CHAPTER THREE

THE LIBERALS IN THE PROVINCES 1921-1923

The Provinces were the domain where the Act of 1919 had conferred partial responsibility by entrusting certain subjects with the control of the Ministers chosen from the elected members of the Legislative Council. Ministers were drawn for the most part from amongst the recognised leaders of the Moderate Party identified with the Reform scheme, and the same was true of the Indians appointed to hold portfolios in the Vicere­roy's cabinet and the Provincial Executive Councils. Montagu wanted that Surendranath Banerjea should be appointed as one of the Ministers in Bengal. So Lord Ronaldshay, who was then entering his last year as Governor of the Province offered Surendranath his old critic, the post of a Minister and the choice of any portfolio he liked. While in England Surendra­nath had already acted as a member of a committee to enquire into the institutions of Local Self-Government in England. So he asked for the portfolios of Local Self-Government and Edu­cation. But he was informed that such a combination was impossible in view of the arrangement of the work in the secre­tariste. He then chose Local Self-Government with Public

1. Montagu to Chelmsford, 13 October 1919, Chelmsford Papers, op. cit., vol. 6, p. 82.
3. Ibid., p. 306.
4. Ibid., p. 313.
Health. On Surendranath Banerjea's suggestion the second Ministerial office was then given to Provas Chandra Mitter, Secretary of the National Liberal League. To represent the Muslims Ronaldshay appointed Syed Nawabali Chaudhuri, an East Bengal Muhammadan, who had recently published a pamphlet in which he had marshalled arguments against Non-cooperation.

In the same way prominent Liberals were invited to take up portfolios of Transferred Departments in other Provinces, such as C.Y. Chintamani and Pundit Jagat Narain in the United Provinces of Agra and Oudh, C.V. Mehta and R.P. Paranjpye in Bombay, S.M. Chitnavis and Rao Bahadur N.K. Kelkar in the Central Provinces. In Madras the two Ministers were chosen from the Justice Party. The main subjects transferred in each Province were Local Self-Government, Public Health, Education, Industries and Agriculture, and Ministers in each Province took charge of one or the other of these subjects.

Local Self-Government -

In Bengal as Minister of Local Self-Government Surendranath Banerjea, op. cit., p. 318.

Ibid.

Second Marquess of Zetland, op. cit., p. 136.

Views on Present Political Situation, (Calcutta, 1920), G of I, Reforms Office, General deposit, no. 9, October 1920.

Also known as the South Indian Liberal Federation which was the organisation of the Non-Brahmins in Madras.

nath Banerjea's one great ambition was to amend Curzon's Calcutta Municipal Act, in opposing which he had staged his famous walk-out from the Calcutta Corporation in 1899. An amendment of the Calcutta Municipal Act was long overdue. It was in the year 1876 that the Calcutta Corporation was constituted upon a representative basis, two thirds of the members being elected and one third nominated. The Act was revised in 1888 when the suburbs were included. In 1899 a further revision took place involving constitutional changes of the utmost moment. The change made by the Act of 1899 involved a substantial reduction of popular authority in the Corporation. The elected elements were reduced from two thirds to one half and the Corporation was divested of its supreme authority by the creation of co-ordinate bodies. A Bill to amend the Act was introduced in 1919. In a matter of such importance Surendranath considered it his duty to consult public opinion even before the Bill was framed. Accordingly he invited in

13. Curzon derisively called it a "coup de theatre".
15. Ibid., p. 122.
March 1921 a representative conference of Europeans and Indians, of officials and non-officials, to discuss the constitutional feature of the proposed legislation. The Bill that was introduced in the Council on 23 November 1921 followed in its main outlines the recommendations of the conference.

The constitutional part of the old Act was thoroughly revised and placed in conformity with the spirit of the Reforms and large powers to control sanitation and to prevent adulteration of food were taken. So far as the constitutional changes were concerned, the number of members in the Corporation was raised from fifty to eighty. Government nomination was reduced from fifteen under the existing law to eight under the Bill. The general electorate which under the old Act returned twenty-five members, would now elect fifty-five members, more than double the existing number. All the elected members put together now numbered seventy-two, which again was double the existing number. This was an advance towards the democratisation of the Corporation. It meant wider representation of the citizens of Calcutta and of their multifarious interests in the Government of the city. It provided for the appointment of a


19. The figures were as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Members</th>
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<tr>
<td>General Electorate (including 13 Muslims)</td>
<td>55</td>
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<tr>
<td>&quot; Chamber of Commerce</td>
<td>6</td>
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<tr>
<td>&quot; Trade Association</td>
<td>4</td>
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<td>&quot; Port Commissioners</td>
<td>2</td>
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<tr>
<td>&quot; Corporation (Aldermen)</td>
<td>5</td>
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<td>&quot; Government</td>
<td>8</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
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President - to be called a Mayor - and a chief executive officer both of whom were to be elected by the Corporation. The constitution of the Corporation was further democratised by the broadening of the franchise, the abolition of plural voting, and the admission of women into the electorate. Another notable feature of the Bill was the creation of Aldermen whose presence in the Corporation would enhance its dignity and whose counsels would add to its deliberative strength.

Surendranath was opposed to communal electorate on principle which, as he said in the Council, 'divides our community into water tight compartments and makes us think and act like partisans and not as citizens, as Hindus or Muhammedans or Christians, not as Indian and it must, therefore, interfere with the evolution of that citizen spirit which is fundamental to the development of nationhood'. In the Bill he reserved thirteen seats for the Muhammedans in the general electorate. But this provision became the theme of an acute controversy in the Council. Communal feeling manifested itself on 22 November 1921 when the introduction of the Calcutta Municipal Bill was opposed by a Muhammadan member.

22. Ibid., pp. 126-27.
23. Moulvi Abuds Salam Khan Bahadur.
Muhammadans and one charmakar (cobbler) member went into the 'no' lobby, being dissatisfied with the Minister's policy of not adopting communal electorate for the Corporation. On the successive motion for circulation of the Bill which was moved a week later, there was no division as the Minister had indicated that further opportunity would be afforded for considering the subject of communal representation. But the Muhammadans made it quite clear in the debate that they considered that the Hindu members of the Corporation had not treated Muhammadan interest with proper consideration and voiced the opinion that in the very first year of the Reform, the Muhammadans had been compelled to find what swaraj in India would be.

On 3 July 1922 the Bill was referred to the select committee. The Muhammadans did not press matters to a division but accused the Minister of packing the committee with members opposed to communal electorate. Of the four Muhammadan members included in the select committee only Syed Nasim Ali was a stout champion of communal electorate. But amongst the other three members Dr. Abdulla Suhrawardy had already declared

25. Ibid., p. 542.
26. Ibid., p. 446.
27. Ibid., 1922, vol. 8, p. 87.
himself openly against communal electorate, and Fazlul Huq
had appealed to the Muhammadan community not to view the pro-
posal of the Minister with alarm and anxiety. The last, Mr.
Razaur Rahaman Khan, was unacceptable to the Muhammadan mem-
bers of the Council as he was a young and inexperienced fellow
and unlikely to present Muhammadan point of view in an effec-
tive manner. The Minister was thus accused of making the
committee's a happy family among themselves of which he was the
head. As a result one more Muhammadan was added to the
committee.

In the meantime Hindu-Moslem relation had been consider-
ably strained. On 29 August 1922 Babu Amulya Dhone Addy, an
M.L.C. returned by the Bengal National Chamber of Commerce,
moved a resolution in the Council for the appointment of a
Committee to increase the supply of pure cow's milk. The
resolution was innocent in form but Addy, who was also a member
of the Corporation, had already given some offence to the
Muhammadans by successfully getting the Hindu majority in that
body to pass a resolution restricting the slaughter of prime

29. Ibid., 1921, vol. 5, p. 529.
30. Ibid., p. 535.
31. Ibid., 1922, vol. 8, pp. 95-96.
32. Ibid., p. 95.
33. Khan Bahadur Abdus Salam.
The Muhammedans now accused him of creating 'mischief, consternation and agitation', and 'tension of feeling and friction between Hindus and Moslems' by his anti cow-killing campaign. In vain did Mr. Addy deny any wish to bring in this side of the subject and the resolution was lost.

The gulf was made wider when the Hindu majority in the select committee on the Calcutta Municipal Bill made some slight concessions in regard to the number of seats on the Corporation to be reserved for Muhammedans, but insisted that they should be elected by general electorate and finally they succeeded, again on Mr. Addy's motion, in inserting a clause giving the Corporation the right to restrict the slaughter of prime cattle in Calcutta.

This last move brought Muhammedan apprehensions to a head, and when the Calcutta Municipal Bill reached its final stage in February 1923, the feeling was intense on both sides. So far as the non-official European group was concerned, they had made it known on a former occasion that they were prepared to support communal electorate at least in theory, and the

35. Ibid., p. 344.
36. Ibid., p. 334.
37. Ibid., pp. 351-52.
38. Ibid., pp. 352-53.
40. Ibid.
members of the Depressed Classes who, after having been deprived of their original claim for a separate electorate for them in Provincial Legislative Council, were always apprehensive of the domination by the majority of their co-religionists, had in the meantime been totally alienated by the activity of some high caste Hindus. So the Muhammedans now enlisted the sympathies of non-official Europeans, and members of the Depressed Classes. They argued that the Hindus would put up dummy Muhammedans for election and get them elected by Hindu votes against true Muhammedan candidates (Muhammedans being in minority in all the wards). They had a very good lever to work with (as to the intentions of the Hindus) in the new clause relating to cow killing inserted by the select committee and in further amendments later tabled by some of the Hindus which


43. Babu Rasik Chandra Charakar (a cobbler member) and Babu Kishnadev Das had already voted in the 'no' lobby in November 1921 being dissatisfied over the Minister's policy of not adopting communal representation, B.L.C. Progs., 1921, vol. 5, pp. 134-35. Both of them also voted with the Muhammedans in favour of the compromise, ibid., 1922, vol. 11, no. 2, p. 274.

44. Ibid., pp. 121-22.

45. Chief Secretary to the Govt. of Bengal to the Secretary to the Govt. of India, Home Dept., 21 July 1921, Reformed Constitution, 1924, P.P., Commons, 1924-25, vol. 10 (cmd. 2362), p. 346.

46. Rai Mahendra Chandra Mitra Bahadur, Babu Amulya Dhoj Addy, and Babu Kishori Mohan Chaudhuri brought amendments which were more drastic than the original clause inserted in the select committee report, B.L.C. Progs., 1923, vol. 11, no. 4, pp. 100-02, 107.
could be used practically to prohibit all forms of cattle killing. The strong attack made by the Hindu party also frightened some of their own men, who considered that imposition of their wills on the Muhammedans in this way would turn the latter definitely against any idea of self-Government. Some of these Hindus, therefore, openly announced their intention of voting with the Muhammedans on the question of communal electorate. The Government also was not united. The Muhammadan members, Abdur Rahim (Executive Councillor) and Nawab Ali Chaudhuri (Minister) insisted on a free vote being allowed on the question or on the Government, as a body standing neutral. An estimate of the combined Muhammadan, non-official Europeans, depressed Class Hindus and other Hindus who would vote for communal electorate, worked out a majority over those Hindus who would vote against separate electorate for the Muhammedans, especially if the Government vote was divided, and there was the certainty of a defeat of the Minister. The situation was

47. Chief Secretary to the Govt. of Bengal to the Secretary to the Govt. of India, Home Dept., 21 July 1921. Reformed Constitution, 1924, F.P., Commons, 1924-25, vol. 10 (cmd. 2362), pp. 346-47.


50. Chief Secretary to Govt. of Bengal, to the Secretary to the Govt. of India, Home Dept., 21 July 1921, Reformed Constitution, 1924, F. P., Commons, 1924-25, vol. 10 (cmd. 2362), p. 347.
however, saved by one non-official European member of the Council who suggested a compromise to the effect that for nine years there should be a communal electorate for the Mohammedans after which they should have only reserved seats in the general electorate. Considering that the balance of advantage lay on the side of acceptance of the compromise, Surendranath agreed to it on the highest grounds of expediency.

Surendranath was confronted with a certain defeat by a combination of different sections in the house; and he averted the defeat by accepting a compromise against his own principle. If the Government were defeated, what would have been the result? Communal representation would have found a permanent place in the municipal law. Instead of that, the principle of general electorate was upheld in the Bill as before and only a temporary deviation of this principle was accepted for a period of nine years after which general electorate would automatically assert itself and its machinery would be put into force. The compromise was thus purely a transitional arrangement. But the Hindus who were against communal electorate, were dismayed at the acceptance by the Minister of this arrangement, especially because it was immediately clear to them

51. Mr. R. H. L. Langford James.
53. Ibid., pp. 271-72.
54. Ibid., pp. 238-51, 259-65.
that not a single Muhammadan member in the Council accepted
the compromise in the light in which the Minister had accepted
it. Every Muhammadan member who spoke, made it clear as day
light that they did not accept the automatic disappearance of
this special electorate provision. They only said that they
would reconsider the whole situation and would decide the ques­
tion as it would present itself to them at the end of the nine
years. The compromise was thus regarded as a signal Muham­
medan victory.

The Bill contained many provisions which marked an improve­
ment over the existing law. How fundamental and entirely in
accordance with popular opinion the constitutional changes
introduced were, would appear from the proceedings of a public
meeting held at Town Hall, Calcutta, on the 29 January 1916


56. "It is absurd to say", said Syed Nasim Ali, a vehement
communalist Muslim member of the Council, that
acceptance of the principle for nine years would debar
the Muslims from raising the question after that
period (as some of the Muslims thought). Constitution­
ally, legally we cannot bind ourselves or our successors.
Nor does this mean that we are to abandon this principle
of communal representation by separate electorate. Nor
do we pledge ourselves or our successors to that effect.
The whole question would be a question of onus. After
nine years we will have to satisfy the Government, that
it is still needed. By taking this compromise we simply
take the burden of proof upon ourselves. Therefore, my
idea is that all my Muslim friends ought to support
his amendment, because by doing so we are simply taking
the onus upon ourselves, not that we are abandoning
the principle or pledging ourselves in any way". Ibid.,
pp. 268-69.

57. Ibid., pp. 292-95, 296-98, 301, 303, 304.
under the Presidency of the Maharaja of Burdwan when the follow-
ing resolution was passed:— "That this meeting, while deeply
grateful to the Government of Bengal for undertaking to revise
the Calcutta Municipal Act, is of opinion that the constitu-
tion of Calcutta Corporation should be revised on the following
lines:— a) That the office of the President of the Corporation
should be separated from that of the head of the Municipal
Executive and that both the President and the head of the Munici-
cipal Executive should be elected by the Municipal Commissio-
ers, the election of the latter, if need be, being subject to
confirmation by Government; (b) That with a view to give the
rate payers an effective voice, in the control of their munici-
pal affairs, at least three fourths of the members of the Cor-
poration should be elected by the different wards; (c) That the
authority of the Corporation should be supreme and that all pro-
cedings of the Executive and of the committee should be liable
to revision by the Corporation as under the Act of 1876 and 1888.
As a necessary sequel, the system of Co-ordinate authorities
should be done away with."

The Bill which Surendranath Banerjea introduced in 1921
fulfilled all these demands. The new changes in the Bill were
the fullest recognition of the principle of representation and
the expansion of franchise, the increase in the number of Com-
misssioners from fifty to eighty, the appointment and election
of Mayor and Deputy Mayor, separate Executive and its subordi-

58. G of B, Local Self-Govt. Dept., LAR-S(1-3), B 27-30,
November, 1925.
nation to the Corporation, introduction of Aldermen and their election and standing committee for study and advice. But no word of recognition did these changes elicit from the Extremist press, which now concentrated its attack only upon the introduction of the communal system. One of the chief charges of the anti-Ministerial Bengali press, and the Swarajists against Surendranath Banerjea was that as Minister of Local Self-Government he had introduced the communal principle in the chief legislative measure of his Ministry, the Calcutta Municipal Act. "If communal representation is bad to-day", wrote the *Amrita Bazar Patrika*, "it is bound to be worse nine years hence. The minister even with his rosy optimism did not perhaps hope that he could be in his place at the end of that period. It would be the business of others to get out of the tangle created by himself. After me the deluge - this was probably in his mind." Even the *Bengalee* spoke in a similar strain. "... Sir Surendranath Banerjea's acceptance of this dogma", wrote the *Bengalee*, "means the tabooing of the reform and the time forces. We do not know what glamour there may be in the office which he holds ... Sir Surendranath Banerjea may have saved himself and the Calcutta Municipal Bill from going into the scrapheap, but will he search his heart and find at what cost? ..." But the Extremists ignored the fact, as

60. *Bengalee*, 23 February 1923.
Surendranath Banerjea wrote afterwards, 'that the communal system had no place in the original Bill as introduced by me (though it was recognised in Lord Sinha's Bill of 1917 which I had deliberately omitted), that I fought tooth and nail against it and I only agreed to admit it as a temporary provision in order to avoid giving it a permanent place in the municipal law of the land'.

Surendranath Banerjea commented bitterly later on that the Swarajists themselves, after entering the Council, entered into a Hindu-Muslim pact by which they agreed to extend the communal principle to every municipality in Bengal and started making appointments to the Calcutta Corporation on the same principle.

During his term of office Surendranath Banerjea also introduced two other Bills, one to amend the Bengal Municipal Act of 1884 and the other, a short Bill to amend the Bengal Local Self-Government Act of 1885. Before the final stages of the Calcutta Municipal Bill had been reached, Surendranath had prepared the Bill to amend the Bengal Municipal Act and it was introduced in the Council in August. In its constitutional features the Bill was very much in advance of the existing law; and its administrative provisions conferred large powers on the municipalities, subject to the control of the Local Government. The Bill, as the Minister stated in the Legislative Council, was 'a progressive

61. Surendranath Banerjea, op. cit., pp. 333-34.
62. Ibid., p. 334.
64. Ibid., pp. 207-09.
but not a revolutionary measure*. He built upon the old foundations but broadened and liberalised them. The percentage of elected members was raised from two-thirds, which was the existing law, to three-fourths, and in some cases to four-fifths, of the entire body of Municipal Commissioners. The system of nominated chairman of wholly nominated Commissioners was done away with, except in the case of municipalities in the industrial centres, and, even as regards them, where there was a population in any fringe area, unconnected with the industries, they would have an electorate of their own to represent them. The whole policy of the Bill was to invest Municipal Commissioners with real power and responsibility, to relax all internal control and to exercise it from without. Thus the Bill bore distinct traces of his liberal tendencies and there was no room for doubt that those concerned with the municipal administration in Bengal demanded a new measure and the Bill presented a fair statement of what they wanted. But this Bill again foundered on the rock of communal electorate. It was asserted by a Muhammadan member of the Council who opposed its introduction on the ground that 'the principle of communal representation has not been accepted in the Bill'.

65. Ibid., p. 207.
66. Ibid.
67. Ibid., pp. 207-9.
68. Ibid., pp. 207-8.
69. Ibid., pp. 209-10.
There was criticism of another kind with which the Bill was assailed. This Bill was described as reactionary because the Government kept for itself a reserve of control, to be enforced when required in the public interests. Surendranath introduced this provision as he thought that there must be control exercised by Government because Government must see that large powers conferred upon the municipalities were effectively exercised without any abuse of any kind. He asked the Council not to be alarmed at the idea of Government control which was to be exercised by the Minister who was responsible to the Legislative Council. He further pointed out that the critics were not sufficiently aware of the fact that even in England in the democratic municipalities, control of the most drastic kind was exercised by the Local Governing Board.

But Surendranath could not proceed with these two Bills as both of them lapsed on the dissolution of the Council on 24 September 1923.

Another great step of Sir Surendranath Banerjea as the Minister for Local Self-Government was to de-officialise the district boards and to introduce the principle of elective majority wherever he could. In the two years preceding the

70. Arita Bazar Patrika, 17 August 1923.
Reforms all but five district boards were given the privilege of electing their Chairman from among the non-official members. This privilege was now extended to the remaining five boards so that in future these local bodies would be relieved of official tutelage. The policy of de-officialisation was further pursued in the case of local boards. In response to a resolution moved in the Legislative Council by Babu Panindra Lal De for appointment of non-official Chairman in local boards, Surendranath Banerjea issued an order directing all official members of the local boards not to stand as Chairman.

One important measure for the promotion of Local Self-Government by small rural units was the Village Self-Government Act of 1919. Surendranath Banerjea was an ardent supporter of the policy of the Act. Under Section five of the Act, a forward policy in the creation of union boards was accepted by the Ministry of Local Self-Government and many unions were constituted and the number of union boards also increased.

75. Ibid., also Surendranath Banerjea, op. cit., p. 330.
76. The resolution runs thus: "This council recommends to the Governor-in-Council that they be pleased to direct that no official member of the Local Board in Bengal should stand for election as Chairman thereof". B.L.C. Progs., 1921, vol. 1, no. 6, p. 291.
77. G of B, Local Self-Govt. Dept., L4R-7(1-5) 70-74, December 1921.
78. Surendranath Banerjea, op. cit., p. 332.
Surendranath Banerjea emphasised it most strongly that the Bengal Village Self-Government Act was not an Act which could be extended only in advanced areas but that the opportunities, which afforded for self help and education in the working of representative institutions, must also be offered to those villages in Bengal in which higher education and experience in the conduct of public business were less common. That was indeed the underlying principle of Lord Ripon's Resolution of May 1882 and Lord Morley's despatch of 1908. But success of that policy depended to a large extent on the attitude of the officials on the spot towards any further extension of the Act; and in many cases the Minister could not proceed where the officers concerned were opposed to it.

But a more formidable opposition to his policy came from another quarter, and the Village Self-Government movement in Bengal suffered a severe set back due to the activities of the Non-cooperators who made a vigorous attack on this measure in

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79. 1351 union boards in different districts were established under the Act, G of B, Local Self-Govt. Dept., L2U-10(1-24), 1-30 December 1921 and K.W.


81. This was the case in the Dacca district where the District Magistrate, Mr. S.G. Hart, informed the Minister that in some parts of the district the people were not yet capable of understanding that the establishment of union boards would be for their benefit and there were not men qualified to administer public affairs. On that ground he opposed, in a most persistent manner, the extension of the Act in the whole of the district. G of B, Local Self-Govt. Dept., L2U-10(1-24), 1-30 December 1921 and K.W.
the Midnapore District of Bengal in 1921. In January of that year the first elections for union boards were held in Midnapore under the Act of 1919. The electors did not have any definite idea about what they were voting for, but they thought at first that they were electing representatives to arbitrate village disputes and thus saving lawyers' and court fees. They found later that they had in fact voted for the formation of new bodies which would levy taxes.

Mr. Birendra Nath Sasmal, who, after standing as a candidate for the Bengal Legislative Council, turned to be a successful Non-cooperator and tried to form labour unions, was quick to seize this opportunity to appear in the role of a champion of people's rights. He quickly got hold of the local newspaper 'Nihar' and organised meetings where he said that this was an Act to which 'Lord Sinha stood sponsor'. It was one of those insidious pills by administering which the Moderate party intended to destroy the national peculiarities of the Indians. It was a measure for turning the villages of Bengal into 'Yorkshire towns'. So the people should not delude themselves that they would have a free hand to settle their own affairs. Had not the higher powers dictated fifty percent

82. Ibid., L2U-5(1-7), 36-49, July 1922.
increase in taxes and this increase, he said, would go on un-
til it reached the maximum of seven times the present figures.

As a result of this propaganda by B. N. Sasual and his
party the union board members in Contai refused to work and
Tahasildars had to be appointed to collect Chaukidari taxes,

The Contai 'poison' soon spread to many other unions in the
district, and Presidents and Vice-Presidents who strove to
carry on were at length overpowered by social ostracism that
was brought to bear on them and the loyalists in their unions.

As a result of this the Government, though knowing full
well that the opposition to the Act in Midnapore district was
largely based on false and distorted statements about the con-
tent and purposes of the Act, decided to withdraw its operation
from 227 recently constituted union boards in that district.

The risk of a similar set back rendered it necessary to
proceed with caution in other districts in which the Act had
not been popular before the Non-cooperation agitation was at
its height.

85. Ibid.
86. A.W. Cook, District Magistrate of Midnapore, to Commis-
sioner of Burdwan Division, 3 November 1921. Ibid.,
L2U-5(1-7), 36-49, July 1922.
88. In the Nadia district the people resisted the extension
of the Act. The local people did not welcome establish-
ment of union boards, fearing an increased rate of taxa-
tion; ibid., L2U-20(1-22) 11-30 August 1922.
When Surendranath Banerjea came out of his office in 1923 there was no applause for him. The Calcutta Municipal Act had been marred by those communal dissensions against which he had fought throughout his life. His attempt to liberalise the local bodies had equally been frustrated by the Non-cooperators. Thus the two and half years' term of Sir Surendranath Banerjea as Minister of Local Self-Government in Bengal had been full of disappointment and unpopularity.

The next important legislative enactment in the department of Local Self-Government was in the United Provinces. The United Provinces District Board Bill of 1922 was introduced into the Council by Pundit Jagat Narain, Minister for Local Self-Government in that Province, in December 1921. Under the Bill the district boards were made entirely elective save for the reservation of two seats to be filled by nominations of the Local Government. They became entirely non-official, and internal and external control were relaxed as much as possible. The franchise was reduced generally to the level of that for the Legislative Council. Muslim rate-payers were given a separate electorate with a fair amount of weightage where their percentage was low. The powers of taxation conferred by the Bill carried with them some measure of financial independence. The Bill gave the boards authority to levy a small land cess,

89. Surendranath Banerjea, op. cit., pp. 323-34, 343.
part of which would fall on the Talukdars. The Bill thus
gave the boards sources of income sufficient for all reasonable
needs for ten years. But this taxation proposals were strongly
opposed by the representatives of the land owning classes.
As a result the Bill had a very troubled passage, and at one
time it seemed by no means unlikely that the Bill would be
wrecked on its taxation clauses. There was active canvassing
against the position taken up by the Minister which got the
approval of both the Governor and the Finance Member and of
other members of the Executive Council and the Secretary to
the Government who was acting as a Government whip; and the
canvassing was all but technically public.

But this was a measure on which the Ministers in United
Provinces had staked their official existence and to ensure
the passage of which they remained in office notwithstanding
several provocations to quit. The Liberals won their point in
the end. A compromise was ultimately arrived at though it was
found necessary to alter the taxation proposals slightly. Res­
tricted powers of taxation were conferred in the form of a tax
on circumstances and property and of an increase in the local
rate.

91. Ibid., pp. 117-22.
92. E.g. Nawab of Chattari and Nawabzada Muhammad Yusuf were
93. Ibid.
94. Memorandum of C.Y. Chintamani, Appendix no. 5, R.E.C.
1924, p. 284.
95. Administration Report, United Provinces 1921-22, (Allahabad,
1923), pp. IXVI and LXXII.
In Madras also much useful work was done in the department of Local Self Government. On 16 December 1921 P. Ramarayalingar, a Telegu speaking velama Zamindar from Chittor district (later the Raja of Panagal), who was also the Minister of Local Self Government in the Province, introduced a Bill to amend the Madras District Municipalities Act, 1920 and the Madras Local Boards Act, 1920. The Bill was published in Fort St. George Gazette on 8 December 1921. The Bill laid down that every member of a local body should make an oath of affirmation of allegiance to the Crown before taking his seat. The intention was to eliminate Non-cooperators whose hostility to the Government was so extreme as to prevent them publicly owning allegiance. The Bill passed through several subsequent stages and was finally passed into a law.

Ramarayalingar next brought a motion to amend the Madras City Municipal Act, 1919 which was referred to a Select Committee. On 18 February the Bill was discussed clause by clause in the Council. After further consideration in the Council it was passed into a law on the motion of the Minister-in-Charge.

In Madras, Municipal Councils, which were unable to with-
stand the non-cooperation campaign, were re-established and re-
constituted in 1922. Progress was also made in the reconsti-
tution of taluk and Union Boards under the Local Boards Act of
1920 and over 120 village panchayats were established under the
Village Panchayat Act of the same year. The main feature of
interest in the sphere of Local Self Government was the reconsti-
tution of the Municipalities and Local Boards under these new
Acts. All such councils and boards would elect now at least three
quarters of their members. The substitution of an elected for a
nominated Chairman was almost complete, only four non-elected
Chairmen remaining.

In Bombay the Minister for Local Self Government was Khan
Bahadur Shaikh Ghulam Hussein Hidayatala. His first move was
to introduce a Bill to amend the City of Bombay Municipal Act
1888. On 25 July 1921 the Bill, after some discussion, was
passed into a law. The amendment to the City of Bombay Muni-
cipal Act (1888) gave the Corporation powers to introduce uni-
formity into the system of weights and measures in Bombay City,
to abolish tolls on vehicles entering the city; to regulate and
control the erection of sky signs and exhibition of advertisements
and to revise the rates of tax on vehicles and animals.

95g. Administration Report for Madras, pp. 7-15.
95h. Ibid., 1920-21, p. XVII.
95i. Ibid.
95k. Ibid., Vol. 3, pp. 137-42.
95l. Ibid., Vol. 2, pp. 950-52.
95m. Ibid., Vol. 3, pp. 146-47.
On 17 March 1922 the Minister for Local Self Government once again brought a Bill further to amend the Bombay Municipal Act of 1888. The Bill contained, among other provisions, one for popularising the constitution and widening the franchise and the other for the removal of the sex bar. After some discussion the Bill was referred to a Select Committee. After heated debate for five days during which the Bill was discussed clause by clause it was passed into an Act on 27 July 1922.

His next move was to introduce a Bill to consolidate and amend the law relating to local boards. This Bill reenacted the provisions of the old Act with numerous alterations and additions. It also repealed the Sind Local Funds Act, 1865 and the Bombay Local Funds Act, 1869 and embodied the provisions of those Acts into one Act as it was more convenient that acts relating to local funds and local boards should be consolidated. The Bill was referred to a Select Committee and when the report of the Select Committee was presented to the Council, it was discussed clause by clause and finally passed into a law.

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96o. Ibid., pp. 1352-56.
96p. Ibid., p. 1356.
96q. Ibid., Vol. 6, pp. 84-87, 88-187, 190-313.
96r. Ibid., Vol. 7, pp. 96-154.
96s. Ibid., pp. 154-226, 229-63.
96t. Ibid., pp. 929-1113.
96u. Ibid., pp. 1237-38.
The first three years of the Legislative Council under the Government of India Act of 1919 in Central Provinces paid great attention to matters connected with Local Self Government and fully recognised the importance of the local bodies as training ground for future legislators. The Local Self Government Act applied to Central Provinces on 1 May 1922 not only extended the franchise but brought about the relaxation of official control over the internal affairs of the councils and boards and conferred certain powers of taxation over these bodies. On 5 September 1922 Rao Bahadur N.K. Kelkar presented the report of the Select Committee on another Bill to make better provisions for the organisation and administration of municipalities in Central Provinces. The Bill was discussed clause by clause in the Council and finally passed into a law on 12 September 1922.

The Municipalities Act, which was complimentary to the Local Self Government Act, was designed to free the local bodies almost entirely from official control. Its chief features were the extension of the municipal franchise, the abolition of official members and the reduction in number of nominated members of municipalities. For the reason that the management and maintenance of local fund dispensaries were essentially matters which affected particular localities in which they were situated, it was decided to transfer the control of these institutions to local bodies.

95v. Adm. Report for Central Provinces, 1922-23, p. XXVI.
95y. Ibid., pp. 473-78.
95z. Ibid., pp. 131-77.
Looking through the provincial records one sees that their activity under the 1919 Act was devoted more to the subject of the Local Self-Government than to any other single item and had centred in the regulation of district boards which did for rural areas what municipalities did for urban areas. The general trend of provincial legislation since 1921 was thus towards the reconstitution of all these units of Local Self-Government, both urban and rural, in a more democratic form. The franchise was lowered and the number of elected members increased. Direct election was introduced into the district boards and every where there was a steady movement towards the replacement of official by unofficial control.

Education

Education was another subject transferred to the control of the Ministers. Education is an essential plank in nation building; and the apex of the edifice of instruction is the University. It was necessary, therefore, that its guiding principles and policies should coincide with the interest of the Government and public at large. But in Bengal the University and the Government were drifting apart. On assuming office, P.C. Mitter, the new Minister of Education of the Reformed Government of Bengal, found the Ministry of Education involved in an unfortunate divergence of opinion with the University of Calcutta.

In 1921, Education being a Transferred subject, the Calcutta University was transferred to the control of the Govern-
ment of Bengal, and Lord Ronaldshay became the Chancellor of the University. At that time Sir Nilratan Sircar's term of office as Vice-Chancellor was about to expire and Ronaldshay's choice now fell upon Sir Asutosh Mookerjee, who had already served the University in that capacity for four consecutive terms extending over a period of eight years from 1906-14. Mitter accorded his full concurrence to this appointment. During this unprecedentedly long term of eight years foundation had been laid on a generous scale for the ultimate establishment of a great teaching and research University in Calcutta. Even after Sir Asutosh was replaced as Vice-Chancellor in 1914, he was active in using his influence to control the development of the Post Graduate Departments. As a result a party had been organised in the Senate to oppose him. In 1921 when

96. Hundred Years of the University of Calcutta, (University of Calcutta, 1957), p. 196.
97. Ibid., p. 275.
98. Second Marquess of Zetland, op. cit., p. 146.
99. Hundred Years of the University of Calcutta, op. cit., p. 275.
101. Ibid., p. 110.
Sir Asutosh became Vice-Chancellor again, his opponents in the Senate became active in enlisting 'allies' from the members in the newly constituted Bengal Legislative Council. In August 1921 Babu Rishindra Nath Sarkar, a High Court lawyer and a member from the Bankura west, moved a resolution in the Council demanding an enquiry into the financial administration of the University and bringing charges of grave irregularities, in the expenditure on the Post Graduate Departments. It was clear that the only object of Sarkar's resolution was the appointment of a committee to discredit the Vice-Chancellor. There was a full dress debate for two days after which the motion was carried by a narrow margin.

The situation was further aggravated when Mitter, while introducing the Educational budget in the Council on 1 March 1922, brought forward charges that the deficit of Calcutta University, amounting to nearly five lakhs of rupees, "was due to the thoughtless expansion of the University in the past". "They should not have", said he, "spent the provision which were accumulated during so many years in a single year and thus brought the premier University of India to the verge of bankruptcy. It was almost criminal thoughtlessness to have ignored the financial aspect of the question in their enthusiasm for expansion." This brought a vigorous counter-

105. Ibid., pp. 139-75.
attack on Mitter. Several members rose to criticise him for sanctioning a grant of nine lakhs to the Dacca University and making no increase in the existing grant of Rs.1,41,000/- only a year to the Calcutta University.

The climax of the situation came in 1922, when the reports of the two committees appointed by the Senate to deal with the charges framed by the Minister of Education and the hostile members of the Bengal Legislative Council were published in April and July 1922. From a perusal of the reports of these committees it became apparent that the charges were unfounded. As regards the resolution of Babu Rishindra Nath Sarkar, the report of the Senate Committee remarked that "the assertions are indefinite, unsupported by evidence and consequently incapable of contradictions".

107. Ibid., no. 5, pp. 210, 215-24, Bandemataram wrote on 25 May 1922, "Instead of helping the Calcutta University in this financial crisis, the Minister for Education has helped the Dacca University with Rs.9,00,000. Many have come to doubt the good sense of the Minister for Education. But we request them to remember the partition days. The partition of Bengal has been annulled, but the underlying policy seems to be going on still. It is impossible to divide Bengal without dividing it geographically. In fact, if the education imparted in different areas be of two different kinds the result would be more terrible than that of dividing the country geographically. The policy of the Education Minister is only an imitation of the great Curzon-Fuller Policy ..."


At last on 23 August 1922 the Government of Bengal wrote to the University stating that the Government would grant a financial assistance to the University of Rs.2,50,000/-. But as in the opinion of the Government "the financial administration of the University has hitherto been anything but satisfactory", the additional grant was subjected to certain conditions. The University, in the meanwhile, was faced with a grave financial crisis. There was a total deficit over five lakhs of rupees and the salaries of the Post-Graduate teachers remained unpaid for several months due to lack of funds.

The Senate appointed another representative committee to examine the Government letter of 23 August. In all there were eight conditions in that letter which only showed that the Government, by taking advantage of the financial difficulty of the University, wanted to obtain control over its financial matters. One of the conditions in that letter of 23 August was that the University should submit to the Government of Bengal every month the actual receipts and expenditure under every fund. The first condition required the University...

110. S.W. Goode, Secretary to the Govt. of Bengal, to the Registrar, University of Calcutta, 23 August 1922, ibid., vol. 5, p. 249.
113. S.W. Goode to the Registrar, Calcutta University, 23 August 1922, ibid., pp. 249-50.
to guarantee "that no further expansion involving financial responsibilities would be undertaken by the University until their financial position showed an improvement." Another condition was that "all arrears of salaries and at least half the amount of the examiners' remunerations should be forthwith paid." All these were very humiliating conditions and the committee viewed that the proper course for the Government would have been not to make a grant at all, rather than make a grant clogged with conditions of this description. The committee therefore, concluded that the acceptance of these proposed conditions were "not merely undesirable" but also "impracticable". The Calcutta University Senate at its meeting of 2 December 1922 discussed the report of the Government Grant Committee. "This is the greatest crisis", said Sir Asutosh Mookerjee in his closing address as the President of the Committee, "in the history of the University, which I have witnessed during a period of 34 years." He asked the Senate

114. Ibid., p. 262.
115. Hundred Years of the University of Calcutta, op. cit., p. 256.
117. Ibid.
118. Progs., of the meeting of the Senate on 2 December 1922, Ibid., vol. 6, p. 252.
to reject the Government offer, "because the conditions which were proposed were the badges of slavery ... we shall not be a part of the Secretariat of the Government for 2½ lacs of rupees".

The year 1923 did not augur well for the future. Financial difficulties continued to loom very large. But added danger to the situation was that the University was now faced with 'reactionary legislative proposals' from the Government of Bengal. Mitter had submitted two Bills. to the Government of India for its sanction. Both these Bills were drafted over the head and without the knowledge of the Senate of the University of Calcutta and intended to departmentalise it and destroy its autonomy and academic freedom, sometimes on the plea of finance and sometimes on the plea of setting right the defects of the constitution of its Senate and syndicate. The University Bill proposed the creation of a new Senate, partly on an elective and partly on a nomination basis. But this process of nomination was very objectionable. As many as thirty-five members of the future senate would be nominated not by

119. Ibid., pp. 262-64.
120. One for the reform of the University and another for the creation of a Board of Secondary Education.
121. J.N. Ray, Secretary to the Govt. of Bengal, Education Dept., to the Secretary to the Govt. of India, Legislative Dept. 31 January 1923, G of B, Education Dept., IU-7(1-13) 10-23 July 1923.
the Chancellor, as at present, but by the Government of Bengal. and a good proportion of the members of the Senate would be
Muhammadans as Mitter was anxious to secure the support of the
Muhammadan MLCs. Nomination was to be reduced to the mini-

mum, according to the recommendations of the Sadler Commission,
whereas nearly one third of the members of the Senate would be
nominated by the Local Government in accordance with Mr. Mitter's
Bill. In this connection it should be remembered that the
Sadler Commission recorded its opinion that it was the principle
duty of the Chancellor to act as an impartial judge between the
various interests and communities which must be represented in
the University and ensure that none of them had reasonable
grounds of complaint. But impartial judgement could not be
expected from the Minister, who was bound to be influenced by
practical considerations and party opinions. The object of
depriving the Chancellor of the power of nominating Fellows were
as transparent as day light. The Minister of Education would
be in a position to distribute a large amount of patronage as
soon as the Bill was passed. As regards the legislative func-
tions, the Sadler Commission proposed to grant the University

122. Ibid., IU-7(1-9) B20-23 October 1923, Clause 5(l)(c)(d)
(e)(g)(h).
123. Report of the Sadler Commission, P.P., Commons, 1919,
vol. 15, (cmd. 389), pp. 394-55.
Also ibid., IU-7(l-13) 10-23, July 1923, Appendix IV,
Clause 5.
125. Report of the Sadler Commission, P.P., Commons, 1919,
almost complete autonomy. But according to the Bill, the regulations were first to be placed before the Government, that is to say, the Minister of Education, for sanction and the Government might interfere in any way with the regulations. Then there were certain clauses as regards the passing of the regulations within a certain time, after which the Government would undertake the duty of making regulations for the University. The Bill also proposed to create a Board of Financial Control, with a Government majority thereon, and the appointment by the Chancellor without consultation with the Senate, of a treasurer who was to be vested with very large and arbitrary powers. He would not be responsible to the Senate. He would, on the other hand, have absolute control over the finances of the University. He would take his authority to some extent from the Board of Financial Control, and not from the Senate. This would be placing the University under the Government of Bengal perpetually in the matter of financial administration. All this, after the Sadler Commission had recommended that all financial matters should be decided by the court (Senate) which would be a thoroughly representative body, absolutely independent of Government.

127. G of B, Education Dept., IU-7(1-9) B 20-33, October 1923, Clause 11.
128 Ibid., Clause 12.
The idea of a Rector was revived in the proposed Bill. His powers were not defined in detail but it was stated that he was to have precedence over the Vice-Chancellor, and as such he might reject the decision of the Senate in many cases and he might control finance when he pleased. The Bill also authorised the Chancellor to delegate any or all of his functions to the Rector. The Bill, in fact, concentrated in the Minister of Education all the powers of the Rector, all the powers of the Local Government and all the powers of Chancellor.

Before these Bills were published, Lord Lytton, as the Chancellor of the University, had sent them to Sir Asutosh. On 23 January another committee was appointed by the Senate to make a detailed examination of the provisions of the Bill and to submit a report. On 10 February the Senate met again to consider two other Bills framed by Messrs Shreendranath Mullick and J.N. Basu, the two non-official members of the Bengal Legislative Council. Both these Bills dealt mainly with the composition of the Senate and proposed to give heavy representation to the Muslim members of the Legislative Council. They also

proposed that, for the time being, the Minister of Education should be ex-officio Rector of Calcutta University. The Mullick Bill purported to transfer the initiative for framing regulations from the hands of University to those of Government. These two Bills were also referred to the Committee appointed on 23 January 1923. About the Government Bills the Chancellor was informed that he should communicate to the Government of Bengal, that these draft Bills should be published at once before the Government of India gave its sanction to the Bills. As regards the two non-officials Bills of Basu and Mullick, their intimacy with the Education Minister of Bengal was 'a matter of common knowledge'. And the members of the Senate were in no doubt that these two Bills were also Government inspired Bills but which, as non-official Bills, would enable the Minister to remain neutral. The Committee reported in the end that the object of these two Bills 'was not educational but political'. The Committee also declared that the proposed legislations were designed "to secure the supremacy of the Minister of Education in University affairs". "This", the

133. Ibid., Clause 3 (Basu's Bill), Clause 2 (Mullick's Bill). Also Calcutta Review, 1923, vol. 6, pp. 639-47.
134. Ibid., pp. 639-44; also G of B, Education Dept., IU-8, 61-71, December 1923, Clause 9 (Mullick's Bill).
135. Hundred Years of the University of Calcutta, op. cit., p. 201.
136. Report of the Committee appointed by the Senate on 10 February 1923 to consider the two University Bills by Mr. Mullick and Mr. Basu adopted by the Senate on 24 February 1923, Calcutta Review, 1923, vol. 6, Appendix, p. 10.
committee said, "was a radically wrong ideal". The Government Bill and the non-official Bills were further opposed on the ground that they marked a fundamental departure from the spirit and letter of the Sadler Commission which made recommendations for the reform of the University of Calcutta and that there was no provision for the financial assistance to the University. The Committee was against "fragmentary legislation which was not only of very doubtful value but which might in the end seriously prejudice the cause of educational development of Bengal". The committee concluded that the non-official proposals for reform were also inspired by the same sources, and "the attempt at emendation were perhaps due not to accidental coincidence, but were traceable to a common archetype".

An enormous correspondence followed between Sir Asutosh and the Governor on the subject of University reforms in the months of November and December 1922. In the mean time Asutosh had appealed to Sir Michael Sadler, to the Government of India and to the Government of Assam. At last in March 1923 when the two years term of office of Sir Asutosh was almost up, Lytton

137. Ibid., p. 16.
138. Hundred Years of the University of Calcutta, op. cit., p. 201.
140. Ibid., p. 14.
in the hope of gaining his support for the University Bills, addressed a letter to Sir Asutosh offering him the Vice-Chancellorship for another term. Lytton wanted Sir Asutosh to give him an assurance that he would "exchange an attitude of opposition for one of whole hearted assistance". "If you can give an assurance", wrote Lytton further, "that you will not work against the Government or seek the aid of other agencies to defeat our Bills, then I am prepared to seek the concurrence of my Minister to your re-appointment as Vice-Chancellor". But Sir Asutosh unhesitatingly refused to accept the offer of Lord Lytton to him.

The next Vice-Chancellor was Sir Bhupendra Nath Basu who enjoyed the confidence of both the Governor and the Education Minister. The months of July, August and September 1923 passed in exploring avenues of settlement between Government and the University. While these efforts at reaching a settlement continued, the first Council under the Government of India Act of 1919 came to an end in August 1923. With the dissolution of the first Council one significant chapter in the relationship between University and Government closed.

Looking back to the events of these two and half years, the fact seems to be that the Bengal Government, without consulting the Vice-Chancellor, drafted a Bill for the reform of

142. Asutosh Mookerjee to Lytton, 26 March 1923. Ibid., pp. 222-23.
the University. When the Bill had been framed, it was sent to the Senate for criticism, and the Vice-Chancellor at once condemned the proposals as ignoring the recommendations made after an exhaustive inquiry by the Sadler Commission. Despite this protest the Government Bill and the two private Bills were forwarded to the Government of India for sanction. Such a proceeding could hardly be defended. Indeed the Bill was so much unjust that Lord Reading was unwilling that its enactment should be hurried without proper consultation with the interests affected. "The Senate of the University has grounds for complaint", he wrote to Peel in June, "of failure by Government Bengal to ascertain their views before the Bill was finally drafted and submitted to the Government of India for my sanction". If the Bills received the approval of the Central Government the difficulty of amending them would be greatly increased, and would be insuperable, if the whole frame work of the proposed legislation was faulty. In the circumstances Sir Asutosh took the steps best suited to induce the Government of India to reject the Bills. He enlisted the support of Sir Michael Sadler, of the Governor of Assam, and of other influential persons, and in the end the

143. J. Ray, Secretary to the Govt. of Bengal, Education Dept., to the Secretary to the Govt. of India Legislative Dept., 31 January 1923, G of B, Education Dept. IU-7(1-13) 10-23 July 1923. Also same to same, 15 January 1923 forwarding the Basu and Mullick Bills for sanction, ibid., IU-8 (61-71), December 1923.

144. Reading to Peel, 5 June 1923, Reading Collection, op. cit., vol. 17, pp. 122-23.
Government of India refused such sanction.

The letter of Lord Lytton, which said that he would not consider his re-appointment unless his opposition ceased, came at this juncture. Lytton failed to perceive that Sir Asutosh, with large personal following of the Bengal intelligentsia outside the Council, would be a powerful force to reckon with. The publication of these two letters created an uproar in the Extremist press, which was extremely embarrassing for both Lytton and Mitter. The letter of Lord Lytton was so insulting that it gave rude shock to the educated public in Bengal when it was published. That the Governor could have addressed such a letter to a Judge of His Majesty's High Court and the highest custodian of the academic interest of such an advanced province as Bengal, was unthinkable. It was an undignified position for the head of a Government to try to bribe a Vice-Chancellor and he got the inevitable trouncing in return. Lytton perhaps realised at last that it was not always safe to depend on Education Ministers who are not educationists and dabbling

145. L. Graham, Additional Joint Secretary to the Govt. of India, Legislative Dept., to the Govt. of Bengal, Education Dept., 22 February 1923, G of B, Education Dept., IU-7(1-13) 10-23, July 1923.

146. Amrita Bazar Patrika, wrote on 8 April 1923 thus: "The old Bengal that unsettled Lord Morley's 'settled fact' of the partition - is it dead or is it still living? If that old Bengal has not been dead and buried during the last ten years, then we are sure the publication of these two correspondences will be the signal to an agitation before which Lord Lytton's Government will have to bend its knees." Also Servant, 5 April 1923.
in educational legislation was rather a dangerous game.

As for Mitter he had to pay very dearly for his part in
the Calcutta University drama. To the Non-cooperators he was
now only an instance to the point. "It is only a reformed
Minister", wrote the Servant, "responsible to the people, who
could have lent countenance to the doctrine that the Univer-
sity is bound to Government in its origin and in its Constitu-
tion or to the preposterous contention that because the Uni-
versity is in financial difficulties, it must be placed under
official tutelage". His rough handling of the system of
University Education became a by-word of reproach throughout
India. He wanted to pluck up the tender plant by the roots in
order to supplant it by a new exotic growth, and the result
was deplored by every man in India who had the interest of
higher education at heart. Mitter's two and half years term
of office as Education Minister of Bengal was thus only a re-
cord of regress writ large. But if he failed in every thing
else, he did one thing. "We must admit", wrote the Bengalee,
"that Mr. Provas Chandra Mitter like Lord Curzon has earned a
niche in the temple of fame and will go down in our history as
having been an unconscious instrument in awakening the Education-
al conscience of young Bengal."

147. Ibid.
148. Bengalee, 8 December 1923.
The immediate effect produced was that Sir Asutosh, who was for sometime past receiving letters from friends urging him to join politics, now realised that with the help of the Swarajists, it would be easy for him to get some of his followers into the Council and decided in agreement with C.R. Das 'to lead a party based on the Calcutta University question'.

The most curious and melancholy fact about the Calcutta University Commission was that its report had more practical effect in most of other Provinces and Universities than in Bengal.

The recommendations of the Commission, as modified by local conditions, were given effect to in the United Provinces by C.Y. Chintamani, the Minister of Education in the Province. At the time when he assumed office, Secondary Education in the United Provinces was full of serious defects. The report of the Calcutta University Commission pointed out these defects and suggested that Secondary Education should be separated from University Education and made a self-contained unit. In accordance with this on 2 April 1921 Chintamani introduced a Bill for the establishment of a Board of High School and Intermediate Education in the United Provinces.

149. S.N. Banerjea to Malcolm Hailey, 12 June 1923, G of I, Home Pol., confidential no. 180, 1923, also report on the political situation in Bengal for the second half of April 1923, ibid., confidential no. 25/1923; also N.K. Sinha, op. cit., pp. 133-34.

150. Vol. 1, chapter VIII, chapter IX, and also vol. IV, chapter XXI of the University Commission Report describe in detail the defects of Secondary Education.

Chintamani outlined in brief its main features. The proposed board would be purely a non-official and autonomous body. He laid down the principle that in purely educational matters neither the Council nor the Government should interfere and that the board would enjoy full power in relation to Intermediate and High School Education. Thus a great experiment was launched for the improvement of Secondary Education in the United Provinces after a good deal of discussion.

His next step was to reconstitute the University of Allahabad on the basis of the recommendations of the Calcutta University Commission. On 28 July 1921 he moved that the Allahabad University Bill be referred to a Select Committee and made a speech which embodied his ideas about University reforms. This Bill recommended that the University was to be freed from official influence to a considerable extent and that the University 'court' was to be vested with wide powers as the supreme Governing Body of the University and the offices of the Vice-Chancellor and the treasurer were to be made elective.

Thus in the field of Education while one feature of Provincial legislation so far as higher Education was concerned related to the reorganisation of the Universities on lines

152. Ibid., p. 676.
153. Ibid., pp. 677-82.
155. Ibid., pp. 175-82.
suggested by Calcutta University Commission, another feature of it was the passing of Compulsory Primary Education Act in every Province.

The example in the field of Primary Education was set by Bombay which was followed by others. Mr. R.P. Paranjpye who was the Education Minister of the Province of Bombay took up the task of providing Universal Compulsory Primary Education. He introduced a Bill for this purpose. The Bill proposed to increase facilities for secondary, higher, technical and professional Education. A step of far reaching importance was taken whereby all-Government and aided schools were asked to admit Depressed Class children without observing any caste distinction whatsoever. With regard to management the Bill provided for 'a wider educational autonomy to local bodies, subject to certain powers of supervision and control'. It was a case of devolution of power from Education Department to local bodies. The Bill provided for efficiency by laying down educational administrative areas. As small municipalities might not be able to pay for their new Educational schemes, it was provided in the Bill that the city municipalities would manage their Education and district local boards would remain responsible for providing funds for the smaller

157. Ibid., p. 393.
158. Ibid., pp. 396-97.
159. Ibid., pp. 398-99.
municipalities. Thus Paranjpye's Compulsory Primary Education Act can be regarded as a landmark in the history of primary education in India, based as it was in broad outlines upon Gokhale's Education Bill of 1911. In Madras A. Subbarayalu Reddiar was put in charge of Education portfolio in December 1920. In April 1921 Reddiar resigned on the ground of ill health. He was replaced as Education Minister by A.P. Patro, an Oriya Kalinga lawyer (who also spoke Telugu) from Berhampore in Ganjam district. On 14 November 1922 Patro moved that the Bill to provide for the reorganisation of the Madras University be read in the Council. The University of Madras was constituted in 1857 under the Act of Incorporation (Act XXVII of 1857) on the model of the University of London. The constitution was revised by the Indian Universities Act of 1904. Since then the University of Madras had been an affiliating University whose main function was to conduct examinations and grant degrees. While introducing the Bill the Minister said that the object of the measure was the creation of a residential University which should organise and control the instruction given in the various colleges and of encouraging feeling of unity amongst its members. The colleges in the city would become constituent parts of the new University. Ibid., pp. 391-404. 160a. Eugene F. Irschik, op. cit., p. 180. 160b. Hindu, 25 November 1921. 160c. Hindu, 7 January 1921. 160d. M.L.C. Progs., 1922, Vol. 9, pp. 654-71. 160e. Ibid., p. 656.
University and would undertake teaching as at present but each would specialise in certain departments of learning so as to prevent a duplication of efforts on the part of the several colleges in the same direction. The function of the University would be to coordinate the work and teaching of the various colleges. It would continue to exercise its present jurisdiction over muftassil colleges which would be affiliated to it. The controlling authorities of the University were now the Senate, the Syndicate, the Academic Council and the Council of affiliated colleges. The administration of the University would be in the hands of the Senate, the constitution of which was organised, so as to include both those who were educationists and those who were connected with the actual business and commercial life of the Presidency. A very large elective element was introduced in the composition of the Senate. After heated discussion which continued for several days the Bill was referred to the Select Committee. On 22 December 1922 the report of the Select Committee was presented in the council. After it was discussed clause by clause, the Bill was passed into an Act.

160f. Ibid., p. 659.
160g. Ibid., pp. 662-63.
160h. Ibid., pp. 659-60.
160i. Ibid., pp. 661-62.
160j. Ibid., p. 660.
160k. Ibid., p. 807.
160l. Ibid., pp. 1179, 1221-43.
in 1923. Thus the constitution of the old University was re-modelled mainly along the lines of the Calcutta University Commission's Report.

In Central Provinces two important measures, one for the establishment of a University at Nagpur and the other for the establishment of a High School Education Board, were enacted by the Legislative Council in the course of the year.

On 12 September 1922 Rao Sahadur N.K. Kelkar introduced the Nagpur University Bill. After some discussion the Bill was referred to a Select Committee. The University Bill as presented to the Council after examination by a Select Committee provided for an affiliating University embracing existing colleges in several courses, but contained an important provision to the effect that all post-graduate and honours teaching in science should be concentrated in the University Centre at Nagpur. This provision excited considerable controversy. The passage of the Bill was at first threatened by the opposition of members from the northern parts of the Province who considered that higher education was being unduly concentrated in Nagpur. The motion to postpone the Bill made in the January session was defeated by 34 to 28 votes. In March session the Minister-

160p. Ibid., pp. 490-518.
160r. Ibid., 1922, Vol. 3, pp. 265-76.
in-Charge announced that the Governor-General had disallowed a large number of amendments of which notice had been given. This created much indignation in the Council. Ignoring the legal position many members treated the disallowance as an unwarrantable infringement of the Council's right to deal with a transferred subject. As a protest the members declined to move the amendments standing in their names to which sanction had been obtained. In consequence the discussion in the last stage of the Bill was confined to certain amendments designed to secure Muhammadan representation on the University authorities. These amendments received no support except from the Muhammadan members and the two representatives of the Depressed Classes and no provision for communal representation was inserted in the Bill. The cleavage between the non-official representatives of the north and the south of the Province over the proposal to confine the more advanced studies to the Nagpur Colleges, might have ended in the wreck of the Bill but for a concession in the matter that was made to the northern interest. The provision had to be withdrawn in the end and the Bill was passed.

On 12 September Kelkar also introduced the Central Provinces High School Education Board Bill. On the same day the Bill was referred to a Select Committee. The Bill, as presented to the Council after examination by a Select Committee,
provided for the constitution of a High School Board, whose mem-
bers would represent the various interests in the Province and
whose duty it would be to regulate and supervise High School
Education and prescribe course for Middle School Classes. The
Board provided an opportunity for bringing public opinion to bear
in an increased measure the problems of Secondary Education. Con-
siderable powers including power of recognition of High Schools and
prescription of Courses of Studies and text books for High and
Middle Schools, were invested in the Board and the maintenance of
an efficient standard of High School Education rested mainly in
its hands.

The formation of the Nagpur University and the Central
Provinces High School Education Board constituted momentous
developments in the Educational history of the Province.

Though in themselves some of these reforms were admirable,
yet taken as a whole they were pitifully meagre when compared to
the needs of the country. For the Ministers the record of the
first reformed Council had been unsatisfactory. Their original
hope of vindicating their acceptance of the Reforms by an out-
standing administrative achievements and thereby establishing
their party in a commanding position was not fulfilled. The
Minister's effort had been hampered by a number of factors operat-
ing simultaneously.

The greatest draw back was in the unfortunate economic
condition of the day. Dyarchy began in India under very unfor-
tunate circumstances so that even its first fruits could not
be reaped at once because of the general financial stringency
from which India suffered with the rest of the world. The
hectic boom of the immediate post war days was followed by a
disastrous slump aggravated by an unwise currency policy. The
balance of trade had been entirely upset owing to fluctuation
in rupee-sterling. Receipts in excise had fallen. The monsoon
of 1920 had been a complete failure and the whole year was one
160a. Ibid., pp. 260-77.
of 'unprecedented economic restlessness'. The Reforms started to function amidst circumstances, one of the most unfavourable in which any democratic form of Government had been called upon to operate. The financial rein was tightly drawn. Hence in the Provinces and at the Centre the Governments were faced with heavy deficits in their budgets for three successive years. To this was added the crop of interprovincial controversies over the Meston Award.

The inevitable result of the contribution suggested by the Meston Committee was the initiation of new taxes which the Committee itself deprecated. "The limit we have imposed on ourselves", said the Meston Committee in its report, "is that in no case may a contribution be such as would force a province to embark on new taxation ad hoc, which to our minds would be an unthinkable sequel to a purely administrative rearrangement ..." But the experience of the three years showed that in every Province this 'unthinkable sequel' had come to pass with the result that those infant Legislative Councils were compelled to impose taxations and to enforce heavy retrenchments to carry on the ordinary duties of

161. India in 1920, op. cit., pp. 77-82.

162. The award of Sir James Meston's Committee fixed a scale according to which the Provinces were to contribute annually a certain sum towards balancing the expenditure of the Central Government.

administration and not for any purpose of expansion. 

Financial crisis dominated the scene everywhere, but it was acutest in Bengal. For of all the Provinces in India, Bengal was most hard hit by the Weston Award. That Award perpetrated a grave injustice by depriving Bengal of one half of the proceeds of the Income Tax, which it formerly had and by diverting the whole of the yield of the Jute Tax which was peculiar to Bengal to the coffers of Imperial Government. The Bengal contribution direct and indirect to the Imperial exchequer was the largest of any other Provinces and seriously handicapped the Province at the first start of responsible Government. The expenditure in Bengal had already been considerably increased by the reorganisation of certain higher services and further increase was imminent, both on account of general establishment of charges and also on account of the

164. Memo A - Showing the difference between the anticipation of the Weston Committee and the real position in the year 1922-23 with regard to every Province in India. An appeal to the Secretary of State for India on the question of the Financial Adjustment between the Govt. of India and the different Provincial Governments. By National Liberal League (19-?), pp. 6-7.

165. Memo B - Showing the financial difficulties of each Province of India. Ibid., pp. 2, 10-13.

166. Ibid., pp. 3-4.

167. Despatch to the Secretary of State regarding Financial Relations, Note by Hon’ble Surendranath Banerjee, G of I, Reforms Office, subject B, 179-81, July 1920.

168. Memo - D - Showing that Bengal is the most heavily taxed Province in the whole of India and pays the largest share towards the cost of Central Govt, and also explaining certain peculiar financial difficulties of the Province. An appeal to the Secretary of State for India, op. cit., p. 16.
special machinery set up under the Reforms. But the Meston Committee did not appear to have taken these circumstances into consideration although it said in its report that it was preferable to calculate the working surplus of each Province with some relations to its general financial position and "the more imminent claim upon its resources."

Even before the Reforms started to function Surendranath Banerjea had made an appeal to the Secretary of State that due consideration be given to the case of Bengal that Bengal contribution be reduced and larger surplus be assigned to the Province. In September 1920, again, the National Liberal League of Bengal of which P.C. Mitter was the Secretary and Surendranath Banerjea was the President submitted a representation to the Government of India pointing out that the deficit of the Government of Bengal would be over two crores of rupees. The Ministers therefore accepted office with full knowledge of the financial difficulties. The budget of the year 1921-22 in


169. Ibid., pp. 3-4. Also Despatch to the Secretary of State regarding Financial Relations. Note by Hon'ble Surendranath Banerjea, G of I, Reforms Office, subject B, 178-81, July 1920.


171. Despatch to the Secretary of State regarding Financial Relations. Note by Hon'ble S.N. Banerjea, G of I, Reforms Office, subject B, 178-81, July 1920.

Bengal was framed before the Ministers accepted office. Thus out of their short term of office of three years, for one year the Ministers had to work with a deficit budget in the preparation of which they had no hand. In such circumstances their first reaction was to tender resignation but they were somehow persuaded by Sir John Kerr, the Finance Member, to stay in office for some time. They had accepted office in the hope that as the Joint Parliamentary Committee had commended the peculiar financial difficulties of Bengal to the special consideration of the Government of India, that Government would deal with Bengal justly and sympathetically. But their faith was not justified by the subsequent decision of the Government of India. Lord Ronaldshay who was the Governor recognised that the Ministers' position being inherently just must prevail, and he wrote to Lord Reading on the matter pointing out that "if the present financial settlement is allowed to stand ... the whole delicately poised structure of reformed constitution in Bengal would be shaken from top to bottom." At last the Viceroy agreed to receive a deputation.

174. Ibid., p. 146.
177. Ronaldshay to Reading, 12 July 1921, Reading Collection, op. cit., vol. 22, pp. 176-78.
headed by John Kerr the Finance Member of the Government of Bengal. This was followed by a deputation appointed by the Bengal Legislative Council which waited on His Excellency the Viceroy in September 1921. The deputation was headed by Sir J. Kerr, and it also included Sir Surendranath Banerjea, P.C. Mitter, Mr. Surendranath Mullick and Mr. Fazlul Haq. They had informal conference with Sir Malcolm Hailey the Finance Member of the Government of India. In this conference the position was accepted that the deficit of Bengal for carrying on its ordinary administration was about one crore and thirty lakhs. But inspite of their satisfying the Finance Department of the Government of India and protest in the Legislative Council, Lord Reading while appreciating their difficulties, made it clear that as the Viceroy he was bound to take 'a broad national view of the problem' and he was unwilling that any special favour should be granted to an individual Province. The only relief that they got at last was the remission of their contribution of sixtythree lakhs of rupees for a period of three

This was not enough for wiping out the deficit of the Bengal Government for running its ordinary administration. Surendranath Banerjea again wrote to Montagu pointing out the utter inadequacy of the relief granted, that deadlock would ensue and position of the Moderate Party would be weakened. "As for the ministers", he continued further, "our position will be difficult if not impossible. We beg of you to think of us as ministers zealously working for reforms ... I pray even now you will kindly urge reconsideration of decision of Government of India and save situation full of peril to success of reform in Bengal". "It is an awful problem", Reading also wrote to the Secretary of State, "... we are faced with a great deficit in a province which threatens to affect the Reform movement". Indeed the situation became so desperate that at one time Reading was expecting at any moment the news of the resignation of Ministers in view of serious financial trouble. Montagu also realised the alarming state of the finances of the Provinces of India. "All the Provinces are

184. Reading to Donaldshay, 17 October 1921, encl. Telegram from the Secretary of State containing another telegram from S.N. Banerjea on Bengal Finance, Reading Collection, op. cit., vol. 23, pp. 277-78.
185. Ibid.
187. Same to same, 15 September 1921, ibid., vol. 14, p. 61.
crying for money”, he wrote to the Viceroy, "and the prospects of the reforms on which we had set all our hopes may be jeopardized or even ruined by the sheer force of financial stringency."

In the meantime Lord Ronaldshay completed the term of his period as Governor of Bengal and Lytton succeeded him as the Governor of the Province in March 1922. Lytton had a devotion towards the Indian problem which had earned the Secretary of State's praise. But on his arrival he was appalled by the state of Provincial finance. He saw that the remission of sixtythree lakhs of rupees was not enough for the Province. So he acquiesced in the Ministers' project to increase the resources of the Government of Bengal by heavy retrenchment and by passing three taxation Bills in March 1922 estimated to bring in one crore and forty lakhs of rupees. Subsequent event showed that although this was by no means an unduly optimistic estimate, yet on account of general economic depression the old revenue as also the new taxes actually brought about half of the estimated sum. The situation became so grave

188. Montagu to Reading, 15 August 1921, ibid., vol. 12, p.279.
189. Same to same, 18 January 1922, ibid., vol. 13, p.445.
191. Ibid.
that Lytton was driven to contemplate resignation for some time.

While this was the position of the Governor, the Ministers' position looked still more unenviable indeed. Budget of the first year 1921-22 was prepared before the Ministers took charge of office. The budget of the second year 1922-23 had to be prepared with a strict eye to economy as that was prepared before the taxation Bills were passed. In the second year of their office too they had no opportunity to undertake any of the scheme as expansion was out of question without money. The situation deteriorated further when the Government of Bengal decided to appoint a retrenchment committee in June. In July and August supplementary estimates were passed to provide funds for some of their new schemes. This was their first opportunity after being in office for eighteen months to place before the public a limited few of their schemes. Heart-breaking disappointments were, however, in store for them. Soon after the passing of the supplementary estimate, the Finance Department informed them that the figures for the monthly receipts of the new taxes and the old revenue fell much shorter than their expectations. The realisation of taxes from the

new sources as also from old heads of revenue were so disappoint-
ing that the Finance Department anticipated that not only would there be no money for expansion but that there would be deficit of about forty to fifty lakhs of rupees to carry on the expen-
ses of their ordinary administration even. They had therefore no other alternative but to retrench not only the scheme for expansion which had already been passed in the Legislative Council in July and August session 1922 but from the old budget as well, which had already undergone a heavy retrenchment. Therefore during the last year of their office, the Minis-
ters had no opportunity to initiate any new scheme.

The chronicle of these events gives a fair idea of the extremely difficult financial position of the Government of Bengal specially the Ministers. In Bengal at least it would have been difficult to raise the cry of the failure of Reforms if there were more money at the disposal of Ministers and if it could have been liberally distributed among the Nation Build-
ing Departments. Many schemes of water supply for riparian municipalities were ready. But they had to be abandoned or mutilated because there was no money.

Similarly the impetus to Educational activities which it was hoped, would follow the transfer of such an important sub-
ject as Education to popular control foundered on the same rock. Mitter had as many as twelve schemes prepared in his hand.

198. Ibid., pp. 179-83.
and he had also a Bill for the constitution of a Board to pro-
vide for the regulation and control of Secondary Education in
the Province. But when the Bill was forwarded to the
Finance Department it was disallowed owing to the extra expen-
diture it would involve. Much of the bitter controversy
that raged between the Government of Bengal and the University
of Calcutta owed its origin to this overwhelming problem of
finance.

The problem of Bengal was in varying degrees the problem
of all other Provinces and the Central Government itself was
in equally unenviable straits. For three successive years the
Governments in every Province were faced with heavy deficits
and these could not be balanced by retrenchment and taxation.
There could not be a worse handicap than the Councils taxing
not for the purpose of expansion for the good of the people
but just for carrying on the ordinary administration. The
Extremist press did not fail to make capital out of all this.
Fresh taxation at the commencement of responsible Government
strengthened the hand of the enemies of Reforms who used it as
a handle to wreck the new scheme. As Montagu had rightly

201. Note from the Finance Dept., G of E, Education Dept.,
IB-2 72-77, December 1923.
202. Ibid.
203. Memorandum by Sir C.H. Setalvad, Memorandum by R. G.
Pradhan, Memorandum by S.N. Chitnavis and Rao Bahadur
N.K. Kelkar, Appendix no. 5, R.E.C., 1924, pp. 91, 111,
anticipated: "It is quite on the cards", he wrote to Lord Reading, "that the whole thing will collapse not as a triumph of non-cooperators, as it will appear to be, but because of the financial position... I think we are very near a calamity in... our provinces."

Defects of Dyarchy -

In addition to this financial stringency which was partly a legacy of the War and the necessity which the rise in prices imposed of increasing salaries all round, and partly as a result of the settlement by which the Provinces had to contribute a very large proportion of the revenues to the Central Government, there were difficulties of another type and they related to the system of Government itself. The Liberals had accepted Dyarchy from the start as a transitional arrangement in the passage from bureaucratic rule to self Government. But when they came to work it, they found it inadequate 'even as a temporary expedient'. Actual experience of the new constitution revealed to them many of its imperfections.

The whole reforms scheme of Dyarchy was based on the idea of the establishment of partial responsible Government in the Provinces on the basis of division of functions into Transferred and Reserved halves. This division of subjects was not only arbitrary; but it was conceived in such a way that the Ministers had never full control over the departments placed

under their charge. The main subjects transferred in all
Provinces were Education, Sanitation and Local Self-Govern-
ment, Agriculture and Industries. But each of these subjects
was only partially transferred. In his evidence before the
Muddiman Committee Sir K. V. Reddy, the first Minister of
Industries in Madras Government, described his position in the
following words: "I was a Minister for Development without
the Forest which was a Reserved subject. I was a Minister of
Agriculture minus Irrigation, again a Reserved subject ... As
Minister of Agriculture, I had nothing to do with the adminis-
tration of the Madras Agriculturist Loans Act or the Madras Land
Improvement Loans Act ... The efficacy and efficiency of a
Minister for Agriculture without having any thing to do with
Irrigation, Agricultural Loans, Land Improvement Loans and
Famine Relief may better be imagined then described."
Education like Industries again was a much divided subject. It
was partly Central and partly Provincial, partly Transferred
and partly Reserved.

205. Keral Putra, Working of Dyarchy in India, 1919-1928
(Bombay, 1928), p. 48.
206. List of Provincial subjects, Report of the Southborough
Committee on the Division of Functions, op. cit., pp.168-
70.
207. A Committee appointed in 1924 under the chairmanship of
Sir A. Muddiman, the Home Member of the Government of
India, to enquire into the defects inherent in the Govern-
ment of India Act and suggest remedies for such defects,
consistent with the structure, policy and purpose of the
Act.
209. List of the Provincial Subjects, Committee on the Division
In fact, as the minority report of the Muddiman Committee pointed out, "there is scarcely a question of importance which comes up for discussion and settlement in any one of the departments of Government which does not require to be weighed carefully in the light of considerations which forms the province of another department of Government... Practically all proposals of importance put forward by the Ministers in charge of any of the departments transferred to their control, will involve a reference to the authorities in charge of the Reserved Departments. There are few, if any, subjects on which they (the functions of the portions of the Government) do not overlap. Consequently the theory that in the case of transferred subject in charge of a Minister, it will be possible to dispense with reference to department of Government concerned with the control of Reserved subjects is largely without foundation." Such continued overlapping and impinging of the administration of Reserved upon Transferred and vice versa left the Transferred Departments without any real autonomy with their own sphere.

The second major defect pointed out by the majority of the ex-Ministers before the Muddiman Committee in 1924 was

the absence of joint responsibility of the Ministers. The collective responsibility of the Ministry is the elementary condition in a parliamentary system of Government. The Joint Select Committee laid considerable stress on this. "The committee think it important," they said, "that when the decision is left to the Ministerial portion of the Government, the corporate responsibility of the Minister should not be obscured. ... In cases which are of sufficient importance to have called for discussion of the whole Government they are clearly of opinion that the final decision should be that of one or other portion of the Government as a whole."

There were, however, some provisions in the Rules under the Act and also in the instrument of instructions to the Governor which suggested that Governor in relation to the Transferred subjects should be guided by the advice of individual Minister. Thus rules of Executive business were framed in


214. Rule 10 of the Devolution Rules and Clause III of the Instrument of Instructions are examples of these provisions.
all Provinces during the first two years in such a way as to suggest that Governor should act separately and not jointly with the Ministers. Thus so far as Ministerial responsibility was concerned, it was never established.

The Governor on the other hand, by dealing individually with the Ministers, exercised greater control over the Transferred Departments than even over the Reserved Departments, while the Joint Select Committee recommended that such control should only be exercised in exceptional matters. It was not long before that Indian Ministers realised that Dyarchy was no school for freedom. The real position was that 'to the extent the Government of India and the Secretary of State relaxed control over the Transferred subjects, the Governor's powers were increased and he virtually stood forth as an irresponsible rather than as a constitutional head'. This was well brought out in the evidence given by the ex-Ministers before the Muddiman Committee. Mr. C.Y. Chintamani who was a Minister in the United Provinces stated in his written evidence:"I have passed through every stage from a habitual 'Honourable Minister is responsible and his view shall prevail', and 'I must support

the Hon'ble Minister', to being over ruled in matters of varying degrees of importance and unimportance down to nomination to a Library Committee."

Charges of excessive interference by the Governor was also brought by Sir A.P. Patro. Mr. R.P. Paranjpye one of the ex-Ministers of Bombay was not happy with the reactionary, domineering Governor Sir George Lloyd. Setalvad who was a member of the Bombay Council, declared that the Governor instead of limiting his interference to exceptional occasions of fundamental differences, claimed that "the Minister's function in law was merely to advise." N.K. Kelkar of Central Provinces more than any other witnesses suggested a larger degree of interference by the Governor in matters of the details of administration. Thus though the control of superior authority was relaxed to the extent that they were no longer responsible in matters relating to the Transferred Departments to the Governor-General and through him to the Secretary of State,

222. Memorandum by Rao Bahadur N.K. Kelkar, ex-Minister of the Central Provinces, ibid., p. 413.
the Governors, in all the Provinces excepting Bengal, in actual practice had not surrendered their responsibility to the Ministers while it was the whole purpose of the Act that such responsibility should be surrendered. The result was that the Ministers were never sure of their ground. By accepting Ministerial office they virtually converted themselves into instrument of Executive Government. Thus so far as Ministerial responsibility was concerned, it was never established.

In fact the real position of a Minister was that, as glorified or highly paid heads of certain departments which were under their control, they were often at the mercy of the two forces - the Governor and the Members of the permanent services, who, as Commissioners of Divisions, or Heads of Departments, or Secretaries to the Government, were the defacto administrators. They could often challenge the propriety of a Minister's order and make a direct appeal to the Governor with-

223. Sir Surendranath Banerjea stated in his written evidence that in Bengal both Lord Ronaldshay and Lord Lytton were statesmenlike in their attitude of sympathy and help and stood by the Ministers with their support. In Bengal the Governors acted like a constitutional sovereign Memorandum by S.N. Banerjea, ex-Minister of Bengal, ibid., pp. 197-98. Also Surendranath Banerjea, op. cit., p. 356.

224. Bengal was an exception in this respect. Both P.C. Mitter and S.N. Banerjea recorded that their relations with the Governor and the Secretaries in their respective departments were satisfactory, Memorandum by P.C. Mitter, Appendix no. 5, R.E.C., 1924, pp. 192-93, Memorandum by S.N. Banerjea, ibid., p. 195. Also Surendranath Banerjea, op. cit., pp. 319-22, 323-24.
out any reference to the Minister, and the Minister could do them no harm even if their decisions or recommendations were ultimately negatived by the Governor. The only course left open to individual Minister, then, was to try to persuade the Governor to his view, and, if he failed on several occasions, resignation as a protest came well within the range of probabilities.

Another complaint made by the Ministers was the absence of joint deliberation between two halves of Government. It was the clear intention of the Joint Parliamentary Committee that Reserved and Transferred halves should hold joint consultations. The Joint Committee in fact laid considerable stress on it. The Committee visualised the Governor acting as an


226. Mr. C.Y. Chintamani resigned his office of the Minister of the Government of United Provinces because the Governor (Sir William Marris) had not consulted him before giving permission to the Director of Public Instruction of the Province to institute a defamation suit against a certain gentleman. The Director of Public Instruction was a subordinate officer in the department placed under the control of Mr. Chintamani, who evidently thought that he should have come to him for permission, instead of having gone to the Governor; Pundit Jagatmohan resigned along with him on the same issue.


informal arbitrator between two halves of Government. It would be the duty of the Governor to see that a decision arrived at on one side of the Government was followed by such consequential action on the other side as might be necessary to make the policy effective and homogeneous. Mr. Montagu also, while moving the second reading of the Government of India Bill on 5 June 1919, stated the position more clearly and thoroughly as follows: "If reserved subjects are to become transferred subjects one day, it is absolutely essential that during the transitional period, although there is no direct responsibility for them, there should be opportunities of influence and consultation. Therefore although it seems necessary to separate the responsibility, there ought to be every room that you can possibly have for acting together for the purpose of consultation and deliberation, as the Bill provides, in one government."

But the system of joint deliberation between two halves of Government in the spirit of the recommendation of the Joint Select Committee was followed only in Bengal and Madras.

229. Ibid., p. 6.
230. Ibid., p. 7.
232. Chief Secretary to the Govt. of Bengal to the Secretary to the Govt. of India, Home Dept., 21 July 1924, stated that 'Government had been run as much as possible as a unified whole'. Reformed Constitution, 1924, P.P., Commons, 1924-25, vol. 10 (Cmd. 2362), p. 615. Also the Second Earl of Lytton, op. cit., pp. 6, 29.
233. Govt. of Madras to the Chief Secretary to the Govt. of India, Home Dept., 28 July 1924, said that "joint consultations between two parts of the Government was, from the first, laid down as essential and have not been without the advantage of increasing the influence of the ministers in the Councils of Government and in extending that influence over the whole range of Governmental activities." Reformed Constitution 1924, P.P., Commons, 1924-25, vol. 10 (Cmd. 2362), p. 491.
In other Provinces it was either not followed at all or not followed consistently or to the extent and in the manner contemplated by the Joint Select Committee and laid down in the Instrument of Instructions. In some Provinces at any rate the Ministers were not satisfied with the manner in which it was followed.

Thus the Ministers after coming to office found that contrary to the expectations created in their minds, they were not being taken into confidence on all subjects. They discovered, too, that decisions reached at meetings of the whole Government were not carried into effect in all cases, that sometimes they

234. In United Provinces there were weekly meetings of the whole Government; such meetings gradually became less frequent until at times there was no more than one in a couple of months. Memorandum of C.Y. Chintamani ex-Minister of United Provinces. Appendix no. 5, R.E.C., 1924, p. 276.

235. In Bombay also joint meetings were held from July 1921 onwards, but files of papers relating to business on the Reserved side were not, as a rule, circulated to the Ministers who were consequently unable to give any considered opinion on it. They therefore, abstained from taking any prominent part in the discussion as R. P. Paranjpye (one of the members of the committee who was also an ex-Minister of Bombay) told the committee. Report of the R.E.C. 1924, P. P., Commons, 1924-25, vol. 10, (cmd. 2360), p. 159. Also Memorandum by C. H. Sethaval, Appendix no. 5, R. E. C. (1924), p. 92. Also R.P.Paranjpye, op. cit., pp. 69-71.

were modified or rescinded either by the Governor in Council
or by the Governor alone without the knowledge of the Minister,
that they were taken into confidence and consulted at certain
stages of a subject, but dropped out (again without their
knowledge) at later stages, that sometimes they were neither
consulted nor informed. They were reminded, too, on occasions
that the Government was not unitary but dyarchical, that how­
ever the Governor might be anxious to conduct the Government
as one whole, it was not in his power to override the provi­
sions of the Act1. Added to this was the fact that, in con­
travention of the recommendations of the Joint Parliamentary
Committee, the Governor and the members of the Reserved
half sometimes openly opposed the Minister's policy in the
Council. Thus the whole spirit of the Act gradually under­
went a disagreeable transformation.

237. Memorandum by C.Y. Chintamani, ex-Minister, United Pro­
vinces, and Memorandum by N.K. Kelkar, ex-Minister,

238. The J.P.C. laid it down that "In the debates of the
Legislative Council members of the Executive Council
should act together and Ministers should act together
but should not oppose each other by speech or vote". Report of the J.S.C. on the Government of India Bill

239. Mr. Chintamani informed the Muddiman Committee that
when the United Provinces District Board Bill was being
piloted through the Council by Pundit Jagat Narain, the
Minister in charge of Local Self-government of the Pro­
vince, the Finance Member sprang a surprise upon the
Ministers by actually speaking in the Council against the
position taken up by the Ministers with regard to
the Bill and asked the Council to vote against the mea­
sure, Memorandum by C.Y. Chintamani, ex-Minister of
Over and above all these there was the all embracing control of the Finance Department. Finance was a Reserved subject and the Finance Department by the nature of its functions was more powerful than all other departments. The Finance Department was charged "to examine and advise on all schemes of new expenditure for which it was proposed to make provisions in the estimates and to decline to provide in the estimates for any scheme which has not been so examined." The proposals involving new expenditure were likely to originate more in the departments of Education, Sanitation, Industries and Agriculture than in the departments of Law and Order and Revenue. The Transferred Departments were placed under supervision of the Member of the Executive Council whose sympathies were often with the Reserved side. The viewpoint of the Ministers and the Finance Member therefore were often antagonistic. As a result the departments that needed utmost financial help were the departments most starved. When the Finance Member merely proceeded on the basis of Rupees annas and pies, the

240. Rule 378 iii of Devolution Rules.


position of a Minister was extremely difficult. As a result of the intervention of the Finance department the Ministers in actual practice found it extremely difficult to enjoy that measure of initiative and freedom in financial matters without which successful administration became well nigh impossible. This was what led all the Ministers to complain before the Muddiman Committee that Finance Department had greatly hampered the working of the Reforms that Finance should be a Transferred subject and, finally, that there should be a separate purse which would strengthen the financial resources of the Transferred Departments.

Activity of the Non-cooperators -

There was another hindrance to the working of the Reforms which was not in the nature of the Reforms themselves. Behind and beyond the Councils ran the ebb and flow of the Non-cooperation movement. Throughout the three years of the life time of

243. E.g. from Bengal P.C. Mitter complained before the Muddiman Committee that "for several months more than two or three hours of my time were taken up in fighting the Finance Department, and I believe it often took my secretary and his staff practically the whole day during these months to fight the Finance Department. In many cases final decision either in the Joint meeting or by his Excellency the Governor was in my favour, but in some cases the time already taken over in arriving at the decision made the decision useless ... there were several cases dealing with a few hundred rupees only where I had serious difficulties with the Finance Department". Memorandum by P.C. Mitter, ex-Minister of Bengal, ibid., p. 183.

244. Ibid., pp. 163, 194-95.

245. Ibid., pp. 176, 194, 179.
the first Council, which was elected at the end of 1920, the new constitution was fighting for its life and public attention was concentrated per force on what was happening outside the walls of the Legislature.

"It was the high tide of Non-cooperation agitation when enthusiasm broke all bounds and there was a fever heat in the nation's pulse, urging large multitudes into frenzied ecstacy and uttermost 'abandon' in activity that threw all calculations to the winds." The political agitation was directed to prove that the constitution was unworkable and from the very beginning strong efforts were made everywhere at the time of election to induce voters not to exercise their franchise, and the candidates who presented themselves for election found themselves attacked by their enemies at their most vulnerable spot. They had to undergo a social boycott of no ordinary severity organised by the Non-cooperators. The experience was not to their liking and in many cases came very near undermining their original resolution to support the Reforms.

The Liberals had proceeded in various ways during 1920 to organise themselves for the elections, but their campaign was so slow to develop that the Provincial Governments became alarmed that they would be swamped by nationalist propaganda.


In fact, the Non-cooperators achieved remarkable success in this regard especially in the towns of Bombay, United Provinces and Bengal. For example in Bombay, where cyclists were sent round by the Non-cooperators to inform voters that the election had been stopped and rumours were widely spread that the object of the election was only to quadruple the land revenue assessment, the number of votes recorded was only eight per cent. In the United Provinces where a particularly vigorous campaign of Non-cooperation had been conducted and where Gandhi's visit had coincided with the election, it made a special appeal to the candidates to withdraw and voters to refrain from voting. By a combined pressure of persuasion and intimidation the Bengal Non-cooperators succeeded to a very appreciable extent to prevail upon the voters to abstain from voting. The Khilafat agitators were specially anxious

248. G of I, Home Pol., confidential deposit no. 79 (for the second half of January 1920. Also ibid., secret deposit no. 82, July 1920 for the first half of July 1920, ibid., secret deposit no. 89, for the second half of February 1920. Also, ibid., secret deposit no. 97, for the second half of June, July 1920. Also ibid., confidential deposit no. 106, for the first half of July 1920.

249. Ibid., secret deposit no. 59, December 1920.

250. Chief Secretary to the Govt. of Bombay, Special Dept. to Secretary to the Govt. of India, Home Dept., ibid., no. 35, pt. A, 1921.

251. India in 1920, op. cit., p. 65.


253. Ibid.
to reduce the number of Muhammedan candidates and to secure small polls so that they could claim a moral victory for the Non-cooperators. While they organised meetings at Calcutta and concentrated upon a campaign of intimidation at the election, the Central Khilafat Party at Calcutta sent men to Eastern Bengal districts to carry on propaganda against the election. The name of religion was invoked and Muslim electors and candidates were solemnly told by the doctors of their religion that it would be wicked and contrary to the injunctions of the sacred books to participate in any shape or form in the approaching elections.

Thus while the percentage of votes in contested constituencies, when compared with the number of electors, was only thirty one per cent in average in the case of election to the Provincial Legislatures, the actual proportion of those exercising their votes to the total strength on the electoral roll also varied widely from Province to Province. The policy

254. In the Dacca, Noakhali and Chittagong districts of Eastern Bengal this propaganda was most vigorous. The Non-cooperators with hired speakers moved from village to village, ibid.

255. In the Dacca district of Eastern Bengal a leaflet was published containing a statement that anyone who would vote or would try to become a member of the Council would be 'bedin' (irreligious) and thereby would cut his connection with Islam. Ibid.

256. Percentage of votes polled to total number of electors in contested constituencies were 25 per cent in Madras, 34.9 per cent in Bombay, 33.4 per cent in Bengal, 33.0 per cent in United Provinces, 39.7 per cent in Bihar and Orissa, and 22.5 per cent in Central Provinces and Berar. Return showing the Results of Elections in India, 1920, P.P., Commons, 1921, vol. 28 (cmd. 1261), pp. 15-17.
adopted by the Non-cooperators thus met with considerable measure of success. As a result of the abstention of candidates and the failure to record their votes on the part of many of the electors in the constituencies affected by the Non-cooperation movement, the new legislative bodies were less fully representative than they otherwise would have been. Thus from the very beginning the new Councils were handicapped by the fact that they were deprived of much of their representative character. The Non-cooperation movement not only determined the strength and composition of the Legislatures, the movement had taken so strong a hold on the public opinion that good faith was at a discount. The stable condition required for the success of the Reforms was not just available. An atmosphere of distrust in the motives of the Reform had been created. It was in such an atmosphere and amid surroundings so unpropitious that the Reforms scheme had to be launched into operation.

The Press in general, with the exception here and there was saturated with the spirit of Non-cooperation and was extremist in its tones. The Ministers were accorded with a cold and hostile reception. They were described as officials and bureaucrats associated with a machinery that was designed 'to perpetuate a fraud and whitewash a delusion'.

258. Surendranath Banerjea, op. cit., p. 324.
the Minister from the very beginning was to create an atmosphere of goodwill and co-operation but that was denied to them. For example, as a journalist of nearly half a century standing, Sir Surendranath Banerjea naturally believed in the power of Press and, just after assuming office in July 1921, he invited a Press Conference at the Town Hall (Calcutta) to help him in the work of promotion of Public Health. But the Extremist papers did not show any sign of co-operation and wherever he went on tour with the object of creating an atmosphere of discussing local sanitary problems and their ultimate solution, the local Non-cooperators started a hartal.

One policy that Surendranath followed, as Minister of Local Self-Government in Bengal, was steady and progressive Indianisation of the departments under his charge. The most striking example of this was the appointment of Mr. Surendranath Mullick, a non-official Indian and also an elected member of the Corporation, as Chairman of the Calcutta Corporation. It was a striking departure. The Chairmanship of the Calcutta Corporation was one of the appointments reserved for the Indian Civil Service and Surendranath had to move the Government of India and the Secretary of State to obtain their sanction to its being withdrawn from the Reserved list which was given. But he had to face criticism even with regard to this action. There was opposition offered from two different standpoints. It

259. Ibid.
260. Ibid., p. 328.
was said that it was only an attempt on the part of the Minister to bribe Mr. Mullick, who was an uncompromising critic of reformed administration and had opposed the Government from his place in the Legislative Council. The second objection raised was that Mullick had distinguished himself as a lawyer and debater and he was not familiar with the details of municipal administration and the inner workings of municipal machinery. The appointment received a subdued approval of the Extremist press later but that, too, was only a temporary aberration from their settled policy of uniform disapproval of the Minister's action.

While the Non-cooperators were winning acclaim for their fearless criticism and insolence of Government outside the Council, to some of the elected members it seemed that they would be the victims of reprisals at the Extremist hand if they openly supported the Ministers. Thus they were always alert for an issue to launch an attack on the Ministers in the Council. Such an opportunity came for them in the middle of 1921. In the early months of 1921 the Non-cooperators had been fomenting up labour troubles in the tea gardens in Darjeeling district and in April and May they succeeded in persuading a large group of Assam tea labourers to leave the gardens for their homes in the United Provinces and Bihar. There was no


263. Ibid.

doubt however that at least some of the coolies had economic grievances and the Non-cooperators were not slow to make capital out of their discontent. The majority of these coolies became stranded at Chandpur an important steamer station on the river Padma in Eastern Bengal, and suffered severe hardship before arrangements were made for their forward transport.

Ronaldshay did not agree to hold an enquiry, and there was general anger at the Government's handling of the situation. Though the matter was one which did not concern the Transferred Departments, when the Council met in July, Babu Kishori Mohan Choudhury, a member from the Rajshahi Division in North Bengal immediately charged the Ministers with doing nothing.

A similar attack was launched when in October 1922 a disastrous flood overwhelmed North Bengal, causing havoc and loss of life over an extensive area. Here the Minister's difficulty was the same as before. The administration of the relief in the flooded area appertained to the Reserved branch of administration, and not to the Ministry of Local Self-Government. But although Surendranath, who was then in Darjeeling in connection
with the meeting of the Select Committee on the Calcutta Municipal Bill, hurried to the affected spot and, in co-operation with the Health Department, did what he would in relieving the distress of the affected districts, he was criticised. Even a paper like the Statesman which had always expressed its appreciation of the work of Surendranath as Minister, published an article which constituted an attack on the Ministry of Local Self-Government.

In fact, after the most successful hartal organised by the Non-cooperators on 17 November 1921, the day on which the Prince of Wales landed in Bombay, the Minister's position everywhere had been wretched. The Viceroy ordered all the Provincial Governments to adopt repressive measures for the maintenance of law and order. In Bengal that policy consisted in the application of Criminal Law Amendment Act of 1908 and the Prevention of Seditious Meetings Act of 1911. In the subsequent meetings of the Council on 19 December Babu Surendranath Mullick, a non-official member from the Calcutta South Constituency, immediately moved for an adjournment of the business of the Council to consider a motion of urgent public importance viz. the application of Indian Criminal Law Amendment Act.

270. Statesman, 11 October 1922.
Act and the Seditious Meetings Act to the Province and the great unrest caused thereby." In the course of the debate successive speakers challenged the necessity and propriety of the measures adopted by the Government and reproached the Ministers for the measures which the Government of Bengal adopted to deal with the political situation.

Not content with this, on 26 January 1922, when the Home Member, Sir Henley Wheeler, made a demand for the grant of Minister's salary, several members rose to move for its reduction. Some of these motions were aimed at any rate to pass a vote of censure on the Ministers. The position would have been easy enough for the Ministers if the vote or the remarks of the critics in the Council dealt with the Transferred subjects in which the Minister was prepared to take the full measure of responsibility. He could then speak out with confidence and assurance. But in the present case the censure was based on the administration of Reserved side for which the Ministers were not responsible. So the Minister was placed in a position of some difficulty and even of embarrassment. They could not remain silent if an attack was levelled against them inside the Council. On the other hand if they wanted to make their

274. Ibid., pp. 30-35.
position clear, delicate secrets relating to the administration of Reserved subjects, were likely to be disclosed. Though the instructions for the Ministers in such a circumstance was that they should watch the course of events in the Council and use their discretions as to whether they should speak or not, what they could really do in the circumstances was to make halting reply which only gave rise to misunderstanding as to their real intention and instead of strengthening, further weakened their position. The aggrieved Minister could not take into confidence the Legislative Council to which he was supposed to be responsible as to how he had fared with his colleagues on the Reserved side. The proceedings of a meeting between the Ministers and the Executive Councillors were confidential and nothing connected with them could be divulged. But the real constitutional position was never understood. The result was that they were condemned for measures of Executive Government in departments over which under the Constitution the Ministers had no responsibility. In countries with long traditions of parliamentary institutions and party organisations and party organs all these are understood and the Minister also can hope for the approval of his policy from atleast a section of public. But the fact was that the legislative bodies in

276. Ibid.
278. Surendranath Banerjea, op. cit., p. 323.
India, excepting Madras, as constituted under the Act of 1919 were not organised on a party basis. There was not any salient point of general policy (beyond general progress under the Reforms) on which there had been anything approaching unanimity among Indian non-official members. They could not, therefore, be said definitely to form a political party. In Bengal where the Council represented as a whole the various grades (except the most extreme) of educated opinion as opposed to the opinion of the ordinary country people, the special trouble was that 'each individual member', as the Government described the situation, 'except for a few experienced hands is out to run Bengal in his own way and to interfere in every detail of the Executive or Judicial Administration and in particular of the Nation Building Department.' Added difficulty to this was the existence of an extremist group of twenty-five to thirty Hindu members with others on the border line whose sympathy was with the Non-cooperators. The great majority of the Muslims were unwilling to co-operate with the Hindus. Surendranath Banerjea and P.C. Mitter had to deal with strong communalists.

279. The Madras Council was divided according to caste or community. There was a fairly well defined ministerial party composed of the non-brahmins. The opposition consisted entirely of the brahmins, Chief Secretary to the Govt. of Madras to the Secretary to the Govt. of India, Home Dept., 16 July 1923, Reformed Constitution, (1923), P. P., Commons, 1924-25, vol. 10, (cmd. 2361), p. 288.

280. Chief Secretary to the Govt. of Bengal to the Secretary to the Govt. of India, Home Dept., 21 July 1923; ibid., p. 341.

281. Ibid., p. 342.
in the persons of their Muslim colleagues like Nawab Ali Chaudhury as a Minister and Sir Abdur Rahim, as an Executive Councillor. As a result every thing seemed to be in a fluid condition. Parties were being formed one day to be broken up the next day. The Minister's proposal for appointment of Council Secretaries, who might act as Party Whips and help to organise a strong Government party, was turned down as the Governor was unwilling to add further to the paid posts under the existing conditions of acute financial stringency.

The fact was that, as Sir Surendranath Banerjea wrote afterwards, 'to work the Reforms and to be a member of the Government was, in the eye of the non-cooperators, an unforgivable sin. Logically, therefore, to be a minister of the government must be sinful. The Minister's work in its most difficult and controversial aspects resolved itself into a series of compromises where the application of principles had to be determined by the circumstances of each case. The result was not always satisfactory to the minister and even less to the public'. At every turn they had met with obstacles. Their


development programmes had been stunted by the shortage of funds, and their legislation had been 'twisted out of shape by sectional pressures' ever since the controversy on communal representation had arisen. With no joint responsibility and no joint deliberation, with an overriding Governor and all powerful Finance Department the Minister considered himself really lucky if he could only produce a truncated version of his original scheme. Criticism in such circumstances, was inevitable, 'while the unfortunate author of the scheme, which but imperfectly came up to his own ideal or expectation, was prevented by the vow of silence and the obligation of his office from revealing the secrets of his own prison house'.

The above analysis gives an idea of the extremely difficult and embarrassing situation in which the Ministers were placed. The cause of the Liberals, however just and sincere, could not appreciably succeed during the first three years of the Reform and, viewed in the context of these difficulties, it seems not unnatural that the achievement of the Liberals in the Council could not become very much striking which gave the Non-cooperators an opportunity to raise the cry that Dyarchy was nothing but 'a Machiavellian device to prove Indian incompetence even in some minor branches of administration', and pointed out with scorn the futility of what they called 'cooperating with the Government'.

286. Ibid., p. 323.