

Appendix I.

SUMMARY OF RECOMMENDATIONS.

(This summary is intended only to be a concise indication of the proposals; and it should be read with the paragraphs of the report which are noted in the margin.)

PARLIAMENT AND THE INDIA OFFICE.

	Para.
1. The control of Parliament and the Secretary of State to be modified.	291, 292
2. The salary of the Secretary of State for India to be transferred to the Home Estimates.	294
3. The House of Commons to be asked to appoint a select committee for Indian affairs.	295
4. A committee to be appointed to examine and report on the present constitution of the Council of India and on the India Office establishment.	293

THE GOVERNMENT OF INDIA.

5. The Government of India to preserve indisputable authority on matters adjudged by it to be essential in the discharge of its responsibilities for peace, order, and good government.	266
6. A Privy Council for India to be established	287

The Executive.

7. To increase the Indian element in the Governor General's Executive Council.	272
8. To abolish the present statutory maximum for the Executive Council and the statutory qualification for seats.	271
9. To take power to appoint a limited number of members of the legislature to a position analogous to that of parliamentary under-secretaries in Great Britain.	275

The Legislature.

10. To replace the present Legislative Council of the Governor General by a Council of State and a Legislative Assembly.	273-278
11. The Council of State to consist of 50 members (exclusive of the Governor General, who will be president, with power to nominate a vice-president). Of the members 2 to be elected and 29 nominated by the Governor General. Of the nominated members 4 to be non-officials and not more than 25 (including the members of the Executive Council) to be officials.	277
The life of each Council of State to be 5 years	278
The Governor General in Council to frame regulations as to the qualifications for membership of the Council of State.	278
12. The Legislative Assembly to consist of about 100 members, of whom two-thirds to be elected and one-third nominated. Of the nominated members not less than one-third to be non-officials.	273
The president of the assembly to be nominated by the Governor General.	275

	Para.
13. Official members of the Council of State to be eligible also for nomination to the Legislative Assembly.	277
14. The Governor General to have power to dissolve either the Council of State or the Legislative Assembly.	283
15. The following procedure to be adopted for legislation ...	279—282
A. Government Bills ; ordinarily to be introduced and carried through the usual stages in the assembly, and if passed by the assembly to be sent to the Council of State. If the Council of State amend the Bill in a manner which is unacceptable to the assembly, the Bill to be submitted to a joint session of both Houses, unless the Governor General in Council is prepared to certify that the amendments introduced by the council are essential to the interests of peace and order or good government (including in this term sound financial administration), in which case the assembly not to have power to reject or modify such amendments. But in the event of leave to introduce being refused or the Bill being thrown out at any stage the Governor General in Council to have the power, on certifying that the Bill is within the formula cited above, to refer it <i>de novo</i> , to the Council of State. The Governor General in Council also to have the power in cases of emergency so certified to introduce the Bill in the first instance in, and to pass it through, the Council of State, merely reporting it to the assembly.	279
B. Private Bills : to be introduced in the chamber of which the mover is a member and on being passed by that chamber to be submitted to the other. Differences of opinion between the chambers to be settled by means of joint sessions. If, however, a Bill emerge from the assembly in a form which the Government think prejudicial to good administration, the Governor General in Council to have power to certify it in the terms already cited and to submit or resubmit it to the Council of State, the Bill only to become law in the form given it by the council.	280
16. Resolutions to have effect only as recommendations ...	284
17. The Governor General and the Crown to retain their respective powers of assent, reservation, or disallowance.	283
18. The Governor General to retain his existing power of making Ordinances and the Governor General in Council his power of making Regulations.	276, 283
19. Nominated official members of the Council of State or the Legislative Assembly to have freedom of speech and vote except when Government otherwise directs.	275
20. Any member of the Council of State or the Legislative Assembly to be entitled to ask supplementary questions. The Governor General not to disallow a question on the ground that it cannot be answered consistently with the public interest, but power to be retained to disallow a question on the ground that the putting of it is inconsistent with the public interest.	236, 28
21. Rules governing the procedure for the transaction of business in the Council of State and the Legislative Assembly to be made in the first instance by the Governor General in Council. The Legislative	286

- Para.
- Assembly and the Council of State to be entitled to modify their rules, subject to the sanction of the Governor General. In each case such modifications not to require the sanction of the Secretary of State in Council and not to be laid before Parliament.
22. Joint standing committees of the Council of State and the Legislative Assembly to be associated with as many departments of Government as possible. The Governor General in Council to decide with which departments standing committees can be associated, and the head of the department concerned to decide what matters shall be referred to the standing committee. Two-thirds of each standing committee to be elected by ballot by the non-official members of the Legislative Assembly and the Council of State, one-third to be nominated by the Governor General in Council.} 285

THE PROVINCES.

23. The provincial Governments to be given the widest independence from superior control in legislative, administrative, and financial matters which is compatible with the due discharge of their own responsibilities by the Government of India. 189
24. Responsible government in the provinces to be attained first by the devolution of responsibility in certain subjects called hereafter the transferred subjects (all other subjects being called reserved subjects), and then by gradually increasing this devolution by successive stages until complete responsibility is reached. 215, 218, 219, 238, 260

Provincial Executives.

25. The executive Government in a province to consist of a Governor and Executive Council, a minister or ministers nominated by the Governor from the elected members of the Legislative Council, and an additional member or members without portfolios. 214, 218, 220
26. The Executive Council to consist of two members, one of whom will be an Indian. 218
- Reserved subjects to be in the charge of the Governor and the members of the Executive Council. 218
27. The minister or ministers to be appointed for the term of the Legislative Council, and to have charge of the transferred subjects. 218, 219
28. The additional member or members to be appointed by the Governor from among his senior officials for purposes of consultation and advice only. 220
29. The Government thus constituted to deliberate generally as a whole, but the Governor to have power to summon either part of his Government to deliberate with him separately. Decisions on reserved subjects and on the supply for them in the provincial budget to rest with the Governor and his Executive Council; decisions on transferred subjects and the supply for them with the Governor and the ministers. 219, 221
30. Power to be taken to appoint a limited number of members of the Legislative Council to a position analogous to that of parliamentary under-secretaries in Great Britain. 224

Provincial Legislatures.

31. In each province an enlarged Legislative Council with a substantial elected majority to be established. The council to consist of (1) members elected on as broad a franchise as possible, (2) nominated, 225, 232, 233

	Para.
including (a) official, and (b) non-official, members, and (3) ex-officio members. The franchise and the composition of the Legislative Council to be determined by regulations to be made on the advice of the committee described in paragraph 53 by the Governor General in Council, with the sanction of the Secretary of State, and laid before Parliament.	
32. The Governor to be president of the Legislative Council, with power to appoint a vice-president.	236
33. The Governor to have power to dissolve the Legislative Council.	254
34. Resolutions (except on the budget) to have effect only as recommendations.	237
35. Nominated official members to have freedom of speech and vote, except when Government otherwise directs.	233
36. Any members of the Legislative Council to be entitled to ask supplementary questions.	236
37. The existing rules governing the procedure for the transaction of business to continue, but the Legislative Council to have power to modify them, with the sanction of the Governor.	236
38. Standing committees of the Legislative Council to be formed and attached to each department, or to groups of departments. These committees to consist of members elected by the Legislative Council, of the heads of the departments concerned, and the member or minister, who would preside.	235
39. Legislation on all subjects normally to be passed in the Legislative Council. Exceptional procedure is provided in the succeeding paragraphs.	252
40. The Governor to have power to certify that a Bill dealing with reserved subjects is essential either for the discharge of his responsibility for the peace or tranquillity of the province, or of any part thereof, or for the discharge of his responsibility for reserved subjects. The Bill will then, with this certificate, be published in the <i>Gazette</i> . It will be introduced and read in the Legislative Council, and, after discussion on its general principles, will be referred to a grand committee; but the Legislative Council may require the Governor to refer to the Government of India, whose decision shall be final, the question whether he has rightly decided that the Bill which he has certified was concerned with a reserved subject.	252
The Governor not to certify a Bill if he is of opinion that the question of the enactment of the legislation may safely be left to the Legislative Council.	
41. The grand committee (the composition of which may vary according to the subject matter of the Bill) to comprise from 40 to 50 per cent of the Legislative Council. The members to be chosen partly by election by ballot, partly by nomination. The Governor to have power to nominate a bare majority (in addition to himself), but not more than two-thirds of the nominated members to be officials.	252
42. The Bill as passed in grand committee to be reported to the Legislative Council, which may again discuss it generally within such time-limits as may be laid down, but may not amend it, except on the motion of a member of the Executive Council, or reject it. After such discussion the Bill to pass automatically, but during such discussion the Legislative Council may record by resolution any objection felt to the principle or details and any such resolution to be transmitted, with the Act, to the Governor General and the Secretary of State.	253

	Para.
43. Any member of the Executive Council to have the right to challenge the whole, or any part, of a Bill on its introduction, or any amendment, when moved, on the ground that it trenches on the reserved field of legislation. The Governor to have the choice then either of allowing the Bill to proceed in the Legislative Council, or of certifying the Bill, clause, or amendment. If he certifies the Bill, clause, or amendment the Governor may either decline to allow it to be discussed, or suggest to the Legislative Council an amended Bill or clause, or at the request of the Legislative Council refer the Bill to a grand committee.	254
44. All provincial legislation to require the assent of the Governor and the Governor General and to be subject to disallowance by His Majesty.	254
45. The veto of the Governor to include power of return for amendment.	254
46. The Governor General to have power to reserve provincial Acts.	254

Finance.

47. A complete separation to be made between Indian and provincial heads of revenue.	200, 201
48. Provincial contributions to the Government of India to be the first charge on provincial revenues.	206, 256
49. Provincial Governments to have certain powers of taxation and of borrowing.	210, 211
50. The budget to be laid before the Legislative Council. If the Legislative Council refuses to accept the budget proposals for reserved subjects the Governor in Council to have power to restore the whole, or any part, of the original allotment on the Governor's certifying that, for reasons to be stated, such restoration is in his opinion essential either to the peace or tranquillity of the province, or any part thereof, or to the discharge of his responsibility for reserved subjects. Except in so far as he exercises this power, the budget to be altered so as to give effect to resolutions of the Legislative Council.	256

Local self-government.

51. Complete popular control in local bodies to be established as far as possible.	188
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Modification of provincial constitutions.

52. Five years after the first meeting of the new councils the Government of India to consider any applications addressed to it by a provincial Government or a provincial Legislative Council for the modification of the list of reserved and transferred subjects. In such cases the Government of India, with the sanction of the Secretary of State, to have power to transfer any reserved subject, or in case of serious maladministration to remove to the reserved list any subjects already transferred and to have power also to order that the salary of the ministers shall be specifically voted each year by the Legislative Council. The Legislative Council to have the right of deciding at the same, or any subsequent, time by resolution that such salary be specifically voted yearly.	260
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PRELIMINARY ACTION.

53. A committee to be appointed, consisting of a chairman appointed from England, an official, and an Indian non-official. This committee to advise on the question of the separation of Indian, from provincial functions, and to recommend which of the functions assigned to the province should be transferred subjects. An official and an Indian non-official in each province which it is at the time examining to be added to the committee. 258
54. A second committee to be appointed, consisting of a chairman appointed from England, two officials, and two Indian non-officials, to examine constituencies, franchises, and the composition of the Legislative Council in each province, and of the Legislative Assembly. An official and an Indian non-official in each province which it is at the time examining to be added to the committee. 225
55. The two committees to have power to meet and confer ... 238.

COMMISSION OF INQUIRY.

56. A commission to be appointed ten years after the first meeting of the new legislative bodies to review the constitutional position both as regards the Government of India and the provinces. The names of the commissioners to be submitted for the approval of Parliament. Similar commissions to be appointed at intervals of not more than twelve years. 261

THE NATIVE STATES.

57. To establish a Council of Princes 306
58. The Council of Princes to appoint a standing committee ... 307
59. The Viceroy in his discretion to appoint a commission, composed of a high court judge and one nominee of each of the parties, to advise in case of disputes between States, or between a State and a local Government or the Government of India. 308
60. Should the necessity arise of considering the question of depriving a Ruler of a State of any of his rights, dignities, or powers, or of debarring from succession any member of his family, the Viceroy to appoint a commission to advise, consisting of a high court judge, two Ruling Princes, and two persons of high standing nominated by him. 309
61. All States possessing full internal powers to have direct relations with the Government of India. 310
62. Relations with Native States to be excluded from transfer to the control of provincial Legislative Councils. 310
63. Arrangements to be made for joint deliberation and discussion between the Council of Princes and the Council of State on matters of common interest. 278, 311

THE PUBLIC SERVICES.

64. Any racial bars that still exist in regulations for appointment to the public services to be abolished. 315
65. In addition to recruitment in England, where such exists, a system of appointment to all the public services to be established in India. 316
66. Percentages of recruitment in India, with definite rate of increase, to be fixed for all these services. 316, 317

67. In the Indian Civil Service the percentage to be 33 per cent of the superior posts, increasing annually by $1\frac{1}{2}$ per cent until the position is reviewed by the commission (paragraph 55). 317

68. Rates of pay to be reconsidered with reference to the rise in the cost of living and the need for maintaining the standard of recruitment. Incremental time-scales to be introduced generally and increments to continue until the superior grade is attained. The maximum of ordinary pension to be raised to Rs. 6,000, payable at the rate of 1s. 9d. to the rupee, with special pensions for certain high appointments. Indian Civil Service annuities to be made non-contributory but contributions to continue to be funded. Leave rules to be reconsidered with a view to greater elasticity, reduction of excessive amounts of leave admissible, and concession of reduced leave on full pay. The accumulation of privilege leave up to four months to be considered. 318—321

69. A rate of pay based on recruitment in India to be fixed for all public services, but a suitable allowance to be granted to persons recruited in Europe, or on account of qualifications obtained in Europe, and the converse principle to be applied to Indians employed in Europe. 322