

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

The Hon'ble Rai Sheo Shankar Sahay moved the following Resolution:—

"That this Council do most respectfully recommend to the Lieutenant-Governor in Council that the Bengal Local Self-Government Act, 1885, be extended to the district of the Santal Parganas."

He said:—

"YOUR HONOUR,

"The Council is aware that the earliest enactment relating to the administration of local funds by local bodies was the Bengal Act X of 1871, known as the District Road Cess Act, passed, as the preamble shows, for making provision for the construction and maintenance of roads and other means of communications and for that purpose to authorize the levy of a District Road Cess on immoveable property and to constitute Local Committees for assessment of the same and for the management of the proceeds thereof. Power was taken by the Local Government to extend the Act to any district or districts in Bengal by notification published in the *Calcutta Gazette*.

"Later on Bengal Act II of 1877, known as the Provincial Public Works Act, was passed to provide for the levy of a cess on any immoveable property for the construction charges and maintenance of Provincial Public Works. This Act was extended to all districts in which the District Road Cess Act, 1871, was then or thereafter might be in force, power being reserved in the Local Government to exempt any district or sub-division from its operation or to cancel such exemption.

"The operation of these two Acts was gradually extended to all the districts except the districts of the Santal Parganas and Singhbhum.

"These Acts were replaced by Act IX of 1880, known as the Cess Act, 1880, which, amongst other provisions, enlarged and amplified the scope and object of the District Road Fund. Though this was so the functions of the District Road Fund and of the District Road Committee even under the new Act IX of 1880 were confined to means of communication only.

"The Bengal Local Self-Government Act of 1885, providing for the constitution of District and Local Boards in the place of the District Road Committees and giving powers to the Board, not only with regard to the means of communication, but also with regard to Education, Medical Relief, Sanitation, Vaccination, Famine Relief, etc., was passed in the year 1885 and was extended to all the districts of Bengal except the districts of the Santal Parganas and Singhbhum. These two districts were expressly excluded from the operative part of the Act for the simple reason, as I believe, that the Cess Act was not in force and the Road Committee was not in existence in these two districts when the Local Self-Government Act came into force. In fact, the Cess Act was introduced in the district of the Santal Parganas so late as 1905 by Notification No. 480, dated the 25th October 1905, published in the *Calcutta Gazette*, 1905, Part I, page 1843.

"With the introduction of the Cess Act in the district of the Santal Parganas, a district Road Committee was formed under the Bengal Cess Act, 1880, but, as I have mentioned before, the powers and functions of the Road Committee were, under the law, limited to communications only. It may be within the recollection of the Council that the Local Self-Government Act was amended by the Bengal Council in 1908. Advantage was taken of this opportunity to give power to the Local Government by the amended Act, to extend the Local Self-Government Act to the districts of the Santal Parganas and Singhbhum if and when it thought it expedient. I presume the reason for this amendment is to be discovered in the fact that the Cess Act, having been introduced in the district of the Santal Parganas, the Government felt that sooner or later it would be necessary to establish District and Local Boards in place of the District and Branch Committees still in existence in these districts. Under the law, as it now stands after the amendment of 1908, the Local Government can extend the operation of the Act to these two districts or to either of them by notification in the local *Gazette*.

"The Resolution which I have the honour to move runs thus :—

"That the Council do most respectfully recommend to the Lieutenant-Governor in Council that the Bengal Local Self-Government Act of 1885 be extended to the district of the Santal Parganas."

"It will be seen that my Resolution refers to the district of the Santal Parganas only, though, I believe, Singhbhum also stands on the same footing. I have, however, not included it in my Resolution as I am not conversant with the state of affairs prevailing in that part of the Province to the same extent as I am with regard to the district of the Santal Parganas, and it is possible that there may be substantial reasons, of which I do not know, which may not permit the extension of the Local Self-Government Act to Singhbhum. But so far as the district of the Santal Parganas is concerned, I am confident that the Council will agree with me that there is no reason whatsoever why the Local Self-Government Act should not be extended to that district. I have at the outset made it clear that the only reason why the Local Self-Government Act was not introduced in this district was that there was no road cess, there was no Road Committee, there were no funds to administer. So soon as the road cess was introduced in this district the Government felt that the administration of the Road Fund by the old Road Committee must be replaced by the more advanced form of administration by the District and Local Boards, and that their powers and responsibilities should not only embrace and extend to the mode of communication in its different forms, but also to education, medicine, sanitation, famine relief and other matters dealt with by the Local Self-Government Act. It was with this view that the Local Self-Government Act was amended in 1908, so that Government may not have to undergo the trouble of getting the Act amended, but may do so simply by a notification in the local *Gazette*. It is, however, a pity that the Local Self-Government Act has not so far been extended to the district of the Santal Parganas. There is no reason why it should not be so extended. There is no reason why four out of five Chota Nagpur districts should have the District and Local Boards, and the district of the Santal Parganas should have the antiquarian Road Committee conceived and introduced about half-a-century ago in the Province of Bengal, Bihar and Orissa.

"My submission is that whatever reason might have existed in the past for the non-introduction of the principles of the Local Self-Government Act in this district they do not exist now. On the contrary, there is a very urgent and immediate necessity for its introduction now. The Government of India have generously made over to the District Boards the income from the Public Work Cess, principally for the purpose of medical relief, sanitation, and education. I understand that it is the pleasure of Your Honour's Government that the district of the Santal Parganas, like other districts, should also participate in this benefit. Now there is no machinery in this district by which the fund so generously made over can be administered under the law. This is entirely beyond the scope and power of the old Road Fund Committee, whose powers and functions are confined to communications, and communications only. The administration of funds for medical relief, sanitation, education, etc., for which the additional grant has mainly been given, cannot be made over to the the Road Committee. So long as the District and Local Boards are not constituted this additional fund will have to be administered by the District Officer without the advice and co-operation of any representative Committee. This certainly will be very unsatisfactory, and I am sure Your Honour's Government will not debar the people of this district from taking part in the administration of the Local Funds. Then it is necessary to create and establish Village Unions in many places in the Santal Parganas, and this cannot be done unless the Local Self-Government Act is extended to the Santal Parganas. I, therefore, submit that there is an urgent and immediate necessity for extending the Local Self-Government Act to this district and of establishing Local Boards, District Boards, and Village Unions in the district of the Santal Parganas.

"The Council need not be alarmed by the use of the expression 'Local Self-Government' in the text of my Resolution. I do not recommend any drastic change in the administration of this part of the country. All that

I want is the replacement of the existing Road and Branch Committee by District and Local Boards and Union Committees with powers and responsibilities not only with regard to means of communications as the existing Committees have, but also with regard to medical relief, sanitation, education, famine relief, etc.

"There is yet another reason why the District and Local Boards should be introduced in this district. The rules for the election of members to this Council provide for the election of members, amongst others, by the members of the District Boards. They do not provide for the substitution of the Road or any other Committee in place of District Boards. The result is that this district has no franchise for the election of a member to the Council by the cess-payers. Municipal bodies representing, if I may say so, smaller and less important interests than those represented by the Boards and other communal interests have got the franchise, but the large and strong body of cess-payers who might have been represented by the District Board is disfranchised. This is very hard, and there is no reason why this should be so, and why the representatives of the cess-payers of this district should not participate with those of the other districts of the Division in the election of a member to the Council.

"I am not unaware that there may be reasonable objections to the introduction, at present, of the elective system into the Local Boards. For some time to come the people of this district must be satisfied with the constitution of the Local and District Boards and Village Unions, mainly, if not solely, by nomination. But what I beg to urge on the Council is the establishment of Local Boards, District Boards, and Village Unions in this district. To me the constitution of these Boards in the district is a matter of great importance and urgent necessity. I do not much care whether they are, at present, filled up by nomination or election or partly by election and partly by nomination. So long as we have representative Boards empowered and responsible for affording medical relief, for imparting education, and for looking to sanitation and other reliefs which are beyond the powers of the Road Fund and empowered to participate in the election of a member to Your Honour's Council along with other District Boards of the Division, I shall be satisfied.

"I beg most earnestly to commend this resolution to the acceptance of this Council."

The Hon'ble Khan Bahadur Saiyid Fakhr-ud-din:—

"YOUR HONOUR,

"I rise to accord my whole-hearted support to the Resolution moved by my friend, the Hon'ble Rai Bahadur Sheo Shankar Sahay. Unconcerned as I have been with the district of the Santal Parganas I was unaware before the notice of the Resolution that the unfortunate people of that district had not the privilege of the Local Self-Government Act yet extended to them. There might have been sufficient reason and justification for excluding the district from the operation of the Act in the year 1885 as the Cess Act was not then in force. But, as contended by the Hon'ble Mover, no sooner the Cess Act was introduced in that district in the year 1905 the Local Government began to feel the desirability of establishing Local and District Boards in that district for the better administration of the Cess Fund, and in contemplation of such expediency the provision excluding the districts of the Santal Parganas and Singhbhum was repealed by the Amendment Act V of 1908, and power was given to the Local Government to extend the operation of the Act to the aforesaid districts by notification in the local *Gazette*.

"One should, therefore, be naturally anxious to know the reasons which hitherto prevented the Local Government from exercising that power. The Hon'ble Mover himself seems to be in utter ignorance on this point.

"Three grounds have been urged by the Hon'ble Mover in support of his claim for an extension of the operation of the Act in the district of the Santal Parganas, *viz.*,—(1) the participation in the income from Public Works Cess made over by the Government of India to the District Boards; (2) the necessity for establishing village unions in many places in the Santal Parganas; and (3) the participation of the cess payers in the election of members to the Council. I submit all these grounds are worthy of consideration by Your Honour and the Council.

"In the natural course of events those who stand on the same level in regard to their liabilities should stand on an equal footing in their rights. But in the case of the Santal Parganas the case seems to be the reverse. Is it not a fact that the people of the Santal Parganas, like the people of some of the districts of Chota Nagpur, pay an equal proportion of cess? If so, is there any reason why there should be an inequality in the corresponding benefits derived from the collection of such cess? The benefits of one are only confined to the roads and other communications, while those of others are wide and extensive. Do you think, Sir, that the people of the Santal Parganas are not entitled to get any aid from the Cess Fund for the purpose of medical relief, sanitation and education, or do you think that they are angel-like beings and as such are above all these requirements, or do you think that the money from other sources at their disposal is sufficiently large to meet all their requirements? The answer to these questions will certainly be in the negative; and the only possible suggestion is that they have been neglected in the past at any rate since after the passing of the Amendment Act of 1908.

"I do not mean to contend that there is no one to administer the fund in the district of the Santal Parganas; what I mean is that the District Officer alone has to manage it and he may not be able to efficiently and properly administer it without the help and advice of representative committees, and it is only meet and proper that people for whose benefit the fund has been allotted should have a voice in its administration.

"As regards the second point I am not aware of the suitability of any place within the district of the Santal Parganas for the establishment of village unions. I leave it to the Government to judge, but I am perfectly confident from what I have heard from my friend that there are places fit for the creation and establishment of village unions within the district of the Santal Parganas.

"The last ground urged by my friend, though it appears at the outset to be the outcome of his self-interest—I say so as he has been returned by the District Board—yet it is the most important of all. By denying the extension of the Local Self-Government Act to the district of the Santal Parganas you practically deny the cess payers the right to send their representatives to the Council. The position seems to be anomalous when we find that in the same district while you allow that right to rate-payers you deny it to the cess payers. Why this difference? Are the cess payers less important than the rate-payers, or have they committed any crime for which they have to be disfranchised? If not, on what principle do you debar the people of the Santal Parganas from returning their own representatives to this Council as under the existing rules for the election of members to this Council Road Committees have not got that franchise and therefore they have to go unrepresented?

"Sir, there was a time when there might have been some justification for withholding the operation of the Local Self-Government Act, but now that the Reform Regulations have been passed and under the rule for election of the members to the Council framed in pursuance of the Regulations conferring the franchise for election to the District Boards and not to the Road Committees, it is only essential that Local and District Boards be established in the district of the Santal Parganas, and this cannot be done without extending the Act to the aforesaid district. The demand while fair and just is too modest, as my friend does not necessarily claim an elective system in the Local and District Boards, he leaves the matter entirely into Your Honour's hand though I should like a mixed system of election and nomination to be introduced.

"With these few words I support the Resolution."

The Hon'ble Mr. McPherson:—

"YOUR HONOUR,—

"With your Honour's permission I should like to place my views on this Resolution before the Legislative Council, not as a Secretary to Government, but purely as an officer who has been employed for many years on settlement work and district administration in the Santal Parganas. I will endeavour to explain to the Council, briefly, what are the conditions of village life prevailing in the district, and I will leave Hon'ble Members to judge whether the time is yet ripe for the introduction of the Local Self-Government Act; whether, in fact, any true advance will be made towards local self-government by taking the proposed step.

"Hon'ble Members probably regard the Santal Parganas as one of the most backward districts of the Province, and they possibly expect that if the present Resolution be not accepted by Government the non-acceptance will be based on this ground. Sir, the district may be backward in many respects; but I venture to assert that, as far as true local self-government is concerned, it is far and away the most advanced district in the Province. For there is no district in Bihar and Orissa in which the village communal spirit flourishes with such a vigorous life as in the Santal Parganas, and to my mind what this Resolution proposes to do is to substitute for the healthy parochialism, which now exists and is capable of immense development, a type of pseudo-self-government which is entirely exotic and if introduced will stunt and dwarf the true communal life that in my opinion should be the goal of our endeavour in the Santal Parganas.

"Hon'ble Members will perhaps pardon me if I endeavour to make good my point by giving them a slight *résumé* of the history of the Santal Parganas. The kernel of the district, both geographically and historically, is the Damin-i-Koh estate, a rugged medley of hills and valleys, which a hundred years ago was inhabited solely by the Paharias of the Rajmahal Hills. Within it there was little cultivation except on the hill-tops, around it were some ancient zamindaris owned mostly by landlords of the Katauri race and inhabited mainly by Bhuiyas and other semi-aboriginal tribes. About a century ago began those successive waves of Santal immigration which have resulted in the gradual reclamation and opening up of the country both within and without the Damin-i-Koh. The Santal immigrants not only cleared the jungles and established prosperity in the land, they also brought with them their village headmen and tribal chiefs, and they have preserved their distinctive organisation unchanged throughout all these years. They have also imposed it by the force of example on, at least, four-fifths of the district. Fifty years ago their economic development was in serious danger, threatened on the one hand by *mahajan* intruders from Bengal and Bihar, and on the other by the hostility of oppressive zamindars. They rose in rebellion against the Government which had failed to protect them from these hostile influences, and, though the rebellion was crushed, the blood of those who fell in the struggle was not shed in vain, for the country of their founding was shortly after removed from the operation of the ordinary laws and placed under the distinctive *régime* which remains to the present day. Their security outside the Damin-i-Koh was again threatened less than twenty years later by hostile zamindari influences, which attempted to expel them from their settlements and break down their village system. Considerable excitement prevailed for a time, and the sound of the Santal kettle-drums caused much local panic; but, warned by the experiences of 1855, the authorities came quickly to the rescue and gave the district the Settlement Regulations of 1872, which is the bulwark of the Santal Parganas agrarian system and under which has been prepared the village record-of-rights—to this day the foundation and essence of Santal Parganas administration. I was one of those who in more recent times had to deal with the revision of that record, and I hope that the result of our labours was to establish it in a stronger position than ever. And here I would acknowledge the help which my Hon'ble friend, the Mover of this Resolution, gave to the Settlement authorities in the preparation of the village record. I believe that he has continued—and I hope that he will ever continue—to give the local officers the same help in the maintenance of its principles.

"Now the Santal Parganas Record-of-Rights is a miniature Code of village self-government in which the relations of the headman to his fellow raiyats, his landlord, and the State are minutely detailed. When I left the Santal Parganas ten years ago this village communal Code applied to 80 per cent. of the 11,000 villages into which the district is broken up. Of the remaining 20 per cent. perhaps one-half are situated in the somewhat alien country lying east of the hills. The rest are mainly headquarter villages of the various zamindars, ghatwals, and tenure-holders whose estates and tenures lie west and south of the Damin-i-Koh. In all these villages the headman's place is taken by a Jeth raiyat or mandal who helps the landlord to carry out the same communal duties as are performed by the headman in ordinary villages. The administration of the village record-of-rights and the working of the headman system are most carefully supervised by the District Officer, in whose hands lie the appointment and dismissal of headmen, and he is assisted in this task by his subdivisional officers. I know of no district in which as a consequence of this system the officers of Government are brought into such close touch with the people as in the Santal Parganas. This closeness of touch is enhanced by a further development of local self-government which obtains throughout at least three-fourths of the district, in what are called the 'no police' tracts. I refer to the circle system which is also based upon a Santal model, for not only did the Santals have self-government within the village, they were also grouped in larger units under tribal officers who are known as 'Parganaits.' These groups have been worked up for police and chaukidari purposes into circles which contain the germs of a wider development of local self-government than is to be found in the individual village. My contention is that in the Santal Parganas we should take these indigenous institutions as they exist and seek to improve and develop them rather than set up a foreign body which will have no affinity with the genius or history of Santal Parganas administration and will include no true representative of the aboriginal and semi-aboriginal elements that bulk so largely in the population of the district."

"I do not propose to propound here and now any detailed scheme for the development of the circle system in the Santal Parganas, but *prima facie* there is no apparent reason why the local representatives of the people who are now entrusted with police and chaukidari responsibilities should not form the nucleus of circle panchayets, to which could be entrusted petty civil and criminal powers and the expenditure on sanitation, water-supply, education, etc., of such funds as may be made over to them by Government or the District Road Committee out of the proceeds of the Public Works Cess. A slight amendment of the Cess Act should make this consummation possible."

"With the education and development of these local bodies there may come a time when the district will be ready for a central controlling institution of the district board type, a district board on which there would be representatives of the circle organisations. What I desire earnestly to impress on the Council is that in the Santal Parganas we have ready to hand first-rate materials for building up a substantial edifice of local self-government. Let us not begin by as it were suspending in mid-air the dome of the building before we have raised its walls. A district board created now in the Santal Parganas could only consist of a haphazard selection of zamindars, mostly non-resident, and of legal practitioners, mostly alien—of those classes, in fact, who are least representative of the people and from whom in the past it has been the task of Government to protect the general masses of the population. In what sense the creation of such a body can be said to confer the boon of local self-government on the district I leave the Council to imagine."

"I attach no importance to the argument that what is good enough for Chota Nagpur is good enough for the Santal Parganas. Except in Singhbhum, which as regards the working of the Cess Act and the application of the Local Self-Government Act, is on much the same footing as the Santal Parganas, the conditions of Chota Nagpur are wholly different. The village and tribal organisation of Chota Nagpur has, to a very large extent, broken down and disappeared. There is nothing in any of its districts except

Singhbhum approaching to the wide diffusion of the headman system that obtains in the Santal Parganas. Nor in most districts is there anything like the same preponderance of the aboriginal and semi-aboriginal inhabitants in the population.

"There is a peculiar and striking resemblance between the local conditions of the two exceptional districts of the Province—Singhbhum and the Santal Parganas—which are outside the pale of the Local Self-Government Act, and it is a somewhat remarkable fact that it was from the former of these that the main wave of Santal immigration came to the latter. Both districts are alike in having for their kernel large Government estates which are more or less reserved for the aboriginal races, the Damin-i-Koh for Santals and Paharias and the Kolhan for Hos. Both are alike in the wide extension of the headman system, for, just as that system obtains throughout four-fifths of the Santal Parganas, both within and without the Damin-i-Koh, so it obtains, both in the Kolhan estate of Singhbhum and in the adjoining zamindaris of Dhalbhum, Porahat, Kharsawan, Seraikella, etc. Let both districts, I say, be reserved for an experiment in local self-government which will begin at the right end. It is a common criticism of the district board system that it begins at the wrong end.

"The present time is also favourable for the development of the circle system. We have been hearing much of late about the value of panchayats and several Local Governments have under consideration measures for their development. In these two districts we have at hand all the required materials for an experiment in local self-government on those lines which are beginning to commend themselves to thoughtful observers as the most promising lines of self-development. Let us not, by the acceptance of the present proposal, jeopardise the chance of success and throw away the substance for the shadow. It is for these reasons that I feel myself compelled to oppose the Resolution. I regret that I am unable to see eye to eye with my Hon'ble friend, the Mover, in this matter. I am as interested as he is in the growth and progress of the principle of local self-government. I seek, however, the genuine article. He would be content with the sham."

The Hon'ble Maulvi Saiyid Muhammad Tahir:—

"YOUR HONOUR,—

"I beg to support the Resolution which has been moved by the Hon'ble Rai Bahadur Sheo Shankar Sahay. He has very fully given the reasons which justify him to move the Resolution, and it would be simply wasting the time of the Council if I were to try to amplify them. He has pointed out the necessity of exercising the power which has been reserved to Your Honour's Government by the Amended Act of 1908, to extend the Local Self-Government Act to the Santal Parganas, and I venture to think he has succeeded in proving that the time has come for Your Honour's Government to exercise that power."

The Hon'ble Mr. Das:—

"YOUR HONOUR,—

"I am thankful to the Hon'ble Mr. McPherson for most useful information about the Santal Parganas, which has been correctly collated and lucidly placed before the Council. But he has told us that what the Mover of the Resolution asks for is a shadow and that he has lost sight of the materials which form the real substance. The question before the Council is whether the Local Self-Government Act should be extended or not. This Council does not sit to judge if the Local Self-Government Act is a failure. The whole thing might have been a shadow, but this Council is not competent to judge that. The Mover of the Resolution simply asked for the introduction of the Act to the Santal Parganas in the circumstances mentioned by him. The Santal Parganas has been subjected to the Cess and as a legitimate legal conclusion of the state of things he asks that this Act should be extended. The Local Self-Government Act is an Act which has attained its present state by a gradual process of advancement and this has been very well shown in the speech. It

may be that there actually exists such a state of things in the Santal Parganas to which the Local Self-Government Act does not apply, but then from the speech it appears that when the Act was amended in 1908 it was the intention of the Legislature that it should be extended to the Santal Parganas. A very difficult question has been raised as to what should really be the substratum of Local Self-Governments. It is very difficult to decide this question in this Council at such a short notice.

"The question really before the Council is whether the Local Self-Government Act, as it is, ought to be extended to the Santal Parganas and if it is not to be extended, what are the reasons for which it should not be? Local Self-Government does not necessarily mean, as I understand, a state of things in which the official influence is greater, but, on the contrary, such a state of things conflicts with the very idea of self-government. If there is actually self-government in the Santal Parganas or in some villages there is a nucleus of which a local self-governing body could be constituted. Certainly it would be necessary to modify the Local Self-Government Act in such a way as would suit the needs of the community, but that is no reason why the resolution now before the Council should be opposed in the way in which it has been opposed. If it is the intention of the Government to introduce a modified form of the Local Self-Government Act, so as to suit the peculiar conditions of the Santal Parganas, this is not the proper time for the consideration of that question. What I object to is the expression that the provisions of the Local Self-Government Act should be called a shadow. We have not before us the so-called substance, nothing to show us its elements and form."

The Hon'ble Maharaja Sir Rameswar Singh Bahadur said :—

"YOUR HONOUR,—

"The Resolution is at first sight so unpretentious and so restricted in its application that any opposition seems almost ungracious. Yet a closer examination of the Hon'ble Member's desires and the arguments he advances in support of them shows that in point of fact he is advocating a departure from an established tradition and asks for a change of policy without first establishing the need for the change or proving—indeed, I might say without attempting to prove—that the suggested innovation will be to the benefit of the district and the majority of those who live there and most of all to the Santalis, Paharias, and other aboriginal or semi-aboriginal tribes.

"The Hon'ble Member has not shewn that the present arrangements in the district for education, medical relief, and the like are insufficient or unsatisfactory. He would have us take that for granted. Equally he asks us to take for granted the fact that such expenditure to be effective must be made through a District Board. While he admits that the special circumstances of the district are such as to render it necessary that safeguards should be introduced; that the constitution of the Local Board and District Boards which he wishes to introduce into the Santal Parganas must 'for some time to come be mainly if not solely' composed of nominated members, he does not shew in what respect a District Board would have any marked advantage over the present Road Committee in this district with its own peculiar features.

"I propose to examine his arguments one by one. There are five of them.

"The first is that the exclusion of the districts of the Santal Parganas and Singhbhum from the Local Self-Government Act of 1885 was merely due to the fact that the Cess Act was then not in force and the Road Cess Committee not in existence. I think, Sir, we must go back further than 1885 to find the reason for the deliberate adoption of a different kind of administration for the Santal Parganas, for the deliberate exclusion of this district and Singhbhum from the advantages which it then was hoped would attend on the development of Local Self-Government. It was recognised very early in the discussions that took place regarding the extension of Local Self-Government to the Bengal that 'it was never contemplated that Local Self-Government

should be introduced into districts which are unfit for its reception.' Sir Henry Cotton, then Commissioner of Chittagong (himself as Hon'ble Members are aware a keen advocate of Local Self-Government) reported 'the very essence of the scheme is the localisation of the administration, and if for good and sufficient reasons it is not possible to establish local boards or other units for Local Self-Government it is useless,' he wrote, and 'worse than useless to establish a central or district board to discharge local functions.'

"As Hon'ble Members are aware, Act XXXVII of 1855 was enacted to withdraw the Santal Parganas from the operation of the general laws and regulations in force in Bengal. It was then realised, and it has been the accepted policy of Government ever since, that special procedure was needed in the Civil Courts, that the Legal Practitioners' Act, the Transfer of Property Act, and the Bengal Tenancy Act should not be put in force in the Santal Parganas. The exclusion of the Santal Parganas from the advantages of the Local Self-Government was, therefore, no accident but part and parcel of the deliberate policy of Government.

"Special legislation was undertaken for the protection of the aboriginal and that large body of primitive sylvan or semi-aboriginal races whose habits conform to the aboriginal. One of the chief aims of that legislation was that the authority of the local officers should be strongly maintained, and that, so far as might be possible, a paternal form of Government, suited to the needs of the great bulk of the population, should be adopted which would admit of direct co-operation between the village community and the Government. We should, therefore, be very careful before we create any intervening authority between the Deputy Commissioner or the Sub-Divisional Officer and the mass of the people. The Cess Act did not contemplate any such authority, and its introduction for purely financial reasons was attended with much anxiety.

"The second argument of the Hon'ble Member admits of a shorter reply. He contends that the functions of Road Cess Committee are limited to communications. He rather hints that education and medical relief are neglected.

"In the first place, the Cess Act is now undergoing amendment in connection with the surrender of the Public Works Cess, and it will probably be found desirable to introduce a clause empowering the Road Cess Committee to incur expenditure on such objects. But, apart from this, I would point out, first, that medical and educational expenditure is by no means inconsiderable in the district; and, secondly, that, even if there were a District Board it would still need funds to spend on these desirable objects, and that is, in some portion of the district, no road cess is collected. The District Board would probably be unable, unless assisted as the Deputy Commissioner is to-day by direct subventions, to meet the wants of that part of the district—and that, too, a very important part. I give the figures for the year that is just finished (1913-14) as regards medical expenditure. Government gave Rs. 20,750 out of a total expenditure of Rs. 36,388; while Rs. 10,574 was raised by private subscriptions and Rs. 3,552 paid by municipalities and Rs. 425 from local funds. Actually the expenditure on medical relief was more than double that incurred in Palamau, exceeded that in Hazaribagh, and was not far behind Ranchi. As regards education, I give the figures from the Budget of the ensuing year for only those forms of education which would in regulation districts be in the charge of the District Board excluding scholarships and secondary education. Hon'ble Members will be interested to know that over Rs. 91,000 will be spent next year in the Santal Parganas on primary education, including Middle Vernacular Schools and aided Middle Schools, of which sum only Rs. 876 are spent on establishment for the District Committee of Public Instruction. Nearly Rs. 75,000 have been spent this year. The Hon'ble Member has given us no facts or figures to shew that this committee does not do its work effectively. As the Hon'ble Member is aware, there is a special staff for encouraging Santali education. It is, I submit, necessary for the Hon'ble Member to prove that the present educational

and medical requirements of the district are not being properly met and then shew that by the introduction of a District Board or local Board there is a likelihood either of increased funds being available or of more satisfactory expenditure being incurred.

"The third argument is also in general terms. It is this: 'Whatever reasons may have existed in the past for not introducing the Act they do not exist to-day;' in other words, the Hon'ble Member asks us to believe that there have been marked changes and striking development in the Santal Parganas. Is this the fact?

"The recent census statistics do not support the contention. If the fundamental principle of Local Self-Government, as enunciated in Lord Ripon's resolution of 1882, was 'to impart a political education to the people by allowing them a fair and independent share in the administration of their local affairs,' it may confidently be asserted that the district of the Santal Parganas is to-day far from being ready to assimilate that education. Village Government it has had as a natural product for many years. This has been cultivated and developed as far as possible, but if we are to have anything in the nature of a District Board we must have educated men.

"I give the figures of the last census. Out of the total population of 1,882,000, 906·4 or nearly half are either aboriginal or semi-aboriginal and only 60,000 are literate. Of these aboriginals only four thousand can read and write and only 91 know English. In 1881 there were said to be 33 literates per mille, including those under instruction; in 1891 the figure was 37, while in 1901 the number of literates was given at 47 per mille for the whole district.

"Nor has the district developed much in other respects. I may quote the following passage from the Chairman's report on the working of the Road Cess Committee for the year 1911-12: 'Certain changes were made in the constitution of the Committee which consists of nine members, of whom three are *ex-officio* and the rest non-official. It was only really constituted in order to comply with the provision of the Cess Act for fixing the rate of Cess. Dumka is difficult of access, and officers and residents in the outlying subdivisions would find it impossible to attend regularly the meetings of the Committee. Hence the Committee as at present constituted consists of gentlemen resident in the neighbourhood of Dumka.' This is practically an echo of a report written by Mr. Oldham in 1881:—'A District Board of the kind indicated in the orders cannot be formed in this district. That is, of the very few non-official persons who would be eligible for membership not one could be expected to attend.'

"The Hon'ble Member's fourth argument is that 'the District Officer is at present deprived of the advice and co-operation of any representative Committee.' I wish, Sir, to lay some stress on the word '*representative*.' Representative of whom—of the aboriginals? The present Road Cess Committee has six non-official members. The condition of the district is still such that, in the words of Mr. Colman Macaulay, 'it must not be overlooked that what may be called the extraneous element of the district—the element which represents high education and political ambition but not local knowledge or interest—the pleaders and schoolmasters and other foreign residents at the headquarters station—is available for the work of municipal administration only. These gentlemen have no interest in the affairs of the rural tracts. Yet if they are not admitted to the District Committee there will be no satisfactory attendance; while if they are admitted to it, the work will be practically committed to men who have no stake in the district.'

"That is precisely the state of things that exists to-day, and it would, I think, be most unwise to imperil the substance of the present indigenous Santali system for the shadow of Local Self-Government which has not yet developed to any remarkable extent elsewhere. Is it wise to introduce an Act designed to create village unions into the Santal Parganas when in the rest of the Province there are at present only nine such unions of which only one is reported to be working satisfactorily?

"There remains only the last argument advanced by the Hon'ble Rai Bahadur to the effect that this district should not be disfranchised.

"The municipalities on which I have shewn that the educated portion of the district is already represented, have votes for the election of a member to this Council. The cess-payers, the Hon'ble Member says, have none. But he himself admits that an elective system could not be introduced. But this may be the attitude, his attitude to-day: it need not necessarily be that of those who may follow him to-morrow—Deoghar and Baidyanath would want their elective local boards—who would, I ask again, the members represent? It is quite probable that these boards would be filled by the gentlemen who recently memorialised the Viceroy in the hopes that the whole of the district of the Santal Parganas might with the exception of the small sub-division of Godda be transferred to Bengal. The Hon'ble Member will hardly, I think, maintain that those who have chosen to live in the salubrious towns of the Santal Parganas should thereby acquire the right to represent the Santals. I venture to think the fifth of a vote in this Legislative Council would be too dearly purchased if the price is any alteration in the present system of administration in the Santal Parganas.

"It was only in 1905 that the Cess Act was extended to this district. Unless there is some very strong reason it would be premature to replace the arrangements under that Act by those under the Local Self-Government Act, the more so as the former is now undergoing amendment.

"Government, therefore, cannot accept the Resolution. I trust what I have said may dispel any anxiety the Hon'ble Mover may have as to the expenditure on education and medical relief. The Road Cess Committee will receive, in common with all District Boards, the Public Works Cess: there is at present paid to the same Committee a grant of Rs. 60,000 annually which next year comes up for revision. The Commissioner has supported the Deputy Commissioner's request that this should be increased to a lakh, and the question is now under examination. But if Government, recognising the special claim of the singular characteristics of an aboriginal district, make these large grants, it may also in fairness ask that the expenditure should be under more effective control than is usually the case with District Boards, so that the interests of those people for whom this expenditure is intended may not be overridden by a small minority.

"It is somewhat significant that in his speech the Hon'ble Member has not considered it necessary to allude to the Santals or the Paharias. I trust this omission is accidental and is not a faithful portrayal of the attitude of the Hon'ble Member for the Bhagalpur Division. The omission does, however, justify the fear that to confer a vote on a District Board at Dumka would not necessarily ensure that the interests of the Santals would thereby be more adequately represented in this Council than is the case at present."

The Hon'ble the Rev. A. Campbell :—

"YOUR HONOUR,—

"I have long known the Santal Parganas, and I know the different conditions under which village life is lived in the Santal Parganas, as well as the way in which the Santals regard these outside influences which are often brought to bear upon them. I believe that when the *swadeshi* propaganda had first begun in Bengal in 1905 some agitators of that province visited the Santal Parganas and began to preach their doctrines there. The Santals said: 'Yes, that is what we have been wanting all along. You come from your country to our country, you take all the best posts, and we have to supply the money to pay your salaries and your pensions.' I know for a fact that if we try to introduce the Local Self-Government Act in the Santal Parganas it would be regarded as something in the same light as the *swadeshi* propaganda. The basis of Local Self-Government is the desire of the people to govern themselves, and I understand and know that the Santals do govern themselves and do not want any

other Government at present than what they enjoy. If Local Self-Government were instituted in the Santal Parganas, who would the local self-governors be ? not the Santalis, but the zamindars, gentlemen of the bar, and money-lenders, men whom the Santalis always regard as cheaters whose aim in life is to exploit. There is little that I can say to add to what has been so well said by the Hon'ble Maharaja Bahadur of Darbhanga and the Hon'ble Mr. McPherson. I do not attempt to elaborate their arguments, and all that I desire to say is that I believe that the view which these two gentlemen have taken of the measure is the real light in which to regard this Local Self-Government matter.

"The idea of Local Self-Government for the Santal Parganas is no new matter in the history of that district. Many, many years ago it was thought to convert this non-regulation district into a regulation one, but I hope, Sir, that we, of this Council, will let well alone. The ideal of all legislation is to benefit those in whose name or for whose sake the legislation is undertaken. I know that the proposed legislation will not be well received by the Santalis, and I can assure this Council that it will not add to the enjoyment or to the prosperity of those jungly men."

The Hon'ble Rai Bahadur Sileo Shankar Sahay :—

"YOUR HONOUR,—

"I do not wish to take up the time of the Council any more in connection with this matter; but in justification to myself I must confess that I did not anticipate such great opposition to this apparently simple matter. I wanted to point out that you had a local Committee and that you could find people representative to serve on the Road Cess Committee and I simply wanted to substitute a District Board for that Committee. I see that the high sounding expression 'Self-Government' has alarmed my Hon'ble friends, the Hon'ble Mr. McPherson and the Hon'ble Maharaja Bahadur, but I don't think that there was any cause for alarm. In view, however, of the opposition which my resolution has met with from the Hon'ble Mr. McPherson, who has made such an interesting speech and who is probably the only authority at present on the subject, I do not wish to press the Resolution, and accordingly beg for leave to withdraw it."

Leave was granted and the resolution withdrawn.

The Council adjourned to the 6th April 1914.

L. C. ADAMI,

Offg. Secretary to the Legislative Council,

Bihar and Orissa.