

ANNEXURE I.

Schedule of the recommendations of Provincial Governments regarding reservation or transfer of Provincial Subjects.

NOTE 1.—The recommendations of the provincial Governments summarised in this schedule are to be read, in the case of those made by the Governments of Madras, Bombay, the Punjab, the Central Provinces and Assam, subject to the reservations stated in paragraph 43 of the Report.

NOTE 2.—*Madras*.—The following general reservation applies to every item in the “List of transferred subjects” prepared by the Government of Madras, *viz.*, that the exercise of provincial powers of taxation and legislation in all subjects, whether transferred or not, should require the sanction of the collective Government.

NOTE 3.—*The Punjab*.—The recommendations of the Punjab Government will, in certain cases, be found to be qualified by the note “full Government.” His Honor the Lieutenant-Governor fears that the overlapping of particular subjects between reserved and transferred departments will give occasion for friction between the two sides of Government. The solution suggested is that matters arising in the administration of a transferred subject which touch the reserved sphere should be referred to the whole Government, the Executive Councillors as well as the Ministers taking part in the decision.

NOTE 4.—*The Central Provinces*.—The Chief Commissioner’s position is stated in paragraph 43 of the Report. The subjects he has specified as “least suitable for transfer” are entered in the schedule as “reserved”; no entry is made in the case of other subjects.

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I.—FINANCIAL WORK ON BEHALF OF GOVERNMENT OF INDIA.

(a) INCOME-TAX

Name of Province.	Recommendation.	REMARKS.
Bengal	Reserved.	
Bombay	Reserved.	Council not unanimous.
Madras	Reserved.	
Punjab	Reserved.	
United Provinces	Reserved.	
Assam	Reserved.	

(b) CUSTOMS.

Bengal	Reserved.	
Bombay	Reserved.	Council not unanimous.
Madras	Reserved.	
Punjab	Reserved.	
United Provinces	Reserved.	
Assam	Reserved.	

2.—APPOINTMENTS, ETC., OF PROVINCIAL SERVICES.

Name of Province.	Recommendation.	REMARKS.
Bengal	Reserved.	
Bombay	Reserved .	Council not unanimous.
Madras	Reserved.	
Bihar and Orissa	Transferred .	Saving power intervention to Governor in Council as in paragraph 240.
Punjab	Reserved.	
United Provinces	Transferred .	As regards provincial services, subject to the right of the Governor to protect interests of existing members.
Assam	Reserved.	
Central Provinces	Reserved .	Except services connected with transferred subjects.

3.—CRIMINAL JUSTICE.

Bengal	Reserved .	Administration of the future village Self-Government Bill' to be transferred: this will include village benches.
Bombay	Reserved.	
Madras	Reserved.	
Bihar and Orissa	Reserved .	Village benches non-existent.
Punjab	Reserved .	Village benches, appointment to: transferred. Staff presumably appointed by District Magistrates.
United Provinces	Reserved .	Including village benches.
Assam	Reserved .	Village benches to be transferred eventually.
Central Provinces	Reserved.	

4.—POLICE, INCLUDING RAILWAY POLICE.

Bengal	Reserved .	The Calcutta Alms House and other charitable institutions now administered by the Commissioner of Police, Calcutta, to be transferred. The Calcutta Workhouse to be reserved. Village police to be reserved.
Bombay	Reserved .	Including village police.
Madras	Reserved.	
Bihar and Orissa	Reserved .	Including village police.
Punjab	Reserved.	
United Provinces	Reserved .	Including village police.
Assam	Reserved.	
Central Provinces	Reserved.	

5.—PRISONS.

Bengal	Reserved.
Bombay	Reserved.
Madras	Transferred.
Bihar and Orissa	Reserved.
Punjab	Reserved.
United Provinces	Reserved.
Assam	Reserved.
Central Provinces	Reserved.

6.—CRIMINAL TRIBES.

Name of Province.	Recommendation.	REMARKS.
All provinces . . .	Reserved.	

7.—EUROPEAN VAGRANCY.

Bengal	Reserved	Mendicancy in general to be transferred.
Bombay	Reserved.	
Madras	Reserved.	
Bihar and Orissa	Reserved.	
Punjab	Reserved.	
United Provinces	Reserved.	
Assam	Reserved.	
Central Provinces	Reserved.	

8.—SEDITIONS MEETINGS, INCITEMENTS TO CRIME.

All provinces	Reserved.
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9.—PRESS ACT.

All provinces	Reserved.
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10.—ARMS ACT.

All provinces	Reserved.
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11.—POISONS.

All provinces	Reserved.
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12.—GAMBLING.

Bengal	Reserved.
Bombay	Reserved.
Madras	Reserved.
Bihar and Orissa	Transferred.
Punjab—	
(a) administration	Reserved.
(b) legislation	“ Full Govern- ment.”
United Provinces	Transferred.
Assam	Reserved.
Central Provinces	Reserved.

13.—CINEMATOGRAPHS AND DRAMATIC PERFORMANCES.

All provinces	Reserved.
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14.—CORONERS.

Bengal	Reserved.
Bombay	Reserved.
Madras	Reserved.
United Provinces	Transferred.

15.—LAND REVENUE.

Bengal	Reserved.	
Bombay	Reserved	Council not unanimous.
Madras	Reserved.	
Bihar and Orissa	Reserved.	
Punjab	Reserved.	
United Provinces	Reserved.	
Assam	Reserved.	
Central Provinces	Reserved.	

16.—COURT OF WARDS.

Name of Province.	Recommendation.	REMARKS.
Bengal . . . . .	. Reserved.	
Bombay . . . . .	. Reserved.	Council not unanimous
Madras . . . . .	. Reserved.	
Bihar and Orissa . . . . .	. Transferred.	
Punjab . . . . .	. Reserved.	
United Provinces . . . . .	. Reserved.	
Assam . . . . .	. Reserved.	
Central Provinces . . . . .	. Reserved.	

17.—ENCUMBERED ESTATES.

Bengal . . . . .	. Reserved.	
Bombay . . . . .	. Reserved.	Council not unanimous.
Madras . . . . .	. Reserved.	
Bihar and Orissa . . . . .	. Transferred.	
Punjab . . . . .	. Reserved.	
United Provinces . . . . .	. Reserved.	
Assam . . . . .	. Reserved.	
Central Provinces . . . . .	. Reserved.	

18.—AGRICULTURE

Bengal . . . . .	. Transferred .	Cinchona to be an All-India subject.
Bombay . . . . .	. . . . .	Council not unanimous, but agrees that functions of local Government under Destructive Forests and Pests Act, II of 1914, may be transferred.
Madras . . . . .	. Reserved.	
Bihar and Orissa . . . . .	. Transferred.	
Punjab . . . . .	. Transferred .	On condition that Governor, Secretary or Head of Department is empowered to bring any matter before "full Government."
United Provinces . . . . .	. Transferred.	
Assam . . . . .	. Transferred.	

19.—VETERINARY.

Bengal . . . . .	. Transferred.	
Bombay . . . . .	. Transferred.	
Madras . . . . .	. Reserved.	
Bihar and Orissa . . . . .	. Transferred.	
Punjab . . . . .	. Transferred .	On condition that Governor, Secretary or Head of Department empowered to bring any matter before "full Government."
United Provinces . . . . .	. Transferred.	
Assam . . . . .	. Transferred.	

20.—FORESTS.

Bengal . . . . .	. Reserved.
Bombay . . . . .	. Transferred.
Madras . . . . .	. Reserved.
Bihar and Orissa . . . . .	. Reserved.
Punjab . . . . .	. Reserved.
United Provinces . . . . .	. Reserved.
Assam . . . . .	. Reserved.
Central Provinces . . . . .	. Reserved.

21.—FISHERIES.

Name of Province.	Recommendation.	REMARKS.
Bengal	Transferred.	
Bombay	Transferred.	
Madras	Reserved.	
Bihar and Orissa	Transferred.	
Punjab	Transferred.	
United Provinces	Transferred.	
Assam	Transferred	Eventually.

22.—PUBLIC WORKS, ROADS AND BUILDINGS.

Bengal	Transferred.	
Bombay	Transferred.	(1) The programme of works for execution to be subject to the control of the collective Government.
Madras	Transferred	(2) Works costing over R2½ lakhs to require the administrative approval of the collective Government.
Bihar and Orissa	Transferred.	
Punjab . . . . .	...	The reorganization scheme proposes that roads and buildings should be made over to local bodies. The Punjab Government considers that the small provincial department that will remain should be reserved.
United Provinces	Transferred.	
Assam	Reserved	Except in so far as roads and buildings are transferred to the control of local bodies.

23.—TRAMWAYS, LIGHT AND FEEDER RAILWAYS.

Bengal	Transferred.
Bombay	Transferred.
Madras	Reserved.
Bihar and Orissa	Transferred.
Punjab	Transferred.
United Provinces	Transferred.
Assam	Transferred.

24.—INLAND NAVIGATION.

Bengal	Reserved	Waterways Trust, if constituted, to be an All-India subject.
Assam	Reserved.	

25.—PORTS.

Bengal	Reserved	Including sanitation of ports. Waterways Trust, if constituted, to be an All-India subject.
Bombay—		
Ports of Bombay, Karachi and Aden (under Marine Department)	Reserved.	
Continental ports (under Land Revenue Department)	Transferred.	
Madras	Reserved.	

26.—IRRIGATION.

Name of Province.	Recommendation.	REMARKS.
Bengal—		
Major Works (productive and protective)	Reserved.	
The rest	Transferred.	
Bombay	Transferred	The works are under the control of the Public Works Department; the Revenue Department is concerned with the collection of irrigation revenue. The Council is not unanimous as to the transfer of the functions of the Land Revenue Department in connection with irrigation.
Madras	Reserved.	
Bihar and Orissa	Reserved	One Member of Council would transfer minor works.
Punjab—		
(a) 'Major'	Reserved	The term is not used by the Punjab Government in the technical sense in which it is known to the Irrigation Department (<i>vide</i> paragraph 45).
(b) 'Minor'	Transferred	The Executive Council to have a vote on the question whether a minor canal should be undertaken.
United Provinces	Reserved.	
Assam	Reserved.	
Central Provinces	Reserved.	

26.—DRAINAGE AND EMBANKMENTS.

Bengal	Reserved	
Madras	Reserved	
Bihar and Orissa	Reserved	One Member of Council dissents.
Punjab	Transferred	New schemes to be voted on by "full Government." Irrigation Department's schemes to be a reserved subject.
United Provinces	Reserved.	
Assam	Reserved.	

28.—EDUCATION.

Bengal	Transferred	(a) European education to be reserved. (b) Collegiate, including Calcutta University, to be reserved pending decision as to the future of the University.
Bombay	Transferred	
Madras	Reserved.	
Bihar and Orissa—		
(a) Primary	Transferred	<i>i.e.</i> , vernacular education.
(b) Other	Reserved.	Including reformatories.

28.—EDUCATION—*contd.*

Name of Province.	Recommendation.	REMARKS.
Punjab—		
(a) Primary and middle schools.	Transferred	Provided conditions suggested as to Local Self-Government (item 31) are accepted.
(b) High Schools	Transferred.	
(c) Technical and industrial schools.	Transferred	Medical schools to go with medical college (transferred). Engineering schools to go with Public Works Department.
(d) University and colleges.	Transferred	(i) His Honor the Lieutenant-Governor would prefer to reserve the four Government colleges: if this is not done, he suggests that the Governor should have the power to bring questions affecting them before the "full Government." (ii) Questions affecting members of the Imperial Educational Service to be referred to the "full Government." (iii) Aitchison College, if provincialized, to be reserved.
United Provinces	Transferred	The Indian Educational Service to be reserved.
Assam	Transferred	Excluding collegiate.

29.—MEDICAL.

Bengal—		
Medical officers	Reserved.	
State medical institutions.	Reserved.	
Bengal Medical Act, 1914.	Reserved.	
Medical Degrees Act, 1916.	Reserved.	
Leper asylums	Reserved.	
Lunatic asylums	Reserved.	
Charitable hospitals and dispensaries under local bodies.	Transferred.	
Medical education	Reserved.	
Bombay	Transferred	Including lunatic and leper asylums.
Madras	Reserved.	
Bihar and Orissa	Transferred	Except medical schools.
Punjab	Transferred	Following matters to be dealt with by "full Government":— (1) Indian Medical Service. (2) Medical Registration Act. (3) King Edward Hospital. (4) Medical Faculty. (5) Additions to cadre of assistant and sub-assistant surgeons for institutions under Executive Council.
United Provinces	Transferred	Including medical education.
Assam	Transferred	Eventually.

30.—SANITATION.

Name of Province.	Recommendation.	REMARKS.
Bengal	Transferred .	Sanitation of ports and shipping to be reserved.
Bombay	Transferred.	
Madras	Reserved.	
Bihar and Orissa	Transferred.	
Punjab	Transferred .	Questions concerning officers of reserved services to come before "full Government."
United Provinces	Transferred.	
Assam	Transferred .	Eventually.

31.—LOCAL SELF-GOVERNMENT.

Bengal	Transferred .	Including Calcutta Improvement Trust.
Bombay	Transferred .	Including Bombay Improvement Trust.
Madras	Transferred .	Following powers to be reserved to collective Government:— (1) Power to suspend defaulting local bodies. (2) Control of the borrowing powers of local bodies.
Bihar and Orissa	Transferred.	But
Punjab	Transferred .	(1) all questions of taxation, (2) all proposals imposing duties on members of the reserved services, (3) all questions as to the discharge of their duties by such officers, (4) irrigation, embankments, etc., and (5) police, and possibly other matters involving questions of law and order or contact with reserved subjects, to be dealt with by the "full Government."
United Provinces	Transferred.	
Assam	Transferred.	

32.—FRANCHISE, ETC.

Bengal	Reserved.	
Madras	Reserved.	
Bihar and Orissa	Reserved.	
Punjab	Reserved.	Not to be transferred until Commission has reported.
United Provinces	Reserved.	Do.
Assam	Reserved.	(Governor's portfolio.)

33.—CIVIL JUSTICE.

Bengal	Reserved.	"Administration of the future village Self-Government Bill" to be transferred; this includes village courts.
Bombay	Reserved.	

33.—CIVIL JUSTICE—*contd.*

Name of Province.	Recommendation.	REMARKS.
Madras	Reserved.	
Bihar and Orissa	Reserved.	Village courts non-existent. Private trusts transferred.
Punjab	Reserved	Village courts transferred, but legislative rules in regard to them to come before "full Government."
United Provinces	Reserved.	Including village courts and private trusts.
Assam	Reserved	Village courts to be transferred eventually.
Central Provinces.	Reserved.	

34.—REGISTRATION OF DEEDS AND DOCUMENTS.

Bengal	Transferred	Appointments which now require the sanction of the Governor to continue to do so.
Bombay	Transferred.	
Madras	Transferred.	
Bihar and Orissa	Transferred.	
Punjab— Legislation	All-India.	
Administration	Transferred	Questions of discipline affecting reserved services to come before "full Government."
United Provinces	Transferred.	
Assam	Transferred	Eventually.

35.—EXCISE.

Bengal	Transferred.	
Bombay	Transferred	Subject to the remark that the amalgamated service dealing with salt, customs and excise should be reserved.
Madras	Reserved.	
Bihar and Orissa	Transferred.	
Punjab	Reserved	Ministers to be associated with Executive Council, and all proposals for legislation involving penal clauses or taxation to come before "full Government."
United Provinces	Transferred.	
Assam	Reserved.	

36.—OPIUM.

Bengal	Reserved.
Bombay	Transferred.
Madras	Reserved.
Punjab	Reserved.
Assam	Reserved.

37.—SCHEDULED DISTRICTS.

Bengal	Reserved.	
Bombay	Reserved.	
Madras	Reserved.	
Bihar and Orissa . . . . .	...	Special proposals, <i>vide</i> para. 50 of the Report.

37.—SCHEDULED DISTRICTS—*conclld.*

Name of Province.	Recommendation.	REMARKS.
Punjab	Reserved.	
United Provinces	Reserved.	
Assam . . . . .	...	Special proposals, <i>vide</i> para. 49 of the Report.
Central Provinces	Reserved.	

38.—LAND ACQUISITION.

Bengal	Reserved.	
Bombay	Reserved.	Council not unanimous.
Madras	Reserved.	
Bihar and Orissa	Reserved.	
Punjab	Reserved.	
United Provinces	Reserved.	
Assam	Reserved.	

39.—FACTORIES.

Bengal	Reserved.
Bombay	Transferred.
Madras	Reserved.
Bihar and Orissa	Reserved.
Punjab	Reserved.
United Provinces	Reserved.
Assam	Reserved.
Central Provinces	Reserved.

40.—MINES.

Bengal	Reserved.
Madras	Reserved.
Bihar and Orissa	Reserved.
United Provinces	Reserved.
Assam	Reserved.
Central Provinces	Reserved.

41.—EXPLOSIVES.

Bengal	Reserved.
Bombay	Transferred.
Madras	Reserved.
Bihar and Orissa	Reserved.
Punjab	Reserved.
United Provinces	Reserved.
Assam	Reserved.
Central Provinces	Reserved.

42.—PETROLEUM.

Bengal	Reserved.
Bombay	Transferred.
Madras	Reserved.
Bihar and Orissa	Reserved.
Punjab	Reserved.
United Provinces	Reserved.
Assam	Reserved.
Central Provinces	Reserved.

43.—DEVELOPMENT OF ARTS, CRAFTS AND LOCAL INDUSTRIES.

Name of Province.	Recommendation.	REMARKS.
Bengal	Reserved.	
Bombay	Transferred.	
Madras	Reserved.	
Bihar and Orissa	Transferred	<i>i.e.</i> , "cottage industries."
Punjab . . . . .	...	Judgment suspended pending examination of Industrial Commission's report.
United Provinces	Transferred	"Industries" substituted for "local industries." It is their development only which is to be transferred.
Assam	Transferred.	
Central Provinces	Reserved.	

44.—CO-OPERATIVE CREDIT.

Bengal	Transferred.	
Bombay	Transferred.	
Madras	Transferred.	
Bihar and Orissa	Transferred.	
Punjab	Transferred	On condition that Governor, Secretary or Head of Department empowered to bring any matter before "full Government."
United Provinces	Transferred.	
Assam	Transferred.	Eventually.

45.—BUSINESS CONCERNS.

Bengal	Reserved.	
Bombay	Transferred.	
Madras	Reserved	Registration of assurances and companies to be transferred.
Bihar and Orissa	Reserved.	
Punjab	Reserved.	
United Provinces	Reserved.	
Assam	Reserved.	

46.—GOVERNMENT PRESS.

Bengal	Reserved.
Bombay	Transferred.
Madras	Reserved.
Bihar and Orissa	Reserved.
Punjab	Reserved.
United Provinces	Transferred.
Assam	Reserved.

47.—REGISTRATION OF BIRTHS, ETC.

Bengal	Transferred	General superintendence to be reserved.
Bombay	Transferred.	
Madras	Reserved.	
Bihar and Orissa	Reserved.	
Punjab—		
(a) By local bodies . . . . .	...	Part of Local Self-Government.
(b) By village watchmen . . . . .	...	To be dealt with by "full Government."
(c) By chaplains, etc.		Reserved.
United Provinces	Transferred.	
Assam	Transferred	Eventually.

48.—EMIGRATION.

Name of Province.	Recommendation.	REMARKS.
Bengal	Reserved	Both to colonies and between provin- ces.
Madras	Reserved.	
Bihar and Orissa	Reserved.	
Punjab	Reserved.	
United Provinces	Reserved.	
Assam	Reserved.	

49.—CRUELTY TO ANIMALS.

Bengal	Transferred.
Madras	Reserved.
Bihar and Orissa	Transferred.
Punjab	Reserved.
United Provinces	Reserved.
Assam	Reserved.

50.—PROTECTION OF WILD BIRDS AND ANIMALS.

Bengal	Reserved.
Bombay	Transferred.
Madras	Reserved.
Bihar and Orissa	Transferred.
Punjab	Transferred.
United Provinces	Transferred.
Assam	Reserved.

51.—ESCHEATS.

All Provinces	Reserved.
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52.—CHARITABLE ENDOWMENTS.

Madras	Transferred	As apart from religious endowments.
Bihar and Orissa	Transferred.	
Punjab	Transferred.	
United Provinces	Transferred.	
Assam	Transferred	Eventually.

53.—MOTOR VEHICLES.

Bengal	Reserved.
Bombay	Reserved.
Madras	Reserved.
Bihar and Orissa	Transferred.
Punjab	Reserved.
United Provinces	Transferred.
Assam	Reserved.

54.—ARCHÆOLOGY.

Bengal	All-India.
Bombay	Transferred.
Madras	Reserved.
Bihar and Orissa	Reserved.
Punjab	Reserved.
United Provinces	Reserved.