests made by the British Indian Association against the proposals amending the Arms Act of 1860. After its enactment it was resented by the public and press in India. Gladstone in one of his speeches in Scotland expressed his agreement to many of such views. In July, 1880, the deputation led by Lal Mohan Ghosh also stressed upon him the necessity of repealing the Arms Act. Ripon attached considerable importance to the dissatisfaction expressed by the Indians and admitted that some of their grievances were genuine.

7. See Chapter IX.
8. Ibid.
Lord Ripon’s Administration in India

Ripon also recognised the force of public opinion in the country in the matter of direct taxation. In his anxiety to avoid any opposition from the public and enlist the support of educated Indians, he postponed the imposition of such direct taxes which were essential for the stability of the Indian finance. 9

Although the activities of the different associations on the above issues stimulated political consciousness among the people, two notable events of 1883 paved the way to united and concerted action. The first was the great controversy over the Ilbert Bill. The united agitation of the official and non-official Europeans 10 and the weakness of the Government in dealing with them impressed upon the Indians the value of combination and organization in political struggle. In spite of the humiliation they learnt great lessons and were not slow to profit by them. They rightly concluded that the justice of a cause was insufficient for its triumph in politics and the only path of victory lay through united agitation. 11

The excitement caused by the agitation over the Ilbert Bill had hardly died down when the incarceration of Surendra Nath Banerjee on a charge of contempt of court evoked spontaneous resentment from all sections of the people in Bengal and from several other parts of India. Banerjee had made comments on the conduct of Norris, the Chief Justice of the Calcutta High Court, in ordering a Hindu to produce the image of his deity in the court. During the trial of Surendra Nath on the above charge vast crowds attended the court. At the time of pronouncement of the sentence a section of the crowd, mostly composed of students, smashed the windows of the building of the court. The protest meeting in Calcutta was attended by twenty thousand people representing different sections of the community. 12 This event awakened in a most marked form, a tremendous sense of unity among the people of India. 13

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9. Ibid., See Chapter…….XIV
10. See Chapter IX for the causes of resentment among them against Ripon before the Ilbert Bill.
11. Ibid., See Chapter XVI.
Growth of National Consciousness

There is no doubt that the emergence of the Indian National Congress in 1885 was the culmination of the evolution of those political ideas which were gaining ground since the times of Ram Mohan Roy but it must be admitted that the idea of forming such an association took its concrete shape in the times of Ripon. The stirring events of his time and that of his predecessor also impressed upon persons who were inspired by a genuine sympathy for the interest and welfare of India and its inhabitants to take initiative in establishing an Association which in Hume's words "may act as a safety valve for the escape of great and growing forces generated by the actions of the British administrators in India."

Ripon had sincerely tried to enlist the support of the educated Indians. He never underestimated the force of public opinion in India and was always keen to understand the pulse of the intelligentsia. Through his measures of self-government in India he made an effort to channelise the new born spirit of progress in India into a right course. In controversial issues like the Ilbert Bill he endeavoured to adhere to his stand but in the absence of an adequate support from the Home Government he had to make several compromises with the situation. Although the Indians did not blame him for the failure of his efforts in several directions, they certainly realised that solidarity in opposing the unjust measures of the Government was imperative. In these circumstances it was not unusual that the Indian National Congress, which had the blessings of Dufferin at the time of its inception, was denounced by the Viceroy only after three years for its changed policies and programmes. In its infancy the Congress was moderate and loyal in its approach, but in no way it acted as the Government's instrument. There can be no denial of the fact that the memorable happenings of the period of Lord Ripon had far reaching effects on the political situation in the country and the growth of national consciousness was so rapid as has not been witnessed in the pre-Gandhian era of the freedom movement. This was mostly due to the fact that the Home Government, the British administrators and the Anglo-Indian non-officials of India did not allow him to apply the healing panacea.
CHAPTER XVIII

Conclusion

The date of Ripon’s departure was determined by considerations of political convenience at home. Ripon was due to return to England in the spring of 1885 at the end of a five years’ term but he insisted on retiring before a fresh election took place in the country which might return the Conservatives to power. In his opinion such a situation would be disastrous for India and England both as the Conservatives would appoint a Viceroy with instructions to return to the Lyttonian traditions. Eventually Ripon’s wishes prevailed in the matter. Lord Dufferin took charge from him on 13th December, 1884.

On the occasion of his departure from India scenes of unparalleled enthusiasm were witnessed. The whole city of Calcutta was brilliantly illuminated, every house and tree was ablaze with lamps, and there were at least a hundred thousand in the streets giving one long continued cheer for the departing Viceroy. Nearly half the people of Calcutta turned out in the station compound and people from remote villages and stations came to participate in the send-off to Ripon. His homeward journey from Calcutta to Bombay was one of triumphant progress in which Indian gratitude expressed itself with touching and tumultuous unanimity and sincerity. Bombay was also decorated and illuminated and every section of the community showered its affection on him. Such a spectacle of a whole nation stirred by one common impulse of indebtedness had never been witnessed in Indian history. The Indian press also acclaimed him, in one voice, as the idol


236
of the people. The opinion of the Anglo-Indian press and the European community in India was, however, quite opposite to that of the Indians. They considered him to be responsible for initiating the liquidation of the Empire.

Such divergent opinions were expressed not only by Indians and Englishmen residing in India but also by contemporary politicians, eminent personalities of England, and senior officers in India. Gladstone, his guide and philosopher, said in a speech in the Parliament, "Ripon was so admirably qualified for the post that any future Government would like to secure his services for the benefit of India." Ripon could always look safely to Northbrook for support. Bright and other members of the English Cabinet appreciated his sincerity. But the Conservative opponents vehemently criticised his policy. Lord Randolph Churchill, in a speech in the House of Commons on August 6, 1885, blamed Ripon for not looking ahead and providing for the future. In his opinion his efforts for the extension of local self-government were so clumsy that the noble idea of giving the Indians an increasing share in the government was thrown back for a generation. Such allegations were rightly brushed aside by Hartington as a part of party attack on the Liberals.

A sizeable majority of the members of the Indian Council and the senior Indian civilians working in India condemned him as a 'traitor' who had surrendered 'white' interests for the sake of misplaced sentimentalism. A few among them, however, realized the wisdom of his policies. C. Elliot, the Chief Commissioner of Assam, wrote to Ripon, "...that we must cease to attempt to govern this country as a bureaucracy and trust the natives with a kindly disdain, but must seriously set to work to associate them with ourselves and to make them feel that England wishes to govern India not only for India but through India." Stuart Bayley also recognized the strength of the new element growing

5. Wolfe Lucian, Life of Lord Ripon, Volume II.
among educated Indians and desired that the administrators should make good use of it.  

Ripon's efforts in India were considered praiseworthy by a few eminent personalities of England. Florence Nightingale paid tributes to Ripon by writing personally to him, "You have conquered for the masses in India. You have conquered for the Truth in England." James Stansfeld, an eminent social worker of India, discerned in Ripon's qualities of noble heart and conscience along with courage of conviction. In his opinion such qualities made him a successful statesman. Blunt, who toured India during the rule of Ripon and whose judgment on Indian affairs were not fully and widely accepted by many persons, regarded Ripon as the best and wisest Viceroy of India. He ascribed Ripon's failure mainly to the opposition of the bureaucracy which had forced the Home Government to abandon step by step its Indian policy.

The Anglo-Indian press launched a scathing attack on Ripon for his ideas and policies. During the period of the controversy over the Ilbert Bill it flung all kinds of filth on the Viceroy. In the eyes of Indian press Ripon, a man full of good intentions, was unable to achieve much for India and the Indians but he had certainly done much for the English nation and the persons who actually ruled India. The Indian newspapers and journals widely acclaimed him as a friend and well-wisher of the Indians.

The educated Indians regarded him as a political messiah. In spite of the limited success of his efforts to give the Indians

6. Ibid.
8. Ibid.
10. Ibid., p. 315.
11. (i) Tut-e-Hind, Weekly of Meerut, April, 1884.
   (ii) Amrit Bazar Patrika, Calcutta, September 18, 1884.
   (iii) Samachar, a Bengali Weekly, December 17, 1884.
   (v) Hindu Patriot, English Weekly, December 1, 1884.
an increasing share in the government of their country he was respected as the prophet and champion of freedom. The most glowing tribute to his immense popularity among the Indians was paid by Raja Sir Sahib Dayal. He wrote to Lord Lawerre, "If ever British power in India were in danger, the authorities should send for Lord Ripon. He will do more for you than regiments of soldiers and our women will sell their jewels and lay them at his feet." The Indians continued to hold him in high esteem and cherish his memory even afterwards. Madan Mohan Malviya, in his presidential speech at the session of the Indian National Congress of 1909, described him as the greatest and the most beloved Viceroy whom India had known.

In the midst of these conflicting opinions it is an extremely difficult task to pass a judgment on the achievements of Ripon’s Viceroyalty in India. But one thing clearly emerges from all these verdicts on him. All of them seem to agree that as far as practical implementation of the programmes of the Liberals in the internal affairs of India was concerned he did not achieve measurable success. After his initial success in enacting the Factory Act of 1881, and the repeal of the Vernacular Press Act he failed to carry out the policy of his party in other affairs. His proposals for tenancy reforms and the implementation of Famine Commission’s recommendations were either delayed or altered so much by the Home Government or the Local Governments that their purpose was defeated to a large extent. The apathy of the senior officials in India and lack of finance proved to be the main hurdle in the way of the extension of education in India. Although his measures for giving a larger share to the people in the government of their land endeared him to the Indians, but the tree of local self-government planted by him in India did not take firm root for a sufficiently long period. He also failed to amend the Arms Act or getting it administered liberally. The bitter protests of the Anglo-Indian community against the Ilbert Bill ultimately forced Ripon to bow to the storm. The amendments suggested by him in the rules for the recruitment of the Indian Civil Service were not accepted by the Secretary of State. Thus except his success in the two initial measures his other policies were either not approved or made ineffective by the apathy of the Executive Officers.
In the domain of foreign relations he was somewhat more fortunate. In spite of the opposition of the majority of the members of his Council Ripon wisely secured the approval of the Secretary of State regarding the evacuation of Kandahar. But he failed to convince the Home Government about the necessity of starting direct negotiations between the Government of Britain and the Czarist regime in Russia on the Central Asian situation. His patient efforts to maintain friendly relations with the kingdom of Upper Burma ultimately did not bear fruit, but in this matter the fault lay not with Ripon or his successor but with the Court of Ava.

Thus Ripon's achievements, if judged from the point of view of short term success, fall short of the hopes held by the Liberals. Hence an opinion has been offered that his Indian record does not enable him to rise above the ranks of mediocrity. The Indian press also expressed its disappointment with the achievements of the Liberals during these four years. They argued that if with such sincere persons as Gladstone and Ripon at the helm of affairs, the British Government could not succeed in removing such injustices which were based on racial prejudices, it was not wise to hope much for the future. There is no doubt that Ripon had to bear a certain amount of responsibility for the failures of his reign but the major share of the blame can safely be apportioned to other elements also.

Let us first analyse Ripon's responsibility. One of the reasons, which is attributed to his limited success in his efforts, is the shortcomings of his character. He was a man of no high intellect or administrative ability. His personality had no sparkle and his oratory was turgid. He was cautious but not tactful. He could never conciliate or win over an opponent. He kept too much to himself. He was firm in facing difficulties but lacked sufficient courage to deal firmly with men. His simplicity of character made him a faulty judge of man.

13. Ibid.
15. Ibid.
spite of warnings by his well-wishers he recommended or accepted the appointment of such persons on important positions who were known to be fundamentally opposed to his policies. Ashley Eden and Rivers Thompson became the most severe critics of Ripon after their elevation to a higher post in his time. He underrated the abilities of men like Baring and Ilbert, his main supporters. He made little use of men like Hume and Wedderburn who could prove to be his staunch supporters. His first impulse was to avoid direct conflict with any one and, therefore, he was prepared to subordinate his views. He always preferred to persuade people rather than to bludgeon them. The surrender of Ripon on the Ilbert Bill amply shows that he was not a man for the crisis. Thus he was a man of second rate capacities.

But the shining traits of his character cannot be simply overlooked. His moral tone was high above many of the great men of his times. Few Viceroyos of India could claim to be so sincere and magnanimous as Ripon was. His deep sympathy towards the masses guided him to make sincere efforts for promoting their welfare. In fact all his activities were inspired by this philanthropic motive. It may be considered a weakness on his part but it goes to his credit that his courage never degenerated into obstinacy. He might be considered a second rate man but by sharing the idealism of Gladstone and Bright, he possessed the creed of a first rate person. His sincerity of purpose nearly overshadowed all his shortcomings. It was on account of his steadfast devotion to the creed that he became immensely unpopular among the British civilians but on the other hand equally popular among the people of India. Striking a balance sheet of his character, it must be admitted that Ripon was a noble man but lacked certain qualities of a successful administrator.

In spite of the shortcomings inherent in his character he would have proved to be one of the successful Viceroyos of India in case he had been fortunate enough to get adequate support.

16. Ibid., p. 221
17. Ibid.
from men of his own creed. Gladstone and his Cabinet did not go beyond assurances of general support which were not of much consequence to a man who had to deal with a bureaucracy strongly opposed to the Liberal policies. It is true that Northbrook extended moral support to him but what was needed actually was the unequivocal support from Hartington and Kimberley, the Secretaries of State during Ripon's period. In their letters both of them assured him of such support but in actual practice it was not forthcoming. Hartington was easy going and did not find much time to devote to the affairs of India on account of his being busy in the Parliamentary work and English politics of the day. This fact was candidly admitted by him in one of his letters to Ripon. Hartington had no hesitation in saying that he knew very little about many decisions taken by him and that he was unfair to Ripon in many cases. Kimberley's position was more or less the same. His indecisiveness put Ripon many a times in an embarrassing position. The heat, which the controversy of Ilbert Bill had generated in India and England, made it more difficult for Kimberley to give immediate approval to the suggestions which were advantageous to the country. The increasing interference of the India Council in matters of detail obstructed the smooth working of the administration of India. The mistake, therefore, lay in the composition of the India Council and its working. Firstly, although Hartington and Kimberley were members of the Liberal Party, the majority of their advisors were retired Indian civilians. These members were conservatives in temperament and action. Secondly, both the Secretaries of State and their Councillors were out of touch with the real situation in India. Thirdly, the Councillors were annoyed with the feelings of contempt expressed by Ripon towards them and consequently they tried their best to put obstacles in the way of the Viceroy. Ripon rightly lamented that had he known earlier about the real situation in the India Office, he would not have joined

the post of the Viceroy. But he also felt that once he had joined he had to make the best of the situation by adopting a policy of compromise. Lord Curzon has suggested another reason for this decision of Ripon to stick to his post. In his opinion Ripon’s experience as Under Secretary and Secretary of State made it difficult for him to demand the transfer of certain powers from the India Office to the Viceroy. But this argument does not appear to be convincing. Firstly, because he was always ready to subordinate his views to that of the party leaders, and secondly, by the time he realised the difficulties of the situation his interest in the promotion of the welfare of the people of India had increased so much that he considered it inexpedient to leave the post. In such circumstances the only alternative before Ripon was to press strongly for an overhaul of the machinery of the India Office but again his reluctance to place his party in an awkward situation came in the way.

Ripon was opposed tooth and nail by a sizeable majority of the British bureaucracy in India. His closest touch with the bureaucracy was with the members of his Council. His early impression about them was that it was not an easy task to manage a Council composed of men of Conservative tendencies. But he was optimistic about his pulling on well with them. He believed that by paying due respects to their sentiments he could persuade them to agree to his decisions. He, therefore, wisely avoided the overruling of the opinions of majority of his Councillors on the issue of withdrawing Indian army from Kandahar by referring it to the final decision of the Secretary of State. The approval of the Secretary of State gave him ascendancy over the Council. This ascendancy over his Council was further confirmed when Strachey, Haines, and Rivers Thomspson, the three senior members of the Council, were gradually replaced by Baring, Steward and Bayley. The joining of Ilbert, a liberal, further strengthened his position. But the general tendency of following the lead given

22. Ripon’s letter to Aberdere, May 24, 1884.
23. S. Gopal, Viceroyalty of Lord Ripon, p. 216.
24. Ripon’s letter to Hartington, March 5, 1881.
by the Viceroy was gradually replaced with misgivings towards
the rapid pace of his reforms. The agitation of the European
community against the Ilbert Bill unnerved all of them except
Ilbert and Baring. The departure of Baring during the period
of controversy weakened the position of the Viceroy considerably.
In the absence of support from his Council and a lukewarm assur-
ance from the Home Government, Ripon had no option but
to make a retreat on the issue.

The Viceroy also did not receive full support from the pro-
vincial governors and the senior officials in India. Of major
local governments he could count only on the support of Sir
Charles Aitchison. Besides the delaying tactics or opposition
of these Governors the vast majority of senior officials in Cal-
cutta and the provinces were not at all reconciled to his policies.
They were apathetic, if not hostile, to several measures of Ripon.
In no country a reform can succeed unless it is executed in its
proper spirit by the administrators. It is, therefore, not surprising
that the measures of Ripon failed to achieve their objectives.

The common charge levelled against him by his opponents was
that he was initiating too many reforms in a very short period.
Even Northbrook, the staunch supporter and friend of Ripon, was
seized with this idea and hinted Ripon about it. Thus an opini-
on has gained ground that Ripon had bit off more than he could
chew and that his ways of promoting the reforms created tension
in India. It must be said in defence of Ripon that this charge
is not based on real facts. In the Midlothian campaign of
1880 the Liberals had talked loudly about their policies and pro-
grammes in India. Ripon's duty was to implement them as early
as possible. As such the earlier domestic reforms of Ripon were
a part of great undoing process of the Lyttonian regime. But
still in the sphere of the North-West Frontier policy, which had
been a major issue in the election of 1880, he did not reverse
the actions of Lytton simply for the sake of doing so. In the
later period which is of greater significance for the internal affairs
he sincerely devoted himself to give effect to the policies of his
party. In this process he took sufficient care to adhere to the

liberal programme. Thus the responsibility of taking initiative in reversing the policies of Lytton in a short period is not that of Ripon but that of the Liberal Party who sent Ripon on this mission. Secondly, he had no intention to force the pace of reforms. His declaration that if he had known that Ilbert Bill would have caused so much uproar, he would not have brought forward the Bill, shows that he had always realised that there was a limit to reform that India could stand at one time. Moreover, the extreme care taken by him in allowing freedom as much as possible, to the local governments for adopting his measures in accordance with their needs also proves that he did not want to disturb the smooth working of the Government in India. In such circumstances the opinion of Baring that it was not much what he did than what he said which excited so much of adverse criticism seems to be correct. But it may again be pointed out that the blame of talking should not only be put on the shoulders of Ripon but also on the leaders of the Liberal Party whose trumpet Ripon was blowing in India. The difference was that they talked in England and Ripon, by force of circumstances, had to talk in a country where such expressions were regarded by his countrymen as something disastrous for the Empire. It was natural, therefore, for such persons who regarded themselves as conquerors and Indians as subject races to resent and oppose the actions of a Viceroy who was sincere in explaining the ideals of his party and translating them into action in a limited way.

It was indeed a tragedy that Gladstone’s representative in India did not succeed in implementing his programme materially although he worked sincerely and devotedly for it. But if we judge Ripon in a wider perspective his achievements are praiseworthy and far-reaching. His mission was to redeem the grievances of the Indians and make them understand that the presence of the British was profitable to them. His task was to impress the people of India about the sincerity of British efforts aiming at the progress of the country and that this noble task could only be achieved with the cooperation of the people of India. Although the events of Ripon’s reign shook the confidence of the people to a great extent and widened the gulf between the rulers and the ruled yet they never doubted Ripon’s
sincerity. Their faith in the sincerity of British efforts continued to centre round men like Ripon. They still believed that there are politicians and administrators in England who were willing to work enthusiastically for the betterment of the people in India and granting an increased share to them in the affairs of the government. Thus the testimony which Ripon had borne to the ultimate logic of British efforts in India was his prime achievement. Looking to the vehement opposition from several quarters which Ripon had to face during his Viceroyalty in India it does not seem to be a mean achievement.

Ripon never clouded his vision with the aim of achieving short-term success. He was always keen to work towards the goal placed before him by Gladstone, his philosopher and guide. His policies may not have yielded immediate results but proved to be beneficial to his country and India in the long run. His political wisdom lay in analysing the pulse of Indians from a broader point of view. He rightly concluded by analysing the important changes, moral, intellectual and material which were passing over the thoughts and lives of the people that the new class of educated Indians was gaining importance day by day. According to him it was the creative minority with whom the future of India lay. Like Hume and Wedderburn he stressed the necessity of a partnership with them. Without their cooperation a reconciliation between the ruler and the ruled was not possible. As one of the greatest apostles of reconciliation between peoples he placed utmost reliance on the intelligentsia. Thus under him the liberal experiment proceeded on right directions. As was alleged by his opponents he never contemplated ‘put the native on the gaddi’, but sincerely tried to foster a free association between Britain and India. The outburst of indignation over his measures might have obliterated the vision of politicians and the people of England, but the people of India amply demonstrated their appreciation of Ripon. The hearty send-off to Ripon was a revelation to the bureaucracy. Sir Auckland Colvin, who had taken the lead in the concordat over Ilbert Bill, writing anonymously in 1885, posed a question, “If it is real what does it mean?” Taking for granted that it was a real expression, he further asked, “Can these bones live?”
Replying to his own question again he remarked, "Indeed the dry bones of India had become instinct with life." It clearly shows that in the times of Ripon the educated minority in India became fully alive to their responsibility towards the nation. The rumblings of the united opposition of the Anglo-Indian community aroused the conscience of the Indian leaders and inspired them to act unitedly. But even then they did not adopt a defiant attitude towards their rulers. For this phenomenon Ripon deserves a larger share of credit. His sincerity of purpose and devotion to duty earned him the confidence of people. He successfully impressed the enlightened Indians about the utility of cooperative association with the British. The Indian National Congress established in 1885 did not forget this lesson and for a considerable long period believed in the sincerity of British intention and efforts. Ripon, therefore, cannot be regarded as a person who initiated the liquidation of the Empire. To the contrary he was a constructive builder who strengthened the structure of the Empire by bricks of mutual good will. His place in the British Indian history is, therefore, unique.
Select Bibliography

I—CONTEMPORARY SOURCES

(a) Unpublished Records preserved in the National Archives of India, New Delhi:

(i) Proceedings of the Home, Foreign and Political, Finance and Commerce, Legislative, Revenue and Agriculture Departments of the Government of India from 1861 to 1890.

(ii) Despatches from the Secretary of State to the Governor-General in Council in the above Departments from 1861 to 1890.

(iii) Despatches from the Governor-General in Council to the Secretary of State in the above Departments from 1861 to 1890.

Note: Specific references from the above records are given in footnotes.

(b) Published Records and Reports of the Government of India and Provincial Government:


(iii) Report of the Commissioners appointed to enquire into the Famine of Bengal and Orissa, 1866.


(viii) Review of Education in India, 1886, by Sir Alfred Croft.

248
(ix) The Second Afghan War, 1878-80, an Official Account produced by the Intelligence Branch of Army Headquarters of India.

(x) Rawlinson's memorandum on the Central Asian Policy, 20 July, 1868.

(c) Parliamentary Papers:

(i) Afghanistan: 1878-1879 C. 2190, C. 2690
   1881 C. 2772, C. 2776
   C. 2811, C. 2852, C. 2865
   C. 3090
   1882 C. 2772

(ii) Ilbert Bill: 1883 C. 3512, C. 3545, C. 3650
    1884 C. 3877, C. 3952

Note: The contents of the Parliamentary Papers are the same as recorded in the proceedings of the Government of India.

(d) Hansard Parliamentary Debates, 1879 to 1885.

(e) Journals:

(i) Calcutta Review, 1879 to 1885.
(ii) Fortnightly Review, 1879 to 1885.
(iii) Voice of India, 1879 to 1885.

(f) Printed Works:

(i) Speeches of Marquess of Ripon in India, Volume I and II, London.
(ii) Gladstone Speeches, Political Speeches in England.

II—MODERN WORKS

1. Balfour Betty: *The History of Lord Lytton's Indian Administration.*
2. Banerjee, Surendra Nath: *A Nation in Making.*
5. Buckland, C.E.: *Bengal Under the Lieutenant Governors,* Volume II.
10. S. Gopal: British Policy in India (1858-1905).
11. ————: The Viceroyalty of Lord Ripon (1880-1884).
19. Majumdar, R.C.: British Paramountcy and Indian Renaissance, Part II.
   ————: Freedom Movement in India, Volume I.
20. Majumdar, Vipin Vihari: History of Political Thought from Ram Mohan Roy to Dayananda, Volume II.
21. Mir Munshi Sultan Mahmood Khan: Life of Sirdar Abdur Rehman Khan, Volume I and II.
31. Wolfe Lucian: Life of First Marquess of Ripon, Volume I and II.
32. Zacharias, H.C.E.: Renascent India from Ram Mohan Roy to Mohan Das Gandhi.
Index

A

Abdulla Jan, 8
Abdur Rahman, Amir of Afghanistan, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 27, 28, 30, 31, 32, 34
Abyssinia, 121, 122
Afghans—See Afghanistan.
Afghan War—See Afghanistan.
Afghan Turkistan, 13
Afzal, 10
Agent to the Governor-General in Baroda, 55
Agrarian Dispute Act, 155
Agricultural Banks, 142
Agricultural Department, 133, 135, 142, 143
Aitchison, Charles, 38, 40, 48, 77, 167, 168, 191, 244
Akyab, 202
Alfred Croft, 90
Aligarh, 230
Ambala, 7
Ameer Ali, 225, 226
Americans, 97, 226
Anglo-Indian Defence Association, 218, 220, 222, 223, 225
Arakan, 35
Arbuthnot, 63
Arms Act, 3, 93-101, 112, 233, 239
Assam, 98, 122, 123, 203, 207, 212, 213, 218, 237
Ashley, Eden, 65-69, 135, 158, 180, 181, 186, 196, 210, 211, 218, 219, 241
Ata Mohammad Khan, 7.
Atkins, 223
Ava, Court of, 35-41, 241
Ayub Khan, 12, 13, 17, 18, 23

B

Baird Smith, 128-180, 171
Banerjee, Surendra Nath, 210, 222, 234
Baring, Evelyn, 20, 21, 41, 77, 106, 113-122, 125, 146, 178, 179, 185, 224, 229, 241, 243-245
Baroda, 54-56
Bengal, 62, 67, 70, 82, 90, 98, 119, 120, 192, 152, 154-161, 175-177, 196, 197, 204, 207, 218, 219, 221, 227, 231, 232, 234
Bengalee, a journal, 222
Bengalis, 106
Bengal British India Society, 231
Bentick, William, 207
Bethune, 219
Berar, 57
Bernard Charles, 40, 41, 46, 47, 203
Bhamo Border, 47
Bihar, 129, 207, 218
Blunt, Wilfred Scawen, 238
Board of Revenue, 129, 134
Bombay, 23, 63, 93, 98, 115, 128, 130, 176, 177, 181, 192, 195, 202, 212, 221, 286
Bombay Association, 232
Bonnerjee, W.C., 231
Branston, 217, 223
Bright, 237, 245
Bristol, 224
British Indian Association, 94, 98, 231, 233
Burrows, General, 17, 18, 23

C
Cambridge, 92
Campbell George, Sir, 78, 223
Canadian missionaries, 59
Canals and Tanks, Construction of, 152, 153
Canning, 90, 162
Carmichael, 213
Cavagnri, 9
Central Asia, 6, 18, 19, 25, 26, 29, 31, 34, 240
Central Asian—See Central Asia.
Central Provinces, 65, 93, 98, 119, 120, 169, 172, 177, 180-189, 212
Ceylon, 223
Chamarajendra Wadiar, Maharajah of Mysore, 52, 54
Chand Pole Ghat, 224
Charikhar, 16
Charles Macgregor, 32
Charles Wood, 81, 171, 196
Charter Act of 1793, 175
Charter Act of 1833, 223
Chief Justice of India, 158, 216, 217
China, 48, 109, 113
Chinese, 114
Churchill, Randolph, 237
Christians, 88
Cockerell, 129, 130,
Colvin, Auckland, 65, 224, 225, 229, 246
Council of the Secretary of State, 75, 77, 101, 107, 158, 159, 166, 189, 204, 215, 237, 242
Council of India—See Council of the Secretary of State.

Coorg, 212, 219
Cranebrooke, 2, 75
Crimean War, 27
Criminal Procedure Code, 209, 210, 211
Cross, 88
Crosthwaite, 47, 48
Concordat of Ilbert Bill, 225, 226
Couper George, 163, 164
Cunningham, 216
Curzon, Lord, 243

D
Dalhousie, 35, 207, 208
Dalyell, 99
Darbhanga, Maharajah, 227
Das, Chitravanjan, 228
Deccan, 142
Decentralization of Finance, 122, 178
Declaration of 1858, 223
De Giers, 29
Delhi, 184
Disraeli, 2, 8, 27
District Boards, 174, 183, 184, 187-192, 196, 198, 200, 201, 202, 203-205
Donald, Steward, 10, 15, 18
Dost Mohammad Khan, 6, 15
Dufferin, 49, 89, 101, 108, 166, 200, 204, 228, 235, 236
Dutt, Romesh Chandra, 210

E
East India Association, 232
East India Company, 175
Edinburgh, 225
Education Commission of 1882, 83-89
Educational Policy, 81-92
Eliot, C.A., 132, 237
Ellis, Robert, 1
Ellis, Henry, 1
Egyptian affairs, 31, 110, 121, 122
Egypt—See Egyptian affairs.
England, 25, 28, 29, 30, 33, 84, 48, 63, 64, 66, 67, 81, 106, 108, 109, 110, 112, 113, 117, 125, 144, 175,
Index 253

186, 197, 222, 223, 224, 225, 228, 232, 235-40, 242, 245, 246

English—See British.
Erskine, Major, 164
Eurasians, 90, 91, 93, 95, 103, 216, 217
Europeans, 33, 70, 90, 91, 93, 95, 97, 100, 102, 104, 105, 121, 146, 177, 181, 206, 207, 218, 220, 222, 224-227, 229, 230, 234, 237
Europe, 175, 183
Evans, 217, 218, 224, 225
Export Duty, 116

F

Factory Act of 1881, 62-71, 239
Famine, 112, 127, 143, 144
Famine Commission of 1880, 127, 128, 132-144, 146, 148, 149, 151, 152, 154, 155, 169, 173, 177, 239
Famine Commissioner, 133
Famine Code, 129, 135-139
Famine Relief and Insurance Fund, 138, 145, 146, 152
Fatehpuri Sikri, 189
Fawcet, 120
Fergusson, 192, 196
Fitz Patrick, 42
French, 25, 47, 48
France—See French.
Furrel, 217
Fytche, Colonel, 36, 37, 45

G

Gandamak, 9, 10, 15
Garth, 158, 216
Gauhati, 203
Ghosh, Lal Mohan, 95, 105, 223, 232, 233
Ghosh, Man Mohan, 95, 105, 232
Gibbs, 20
Gilgit, 9, 10
Gladstone, 1, 2, 5, 23, 72, 76, 80, 93, 95, 100, 120, 188, 228, 229, 233, 237, 240-242, 245, 246
Gortchokaff, 25
Goschen, 1
Government of Bengal, 63, 64, 71, 98, 155-157, 161, 180, 197, 199, 200, 212, 216
Governor-General, 175
Government House, 224
Governor of Bombay, 56, 63, 64, 65, 69, 70, 71, 98, 101, 113, 114, 120, 130, 136, 139, 181, 192, 193, 194, 195, 196, 221
Government of Bombay—See Governor of Bombay.
Governor of Madras, 54, 93, 113, 114, 130, 132, 170, 180, 200, 204, 212
Government of Madras—See Governor of Madras.
Grant, 42, 48
Grant Duff, 200, 201, 204, 212
Granville, 29, 32
Guisb, 17
Gupta, Behari Lal, 210, 211, 212

H

Haines, 18, 20, 21, 243.
Halifax, 2
Hastings, Lord, 53
Helmund river, 17, 18
Henvey, 58
Henzada, 202
Her Majesty, 43, 44, 45, 46, 75
Herat, 8, 10, 12-19, 23, 29, 30, 31
<table>
<thead>
<tr>
<th>Page</th>
<th>Index</th>
</tr>
</thead>
<tbody>
<tr>
<td>254</td>
<td>Hindus, 88, 280</td>
</tr>
<tr>
<td></td>
<td>Hissar, 166, 167</td>
</tr>
<tr>
<td></td>
<td>Hobhouse, Arthur, 74</td>
</tr>
<tr>
<td></td>
<td>Home Charges, 109, 110</td>
</tr>
<tr>
<td></td>
<td>Hope, 65, 185, 214</td>
</tr>
<tr>
<td></td>
<td>House of Commons, 116, 132, 145, 148, 149, 150, 153, 229, 237</td>
</tr>
<tr>
<td></td>
<td>Hume, A.O., 161, 229, 235, 241, 246</td>
</tr>
<tr>
<td></td>
<td>Hughes, Toms, 183</td>
</tr>
<tr>
<td></td>
<td>Hunter, W.W., 78, 83, 84</td>
</tr>
<tr>
<td></td>
<td>Hyderabad, 57, 213</td>
</tr>
<tr>
<td></td>
<td>I</td>
</tr>
<tr>
<td></td>
<td>Ilbert, Courtenay, 91, 106, 213, 225, 227, 229, 243, 244</td>
</tr>
<tr>
<td></td>
<td>Imperial Assemblage, Delhi, 91, 112, 130, 232</td>
</tr>
<tr>
<td></td>
<td>Imperial Budget, 110, 119, 122, 123</td>
</tr>
<tr>
<td></td>
<td>Import Duty, 112, 116, 120, 121</td>
</tr>
<tr>
<td></td>
<td>Income Tax, 109, 113, 119, 120</td>
</tr>
<tr>
<td></td>
<td>Indore, 59, 60</td>
</tr>
<tr>
<td></td>
<td>Indus, 26</td>
</tr>
<tr>
<td></td>
<td>India—See Indians</td>
</tr>
<tr>
<td></td>
<td>Indian Association, 228, 232, 233</td>
</tr>
<tr>
<td></td>
<td>Indian National Congress, 206, 228, 229, 231, 234, 235, 239, 247</td>
</tr>
<tr>
<td></td>
<td>Indian States, 50-60, 97, 133, 136</td>
</tr>
<tr>
<td></td>
<td>Instrument of Transfer, 51, 53</td>
</tr>
<tr>
<td></td>
<td>International Bimetallic Conference, 118</td>
</tr>
<tr>
<td></td>
<td>Irrigation Works, 144, 145, 151</td>
</tr>
<tr>
<td></td>
<td>Italian, 46</td>
</tr>
<tr>
<td></td>
<td>J</td>
</tr>
<tr>
<td></td>
<td>James II, 174</td>
</tr>
<tr>
<td></td>
<td>Jammu and Kashmir, 58, 59, 91</td>
</tr>
<tr>
<td></td>
<td>Jhansi Encumbered States Act, 169</td>
</tr>
<tr>
<td></td>
<td>Jhind, 91</td>
</tr>
<tr>
<td></td>
<td>Johnson, 18</td>
</tr>
<tr>
<td></td>
<td>Landholders Society, 231, 222, 225, 226</td>
</tr>
<tr>
<td></td>
<td>K</td>
</tr>
<tr>
<td></td>
<td>Kabul, 8-15, 18, 19, 28, 31</td>
</tr>
<tr>
<td></td>
<td>Kandhar, 10 to 23, 113, 240</td>
</tr>
<tr>
<td></td>
<td>Karachi, 19</td>
</tr>
<tr>
<td></td>
<td>Kaufman, 8</td>
</tr>
<tr>
<td></td>
<td>Keshurk, 217</td>
</tr>
<tr>
<td></td>
<td>Khiva, 27</td>
</tr>
<tr>
<td></td>
<td>Khan of Khelat, 9, 22</td>
</tr>
<tr>
<td></td>
<td>Khurram Pass, 9, 10, 15, 22</td>
</tr>
<tr>
<td></td>
<td>Khyber, 21, 22</td>
</tr>
<tr>
<td></td>
<td>Kimberley, 1, 31, 48, 88, 106, 107, 160, 166, 188, 189, 204, 205, 223, 228, 229, 242</td>
</tr>
<tr>
<td></td>
<td>Kumaon, 190</td>
</tr>
<tr>
<td></td>
<td>Kunduz, 10</td>
</tr>
<tr>
<td></td>
<td>L</td>
</tr>
<tr>
<td></td>
<td>Lahore, 91 92</td>
</tr>
<tr>
<td></td>
<td>Laik Ali, 57</td>
</tr>
<tr>
<td></td>
<td>Lower Bengal, 98</td>
</tr>
<tr>
<td></td>
<td>Lieutenant-Governor of Bengal, 64, 65, 70, 75, 135</td>
</tr>
<tr>
<td></td>
<td>Lancashire, 64, 116, 121</td>
</tr>
<tr>
<td></td>
<td>Landholders Society, 231</td>
</tr>
<tr>
<td></td>
<td>Lepel Griffin, 11, 14, 16</td>
</tr>
<tr>
<td></td>
<td>Licence Tax, 109, 112, 113, 115, 119, 120, 125</td>
</tr>
<tr>
<td></td>
<td>Louis Mallet, 118, 121, 148</td>
</tr>
<tr>
<td></td>
<td>Lower Burma, 35, 38, 98 116, 120, 122, 123, 170, 177, 202, 203, 212</td>
</tr>
<tr>
<td></td>
<td>Lyall, Alfred, 40, 48, 105, 163, 164, 166, 189, 190, 191, 215</td>
</tr>
<tr>
<td></td>
<td>Lytton, 2, 3, 5, 8, 9, 11, 12, 19, 22, 23, 27, 29, 30, 33, 38, 39, 48, 58, 64, 66, 72, 74, 75, 76, 77, 78, 80, 90, 91, 93, 94, 103, 104, 106, 111, 112, 115, 117, 123, 127, 130-132, 215</td>
</tr>
</tbody>
</table>
Napoleon, 25
National Conference, 228
National Muhammadan Association, 84
Nebuchadnezzar, 2
Nightingale, Florence, 28
Nizam of Hyderabad, 50, 57
Norris, 224
Northbrook, 2, 7, 8, 26, 27, 48, 54, 64, 73, 74, 120, 171, 177, 224, 237, 242, 244
Northcote, Stafford, 171
North West Frontier 244
North West Provinces and Oudh, 65, 92, 119, 120, 128, 135, 162, 163, 166, 169, 171, 176, 177, 181, 189, 212
Nyoung Oke, 38
Nyoung Yan, 38

Opium Trade, 113, 114, 115
Orissa, 128-30, 152
Oxford, 92
Oxus river, 31, 32

Pabna, 155
Pal, Kristodas, 79
Palmerston, 27
Panjdeh, 32
Panna, 60
Paris, 118, 214
Perry, Erskine, 75
Peel, Robert, 111
Pegu, 85
Permanent Settlement, 155, 172
Penal Code, 73, 78, 208
Persia, 6, 8, 10, 18, 28, 29, 114, 121
Persians—See Persia
Peshawar, 19, 20
Peter, Lumsden, 32
Pishin, 9, 10, 12, 14, 15, 21, 22
Phayre, Colonel, 35
Presidency Towns, 174, 175, 181
Primrose, General, 17, 18, 28
Press, 177, 208, 233, 236, 237, 238
Poona, 142
Public Works, 132, 133, 137, 144, 153, 216
Punjab, 89, 91, 93, 120, 166, 167, 168, 169, 176, 177, 181, 191, 192
Punjab Government, 166, 167, 168, 169
Punjab University, 91
Punjab University College, 91, 92

Q
Quetta, 9, 17, 22, 151

R
Railways, 134, 144, 145, 146, 147, 150, 151
Rajputana, 116
Ranbir Singh, 58, 59
Rangoon, 41, 42, 46, 48, 202
Ravi, 152
Rawlinson, 19, 26, 29
Reay, Lord, 118
Redgrave, 63
Resolution of May 18, 1882, on Local Self-Government, 182-204
Revenue Policy, 154-173
Revolt of 1857, See Mutiny
Richard Strachey, 147
Roberts, General, 18, 20, 21
Roorkee, 216
Roy, Ram Mohan, 231, 235
Royal Army Sanitary Commission, 176
Russia, 5, 8, 16, 20, 21, 27, 28, 29, 30, 31, 32, 33, 34, 79, 240
Russians, 6, 7, 8, 9, 10, 13, 14, 25, 26, 28, 31, 32, 33

S
Sahib Dayal, 239
Salar Jung, 57
Salisbury, 8, 29, 54, 74, 75, 116
Salt Tax, 109, 115, 120, 121, 123
Sandeman, Robert, 17
Sarvajanik Sabha, Poona, 193, 232, 233
Sayaji Rao, 54, 55, 56
Scotland, 233
See Customs Act, 1878, 79
Seistan, 8
Shan States, 47
Sher Ali Khan, Amir of Afghanistan, 6, 7, 9
Sher Ali, Wali of Kandhar, 10, 12, 13, 17, 19, 23
Shire Myo, 39
Shiv Prasad, 78
Shoe question, 37
Sibi, 9, 10, 12, 14, 15, 20, 21, 22
Simla, 3, 42, 45, 57
Sind, 152, 177
Sirsa, 166, 167, 168
Somprakash, 73
Stansfield James, 239
Statutory Civil Service, 104, 105, 106, 107
Stephan, James, 209, 223
Steward, 215, 243
St. Petersburg, 23, 26
Stuart, Bayley, 57, 215, 237, 242
Suez Canal, 121
Supayalat, Queen of Upper Burma, 38, 40
Syed Mahmood, 105
Sylhet, 203

T
Tagore, Jotindra Mohan, 66, 78, 162, 210, 219
<table>
<thead>
<tr>
<th>Index</th>
<th>257</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tagore, Satyendra Nath, 210</td>
<td></td>
</tr>
<tr>
<td>Tanna (Thana), 210</td>
<td></td>
</tr>
<tr>
<td>Tarai area, 190</td>
<td></td>
</tr>
<tr>
<td>Teleng, Kanshi Nath Trimbuk, 87, 88</td>
<td></td>
</tr>
<tr>
<td>Temple, Richard, 129, 223</td>
<td></td>
</tr>
<tr>
<td>Tenancy Acts, 143, 156-62, 166-69</td>
<td></td>
</tr>
<tr>
<td>Tenants, 154, 155, 157-64, 167-69</td>
<td></td>
</tr>
<tr>
<td>Thayetmo, 39, 40</td>
<td></td>
</tr>
<tr>
<td>Thebaw, 38, 41, 44, 47, 49</td>
<td></td>
</tr>
<tr>
<td>Thomason Engineering College, 216</td>
<td></td>
</tr>
<tr>
<td>Thompson Rivers, 20, 67, 135, 155, 158, 197, 198, 218, 219, 224, 241, 243</td>
<td></td>
</tr>
<tr>
<td>Times, a newspaper, 222, 223</td>
<td></td>
</tr>
<tr>
<td>Tipu, 51</td>
<td></td>
</tr>
<tr>
<td>Toungoo, 202</td>
<td></td>
</tr>
<tr>
<td>Tukojee Holkar, 59, 60</td>
<td></td>
</tr>
<tr>
<td>Turgot, 132</td>
<td></td>
</tr>
<tr>
<td>Turner, 222</td>
<td></td>
</tr>
<tr>
<td>Upper India, Regulation VII of 1882 and IX of 1883, 170, 171</td>
<td></td>
</tr>
<tr>
<td>Uzbeg States, 25</td>
<td></td>
</tr>
<tr>
<td>Vernacular Press Act, Repeal of, 2, 72-80, 112, 118, 233, 239</td>
<td></td>
</tr>
<tr>
<td>Wakhan, 8</td>
<td></td>
</tr>
<tr>
<td>Warner Lee, 194</td>
<td></td>
</tr>
<tr>
<td>Wedderburn, David, 105</td>
<td></td>
</tr>
<tr>
<td>Wedderburn William, 142, 241, 246</td>
<td></td>
</tr>
<tr>
<td>Wellesley, 51</td>
<td></td>
</tr>
<tr>
<td>Wilson, 118, 213, 224</td>
<td></td>
</tr>
<tr>
<td>Whitley Stokes, 19, 20, 65, 67</td>
<td></td>
</tr>
<tr>
<td>Yakub Khan, 8, 12, 13</td>
<td></td>
</tr>
<tr>
<td>Yule, Colonel, 75</td>
<td></td>
</tr>
<tr>
<td>Zamindars, 155, 161, 163, 164, 165, 170</td>
<td></td>
</tr>
</tbody>
</table>
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