

THE POONA CONGRESS.

The following note on the subjects provisionally suggested for the consideration of the next Congress has been sent to us for publication:—

(1). The inquiry or expenditure Commission now sitting in London is distinguished from all the preceding Parliamentary inquiries in several respects, which lead one to fear that its labours will not bear any more fruit than the purely official Commissions which inquired into military charges in 1879 or into civil expenditure in India in 1886. The previous inquiries of 1778, 1793, 1813, 1833, 1853 were all held when the Parliament and Government of England sat in judgment not on their own work, as this Committee professes to do, but on the work of a Chartered Company, when monopoly of power and trade were resented by the English people. These old inquiries were, therefore, conducted with a thoroughness and singlemindedness of purpose which resulted in definite concession of new rights and privileges to the people of India. This same freedom of action cannot be expected at the hands of a committee constituted as this Commission has been. The scope of its inquiries is limited, and even within that limited sphere it sits with closed doors and seems content with receiving purely official evidence. It cannot venture to stray outside the official leading strings which hamper its liberty of action. It seems necessary, therefore, that the voice of the people of India should be raised to protest against these restraints and limitations. The interests of the Government of India are the same as those of the Indian people in this matter. Most of its financial difficulties are due to its inability to resort home pressure, and it must, therefore, be moved to back up official with an expression of non-official European and Indian evidence, either by arranging to send such witnesses there or prevail on the Commission to depute one or more of its members out here to ascertain the views of the non-officials. Without such backing up, the departments both here and in England will deal with the Commission's recommendations in the same way as they have dealt with those of previous Indian Commissions.

(2). Next in importance stands the question raised by H. E. the Viceroy, when in the Budget debate and on other occasions the new doctrine of the Secretary of State's Mandate was announced as practically over-riding the conscience and wisdom of the members of the Legislative Council in matters small and great. This doctrine threatens to turn the Legislative Councils into the old Parliaments of France and other countries which only registered the wishes of the executive, situated so far away. The question has been judicially examined by a high authority, and it deserves the most anxious consideration of all parties. Some plausible excuse may be found in defence of members of the Executive Council acting thus, but for all the other official and non-official members such excuse can be urged, and it behoves the Congress to enter its protest before the new departure becomes a recognised precedent for the future.

(3). The doctrine of Mandate was turned to practical account in the budget debates of the last year. Since then the Government here and in England saw their error and accepted the principle that the levying of import duties on cotton yarns and goods for revenue purposes did not constitute an infringement of the laws of free trade. There has been since then a change in the Government of England and the Lancastrian interest is, if possible, more united and more determined in its attitude than before and its chances of success are greatly increased by the Secretary of State for India and the Prime Minister being both pledged to an early repeal. If repeal is not practicable, great pressure will be brought to bear upon the Government here to extend the scope of the counter-balancing excise duties to all counts independently of the question of their coming into competition with English manufactures.

(4). This is a real and grave danger and the hands of the Government of India must be strengthened by all those who fully realize the critical character of its present financial condition. Such an extension of the excise duties will bring in little additional revenue, while it will disorganize and throttle the rising industries of the country. Although the Congress's view that the financial troubles of India are more directly due to increase in military and civil charges, to conquests of foreign territory beyond the frontier than to the loss caused by low exchange was contested by the Financial Member of the Supreme Council, yet it is clear from the more recent pronouncements of such authorities as the Economist and the Statist that even English opinion is now veering round to support the opinion of the Indian people. The importance of the question at issue between the Government and the people is not merely academic, for on its right apprehension depends the line in which Government must move if it desires to avoid the shipwreck of its financial capacity to bear the charges imposed upon it. The war in China and the reversal of the policy of the Liberal Government by its successors may not be questions which concern us except in their financial results. The loss by exchange we cannot avoid, but the difficulties caused by the forward policy are self-sought and admit of correction. This makes the question of the financial aspects of the forward policy a question of more practical interest than the inquiry into the causes of low exchange and the remedies for the same. We have Sir A. Colvin and Sir D. Barbour and the Economist and the Statist pitted against Sir J. Westland, and it cannot be difficult to make a choice between these high authorities.

(5). The practical question is, however, not a question of high state policy or military strategy. Both policy and strategy may be in favour of the view of those who seek the extension of the frontier, but it is plain that these extensions are advocated in the interests of British trade and influence and not solely on the ground of Indian safety. If this position be true—and it is accepted as true by all—then it is clear that there must be a partnership in the burden as there is in the possible advantages. The protection afforded by the Statutory provision not to employ forces and reserves on wars outside Indian limits without Parliamentary sanction has proved ineffective, and the only remedy, which is consistent with former precedents, is that this protection should be supplemented by a condition that the cost of all such military charges outside the frontier should be equally divided between India and England. This is the only solution of the financial difficulty and it is in consonance with former precedents.

(6). Turning next to the internal administration of India, the experience of the last two years has shown that the present rules about the Budget discussion and interpellations apparently fail to give effect to the original intentions. It is every day becoming more and more obvious that the debate on the Budget must be made more business-like by the power to require the Council to record its vote on the points raised in the debate, and in the case of interpellations, the interpellation should be allowed to be accompanied with a few introductory remarks, bringing out the point of the question, and there should be power reserved to the interpellator to state how far the reply has met his point. The analogies of the English House of Commons serve no purpose in India because of the great powers enjoyed by members of Parliament to bring motions claiming priority to important business, whether the Government desires to give it priority or not. These are the directions in which further reform of the Councils is desirable.

(7). The increased powers given to District Officers to fix the incidence of Punitive Police charges excited a great deal of interest at the time and urgently calls for an expression of the public mind upon it. There has been a steady tendency of late years to increase the powers of the Police and the Magistrates and in many places the Police have acted without orders of the Magistrate, causing in the end great loss of life by the use of fire-arms upon a riotous unarmed mob. The substitution of conciliatory measures in place of these drastic remedies is a matter of natural concern to all who desire that the relations of contending sects and creeds should be more cordial than they at present are.

(8). The proposed legislation to restrict the finality of jury verdicts is a measure fraught with similar mischief. It is a retrograde step, and is likely to cause general dissatisfaction. It defeats the chief aim of all criminal legislation and fails to inspire confidence in the public mind that the administration of justice is pure and untainted; that none will be condemned to loss of life or liberty or property until he is pronounced by the representatives of the law-abiding public as a criminal malefactor. It will unnecessarily create irritation where concord and amity should prevail. The occasions for difference are but few and scarcely in five per cent. cases does this divergence manifest itself and the confirmation and revision powers of High Courts and the power of the Government to appeal in cases of acquittal afford all the protection that the interests of public order demand. Some of the new proposals are made in the face of the recommendations of the Jury Commission of 1892, which, it was hoped, had settled the question finally. This is a matter on which the public mind is very keen and a strong and well-considered protest is demanded at this time on the subject.

(9). Another similar leap in the dark is the proposal to restrict, if not abolish, the power of free alienation of land as a remedy for agricultural distress. The whole question was considered by the Government of India and Local Governments twenty years ago and the solution of the difficulty was definitely laid aside as being out of the question. The rights of private property in land required to be enlarged and strengthened and the proposal to restrict alienation can only lead to agricultural ruin and will reduce the Ryots to a condition of serfdom, which will make all improvement impossible.

(10 & 11). The question of enforcing moderation in revision settlements and of modifying the rigour of forest rules concerns the agricultural interest at large most intimately. The only practical mode of enforcing moderation in revision settlements is to require Government to impose upon its own authorities in the non-permanently settled districts, for the protection of the Ryots, the same or a similar set of rules which it has imposed by legislation in regulating the relations of landlords and tenants in permanently settled districts. The justice of such regulations is so obvious as to call for no detailed observations. The amendment of the Provincial rules regarding forest conservancy so as to bring them into accord with the declared views of the Government of India's policy in the matter also calls for no lengthy notice. Forests must be administered as a trust in the hands of Government for the benefit of the agricultural classes and not as a monopoly for purposes of revenue.

(12 & 13). The question of the Provincial Service once more comes into prominence now that, for some time yet at any rate, there is little prospect that the competitive examination for the Civil Service will be held simultaneously in India and England. This year only one native candidate passed the Civil Service examination. The old Statutory Service has been done away with, and the rules of the Provincial Service will not come into practical operation for some time to come. Meanwhile, every endeavour is made in this Presidency to degrade the importance of this Service by making

the standard of qualification absurdly low and introducing race and caste elements into the system, which must ignore all such distinctions. The wrongs of the Indian Medical Service also call for early consideration. The Police Service has been made a monopoly for British-born subjects like the Military, and the guarantee given in 1879 that Indians will have preference shown to them in respect of posts over Rs. 200 in the miscellaneous departments has been taken away. The practical situation is thus distinctly one of a set-back and not of advance. The vital interests of good rule are involved in this question in a way which it is a public misfortune that the rulers of India do not sufficiently realize; and we must persist in the agitation with unshaken fortitude.

(14). The question of the disabilities of Indian settlers in British Colonies in Africa and elsewhere has come into prominence of late and the Indians in foreign parts look to their brethren in the mother country for support in the struggle in defence of their rights which has been commenced in right earnest. The endeavour to reduce Indian subjects to a position of enforced degradation should be checked. The Government of India has not shown the same jealous regard for the interests of its own subjects in foreign parts that it puts forth in regard to British-born subjects, and this invidious difference must be protested against with the united voice of India.

(15 & 17). The question of Rupee vs. Sterling Loans, the currency question, and the subject of exchange compensation are closely connected together. They are no doubt very complicated subjects, but their importance demands our most anxious consideration, as the financial solvency of India obviously depends upon their proper settlement. The currency legislation has admittedly proved a failure and the grant of exchange compensation has been a charge which eats up the whole of the additional revenue derived from the cotton duties. The question of Rupee vs. Sterling Loans has both an economical as well as a political bearing. The late conversion of 4 per cent Government paper to 8½ per cent shows clearly that India can raise its own loans. Sterling loans at 8½ per cent or even 8 per cent are on the whole more burdensome than 8½ per cent. Rupee loans raised in India. The policy, therefore, of raising rupee or sterling loans for reproductive public works deserves great consideration.

DRAFT RESOLUTIONS.

I. This Congress re-affirms the resolution of the last Congress expressing the disappointment generally felt by reason of the limitations placed on the enquiries now being made by the Expenditure Commission presided over by Lord Welby. It further adds that no such enquiry can lead to any satisfactory results under the altered conditions of direct rule if it is confined purely to official and Anglo-Indian evidence received in England and its scope is not extended so as to allow a free and full opportunity to the Commissioners to form their impressions first-hand by taking evidence in India and satisfying themselves how far the people of India can with their limited resources bear the strain imposed upon them by the present overgrown expenditure of the country.

II. This Congress deems it to be its duty to record a solemn protest against the doctrine of Mandate by which his Excellency the Viceroy claimed—a right almost in the nature of a high prerogative—for the Secretary of State in Council the power to require in matters of Legislation all the official members of the Supreme Council to vote together, irrespective of their own views on the subjects.

This Congress is further of opinion that no such prerogative can be claimed under the Council's Act; the power possessed by the members of the Executive Council to record protests when they differ from the Viceroy, who can over-rule them in extreme cases, and the power of the Secretary of State to veto Acts passed by the Supreme Council of the Government of India, clearly show that the members of the Executive Council and the other official nominated members are, with non-official elected and nominated members, bound to vote according to their sense of what is right and proper. Any other view of their functions makes the Councils only bodies for the registering of official Mandates.

III. This Congress concurs with the Chamber of Commerce and the Mill-owners' Association in the view that the exemption of Indian yarns below 20s is not attended with any of the evils of protection, and that the objection taken by the Lancashire manufacturers to their exemption is not well founded. The Congress trusts that the Government of India will stand firm in its policy of levying import duties for revenue purposes as such levy does not conflict in any way with the principles of free trade.

IV. This Congress notices with satisfaction that expert opinion in England is now coming over to the side of the Indian Parliamentary Committee in the matter of its dispute with the Finance Minister of India as to the relative importance of low exchange, and growth in Military expenditure as the more potent cause of the present embarrassed condition of Indian finances. The Congress also thinks that even if the two causes were of equal potency, the growth of Military and Civil expenditure is a cause of disturbance which the Government of India can to some extent control, which remark does not hold good of the low exchange; and that reduction of Indian Military expenditure to the scale in force before additions were made in 1885, and a rigid abstention from frontier expeditions should be the leading features of Indian policy for the future.

V. In view of the great extensions of the British power on the North-West and North-East of the proper frontiers of India into regions not contemplated by Parliament when it passed Section of the Government of India Act, the Congress is of opinion that over and above the sanction of Parliament necessary before the revenue and forces of India are employed outside the frontiers of India, the interests of India absolutely demand that the expenses of all such expeditions should be shared between England and India according to some fixed ratio such as was observed in the contribution made by England to the cost of the last Afghan war. Without some such additional guarantee the forward military policy will involve India in hopeless financial confusion.

VI. This Congress notes with satisfaction that the right of interpellation of non-official members of the Legislative Councils has on the whole been exercised in a spirit of moderation so as to secure the approval of the authorities here and in England. The Congress at the same time feels that the Budget discussions are still more or less of a digressive and academic character, and must continue to be so until members are allowed a right to claim a division. The answers to questions put have also this inconclusive character in many cases. In view of these experienced drawbacks, the Congress is of opinion that though the time has not yet come for giving to the Councils a controlling voice in the preparation of the Budget, there can be no valid objections to a reform by which members who criticize the Budget generally or in respect of particular items should be permitted to claim a division so as to see how far the sense of the Council is for or against their views.

VII. This Congress records its regret that the recent legislation about the imposition of Special Police charges upon the inhabitants of disturbed areas was passed against the unanimous voice of both European and Native opinion. The principle of distinguishing between the several classes and interests which come into conflict is sound enough in theory, but the vesting of this power of making distinctions in the executive Police or Magistrates must result in further embittering the racial or creed animosities between the contending parties, and it was this practical evil which had led Government in their previous Legislation on the subject to place the burden equally on all.

VIII. This Congress notes with satisfaction the announcement made by his Excellency the Viceroy in one of his recent speeches that the Government of India have not committed themselves to the support of some of the most objectionable of the proposed amendments of Criminal Procedure Code, restricting the freedom and finality of jury verdicts. The Congress earnestly hopes that the proposal to vest additional powers in Sessions Judges and High Courts over what they now possess and which have been found to work well in most cases will be given up and that the system of trial by Jury will be extended to districts where it does not already exist.

IX. In the opinion of this Congress, any proposal to restrict the right of private alienation of lands as a remedy for the relief of agricultural indebtedness will be a most retrograde measure and will, in its distant consequences, not only check improvement, but reduce to still greater helplessness, the condition of the poor agricultural population. The indebtedness of the agricultural classes arises partly from their ignorance and partly from the application of a too rigid system of fixed revenue assessments which takes little account of the fluctuating conditions of agriculture in many parts of India; and the true remedy must be sought in the spread of general education and a relaxation of the rigidity of the present system of revenue collections in those parts of the country where the permanent settlement does not obtain.

X. As the Government of India claims the right to enhance the assessments in temporarily settled districts on the ground that the State landlord has a right to share in the increased rent of public lands, this Congress is of opinion that Government should impose on its own action the same restrictions against over-assessments which it has deemed necessary in the interests of tenants to impose upon the rights of private landlords. The Tenancy Acts in the different parts of India, notably in Bengal, impose restrictions on maximum enhancements at any one time and confer on occupancy tenants fixity of tenure and a power to test the action of their landlords by resort to civil courts and a claim to recover compensation for unexhausted improvements made at the tenants' expense. Unless these restrictions are accepted by the State landlord in the exercise of its right, there can be no final or just settlement of the question of revision settlements in that spirit of moderation on which the happiness and security of some eighty per cent of the population so absolutely depend.

XI. This Congress is of opinion that the action of the Forest Department under the rules framed by the different Provincial Government prejudicially affects the inhabitants of the rural parts of the country by subjecting them to the annoyance and oppression of forest subordinates in various ways which have led to much discontent throughout the country. The objects of forest conservancy as announced in the resolution of 1894 are declared to be not to secure the largest revenue but to conserve the forests in the interest chiefly of the agricultural classes and of their cattle. The existing set of rules subordinates the latter consideration to the former and an amendment of the rules with a view to correct this mischief is, in the opinion of the Congress, urgently called for.

XII. This Congress, concurring with previous Congresses, again records its deep regret that the labours of the Public Service Commission have practically proved void of any good results to the natives of this country and repeats its conviction that no satisfactory solution of the question is possible, unless effect is given to the resolution of the House of Commons of June, 1892, in

favour of holding the competitive examination for the Indian Civil Service simultaneously in India and England.

XIII. This Congress notices with satisfaction that its views in regard to the defective constitution of the Indian Medical Service have been endorsed to a large extent by the Medical Congress, and it hopes that the Government of India will see its way to an early revision of the constitution of the Medical Service on the footing of fairness and equality to all. The separation of the civil from the military branch of the service in such a way as to secure for the civil branch its just claim for independent recognition is a reform urgently called for in the interests of all parties concerned as also in the interests of higher medical studies in the country. The considerations which once justified the predominant influence of the military element in the service do not now hold good, and the altered circumstances of the country require a complete separation and recognition of equal status to both branches of the service.

XIV. This Congress deems it necessary to record its most solemn protest against the disabilities sought to be imposed on Indian settlers in South Africa, and it earnestly hopes that the Government of India will come forward to guard the interests of these settlers in the same spirit in which it has always interfered whenever the interests of its British-born subjects have been at stake.

XV. This Congress expresses its satisfaction at the success which has attended the late conversion of the Government of India securities from 4 to 8½ per cent. This success implies that the policy of contracting gold loans in England for productive public works in place of borrowing Rupee loans in India for the same purpose requires re-consideration.

XVI. In the opinion of this Congress, the currency legislation of 1893 has failed for the most part in accomplishing its main object of establishing a higher ratio of exchange. The prospect of any settlement of the question on the basis of an international compact being now further off than ever, the subject of currency reform calls for fresh consideration at the hands of the Government of India, as the present state of things cannot be continued much longer without proving detrimental to Indian interests.

XVII. Concurring with previous Congresses, this Congress expresses its regret that the Government of India chose a time of financial distress for adding to its embarrassments by the grant of exchange compensation to the European members of the official classes and thus laid itself open to misrepresentation at the hands of the members for Lancashire, that the Government imposed the cotton duties with a view to find money for this additional burden on its resources. The Congress would not under existing circumstances press for a complete withdrawal of this concession, but would respectfully suggest that in view of the great increase in these charges, steps will be taken to confine the payment to those of its officers who had come out before Exchange fell to its present level and who have to make remittances to England in the interests of their families.