

CONFIDENTIAL

SELECTIONS
FROM THE
VERNACULAR NEWSPAPERS
PUBLISHED IN THE
North-Western Provinces Oudh
CENTRAL PROVINCES, CENTRAL INDIA AND RAJPUTANA

POLITICAL

Alleged rebellion of the Jamshedis against the Amir of Kabul.

The *Hindustan* (Kalakankar), of the 16th May, referring to the telegram sent to the *Pioneer* by its London correspondent on the 12th idem on the authority of a St. Petersburg telegram about the rebellion of Jamshedis against the Amir of Kabul, says that it is alleged that the Jamshedis have expressed a desire to become Russian subjects, that an engagement has taken place between the rebels and the Amir's troops, and that Alikhanoff left Merv on the 15th April to assist the Jamshedis. It is difficult to understand how Alikhanoff has entered Afghan territory in opposition to the terms of the convention lately concluded between the Russian and British Governments about the Russo-Afghan frontier. The news, if well founded, is really very alarming, as the British Government and the Amir cannot be expected to view a breach of the treaty by the Russian Government with indifference. The *Standard* has already asked Parliament to place the British army on a war footing and to issue magazine rifles to all the regulars. Hence it may be feared that the difficulty which has now arisen in Central Asia may lead to war between England and Russia. But the telegram received in London from St. Petersburg about the alleged complications in Central Asia has a very suspicious look about it.

GENERAL ADMINISTRATION

The Native Civil Service

The *Bharat Bandhu* (Aligarh) of the 16th January states: When the new rules regarding the admission of natives to the Civil Service

were published, we were much delighted. We thought our countrymen would be able to gratify their aspirations without going to England, which involved loss of religion. The chief matter of joy was that the equality of European and Native Civilians in rank would promote friendly intercourse between the two races. But we have been disappointed. It appears from the recent resolution of the Government of India that the natives will not be admitted to the Covenanted Civil Service, but will form a distinct Service. They will have to commence with Rs. 200, and their pay will be much less than that of Europeans. Even the names of the Kumar of Durbhunga and Mr. Mahmud have been removed from the list of European Civil Servants. If the Government is really anxious to admit natives to the Civil Service, it should have made no distinction between them and the Europeans. But the fact of the matter is that the interested European Civilians prevent the Government from placing natives on a footing of equality with them. The natives who were appointed probationers last year under the new rules are persons of high birth. We would be glad to hear that they also possess the necessary intellectual ability. The indifference of our rich noblemen to learning and hard work is notorious. We are afraid lest the probationers should be found incompetent, and the doors of the Civil Service again closed against us. Perhaps the Government is not yet acquainted with the merits of the educated natives, and consequently excludes them from the Civil Service.

The Devanagri Pracharni Sabha of Meerut and the Queens' birthday.

The *Devanagri Gazette* (Meerut), for June, received on the 7th July, gives an account of the meetings and sports held on the 24th May, in honour of the Queen's birth-day, by the Devanagri Pracharni Sabha, the association at Meerut for the encouragement of the Hindi language.

Alleged removal of Ashiq Jafar from the post of Honorary Magistrate by the Deputy Commissioner of Lucknow.

The *Jubilee Paper* (Lucknow), of the 16th July, asks the Deputy Commissioner of Lucknow to make public the grounds on which he has removed Ashiq Jafar from the post of Honorary Magistrate. Otherwise it observes that the measure will greatly dishearten other Honorary Magistrates. If Honorary Magistrates were dismissed by

a Deputy Commissioner at pleasure, their position would not be much better than that of his chaprasi.

EDUCATION

Suggestion for holding the University examinations in the cold weather.

The *Bharat Varsha* (Bithur), for July, publishes an article communicated by Indira Dutta Upadhyaya, M. A., Azamgarh, who complains that many of the students of the Mission School at Azamgarh who appeared at the last Entrance Examination of the Allahabad University held at Benares became unwell during the examination, and that two of them could not attend the examination for several days. Owing to sickness only 12 out of the 26 candidates were successful. Some boys were seized by fever on return home after the examination. The candidates for the Middle Class Examination also suffered from sickness, and two of them died of cholera. Hence it is necessary that the University examinations should be again held in the cold weather, as before.

LOCAL AND MISCELLANEOUS

Bad characters at Allahabad.

The *Prayag Samachar* (Allahabad), of the 14th July, refers to two affrays among persons of bad character which are alleged to have lately occurred at Allahabad, and in one of which a man is said to have been stabbed with a knife, and complains that the police do not check such persons.

Sir T. Madho Rao's memorandum on child marriage.

The *Bharat Bandhu* (Aligarh), of the 14th September, gives the substance of Sir T. Madho Rao's memorandum on child marriage, and expresses approval of his proposal that the limit of marriageable age for a girl should be fixed at ten years with a view to reducing the number of child widows. The remedy proposed by him is much better than the introduction of widow-marriage or the annulment of child marriages recommended by some persons.

Cow-protection in Allahabad.

The *Hindi Pradip* (Allahabad) for September, is glad to say that

Swami Ala Ram has succeeded in inducing the respectable Hindus of Allahabad to take steps with a view to protecting kine from public subscription; and publishes a list of the subscribers with the amounts promised. The subscriptions already amount to Rs. 5,414, Lala Ram Charan Das heading the list with a subscription of Rs. 1,001.

Proposed establishment of an hospital at Naini Tal.

The *Almora Akhbar*, of the 17th September, is glad to notice that Mr. Ross, the Commissioner of Kumaun, has resolved to establish an hospital under the name of Ramsay Hospital. A public meeting was to be held in the Naini Tal Assembly Rooms on the 13th idem to consider the proposal, under the presidency of Sir Auckland Colvin.

The number of papars on the Reporter's file during 1885 was as on page 279.

Thirty-six new papers were started during the year—16 in the North-Western Provinces, 5 in Oudh, 14 in the Punjab, and 1 in the Central Provinces. Hardly any of them merit special notice; but the *Nusratu-Sunnat* (Benares), a religious journal of the Ahl-i-Hadis sect, and the *Hindustan* (Kalakankar), a Hindi daily paper started by Raja Rampal Singh, may be mentioned.

Twenty-one papers were stopped or removed from the register—13 in the North-Western Provinces, 3 in Oudh, and 5 in the Punjab: The *Lawrence Gazette* of Meerut, which was among those that stopped, had existed for 22 years.

The table of page 280 shows the linguistic classification of the various papers. the usual detailed list is appended to the memorandum.

Education in British India 1872.

For the history of the liberty of the Press in India from which the Vernacular papers have sprung, I beg to refer to pages 35 to 39 of my printed Note. This account is, I believe, historically accurate, but I should now be inclined to qualify my admiration for Sir C. Matcalfe's Act.

Government reporters on the Native papers are of recent origin. The first was established in Lower Bengal in 1862-63, when the Government of India ordered arrangements to be made to examine periodical publications and to bring to notice anything of impor-

II—Linguistic classification of newspapers published in each province in Upper India in 1885.

<i>Language</i>	<i>Noath-Weetern Provinces</i>				<i>Punjab</i>	<i>Central Provinces</i>	<i>Central India</i>	<i>Raj-putana</i>	<i>Total.</i>
Urdu	...	...	54	22	48	...	2	...	126
Hindi	...	...	16	3	4	...	...	2	25
Hindi-Urdu	...	...	3	...	1	...	...	3	7
Marathi-Hindi	...	...	...	...	...	1	...	...	1
Marathi	...	...	...	...	...	...	1	...	1
Gurmukhi	...	...	...	...	2	...	...	...	2
Urdu-English	...	...	1	...	...	...	...	...	1
Hindi-English	...	...	1	...	...	...	...	...	1
Marathi-English	...	...	...	...	...	1	...	...	1
Arabic	...	...	...	...	1	...	...	...	1
Total	...	...	75	25	56	2	3	5	166

tance. The duty of examining and reporting on the papers was entrusted to the Bengalee Translator with an allowance of Rs. 150 per mensem and Rs. 80 for establishment. In 1864 the matter having been mentioned in Parliament, the Secretary of State addressed the Government of India on the importance of getting an insight into the feelings of the Natives as represented in the Press. This resulted in the appointment of a Government reporter for the papers of Northern India, whose reports were to embrace all the papers printed in the North-Western Provinces and the Punjab, in Oudh and the Central Provinces, and were to be forwarded to those Governments and to the Government of India. It was then expressly stipulated that nothing like a censorship of the Native Press was in contemplation, and of this stipulation the Secretary of State formally approved. In 1868 the Bombay and Madras Governments were asked to establish a similar system. This they did, after some little delay in Madras, and thus the Government of India now receive weekly reports on the Vernacular publications of all Provinces.

All these arrangements were reviewed in a Resolution of 24th July 1874, which was issued to revise the distribution lists of the reports on Native papers. Formerly these reports had been freely distributed to Government offices and to the public, and so gave to anything remarkable a very much wider currency than it would otherwise have obtained. But the Government found that as a rule anything remarkable was only remarkable for its seditious or mischievous tendency; and to give a wide and artificial circulation to such matter was clearly inexpedient. Hence it was resolved that the reports should thenceforward be considered confidential and strictly limited to Government officers, and to as few Government officers as possible. This restriction was, and is still, looked upon, very unjustly, as a grievance both by the Native Press, which has thereby lost much cheap notoriety, and by the English Press, which has before received the reports free of cost, and thus was never at a loss for a spiteful attack upon the Government whenever congenial 'copy' was wanted to fill up the paper.

Section 124A Penal Code.

The mischievous tendency of occasional articles in the Native papers was represented to the Government of India in 1873 by Sir G. Campbell, who called attention to the state of the law on the subject, to the vagueness of its provisions, and to the great risk of

any prosecution instituted under it, especially by the Government. Sir G. Campbell strongly urged that a law should be passed to enable the Government to punish seditious writing summarily and severely without the *eclat* of a long prosecution. This the Government of India refused to do, and a very acrimonious correspondence ensued, the result of which was a circular declaring the intention of the Government of India not only to alter the law but requiring the assent of the Government of India to any public prosecution of the Press in any Provinces. As the circular summarises the correspondence, I annex it herewith.

The attention of His Excellency the Governor General in Council has recently been drawn, in correspondence with a Local Government, to the state of the law under which a newspaper is liable to prosecution for attempts to excite disaffection against the British Government in India. It has been represented that the wide terms in which the explanation attached to Section 124 A of the Penal Code has been drawn might embarrass proceedings against writers of publications undoubtedly seditious; and, moreover, that writings which in one part of India might be compatible with a disposition to obedience, and would consequently be there pronounced lawful, might nevertheless excite dangerous disaffection in another part of the country, and among a different people.

Upon full consideration of the position thus stated, His Excellency in Council, as at present advised, has determined that it is not advisable to make any change in the law which has so recently been passed against the offence of exciting disaffection. It has not been found necessary up to this time to institute proceedings under that law; indeed, the tone and general conduct of the Press in India appear to be ordinarily moderate and reasonable, And His Excellency the Governor General in Council trusts that the chief officers of Government will be able, by the exercise of the influence which belongs to their station, to discourage and very considerably to prevent Native journalists from abusing the freedom of discussion which they possess under the British Government. On the other hand, His excellency is aware that it may become necessary to take action against newspaper writings which are plainly disloyal and inflammatory. But there can be no doubt that a prosecution on behalf of the State against the Press in India is a serious step, which may at any time lead to consequences throughout India not easily foreseen at the beginning. Moreover, the importance or urgency of

the step cannot always be estimated by the effect which a publication may cause within any one Province; for, as it has been above remarked, the effect of seditious publications may be felt not so much in the Province where they are written as in other parts of India where they are read, so that the expediency of prosecuting might depend upon the feeling excited in the country at large. Lastly, it cannot be denied that the condition of the law as it now stands adds another to the many drawbacks and counterbalancing considerations which must always best a State prosecution of the Press, and which may render even a conviction a doubtful advantage. Looking to all these facts and considerations, His Excellency in Council would desire to deal with any question of instituting prosecutions of this kind as with a matter of Imperial policy, upon which the responsibility of ultimate decision should be with the Supreme Government. I am therefore directed to request that, on the occurrence of any case which, in the opinion of the Local Government, it is right that a newspaper shall be prosecuted for exciting disaffection, your Government will have the goodness to communicate the circumstances and grounds of action before moving the courts, in order that any necessary proceedings may be instituted after consultation and in concert with the Government of India.

Despatch No. 53, dated 6th May 1875

Again in 1875 the Secretary of State addressed the Government of India very much to the same purport as the Bengal Government had in 1873. Lord Salisbury selected two articles from a Bombay paper upon which he commented thus:

It is unnecessary for me to comment upon the language of such articles which are not only calculated to bring the Government into contempt, but some of which palliate, if they do not absolutely justify as a duty, the assassination under certain circumstances of British officers who may be charged to represent Your Excellency at Native courts. No Government should, as a rule, attempt to suppress criticism, however ill-considered, of its administrative measures; but while the utmost toleration in this respect is desirable, it seems to me that the unchecked dissemination amongst the Natives of articles of the character cited above cannot be allowed without danger to individuals and to the interest of Government itself.

It appears from the records of this Office that in the years 1869 and 1870 the attention of the Government of India was directed to

the insufficiency of the powers conferred on it by law in respect of seditious publications. A number of provisions relating to such publications had been prepared by the Indian law Commissioners, but had been omitted, seemingly by inadvertence, from the Penal Code. It was determined to restore, these provisions to the Code, and they now constitute a principal part of Act XXVII of 1870 of the Governor General in Council. The section of the Penal Code now numbered 124 A declares that "whoever by words either spoken "or intend to be read, or by signs or by visible representations or otherwise, excites, "or attempts to excite, feelings of disaffection to the Government established by "law in British India", shall be liable to various punishments of which the heaviest is extremely severe. An explanation is, however, added to the effect that comments on the measures of the Government are not to be a punishable offence if they are only intended to excite such disapprobation of those measures "as is compatible with a disposition to render obedience to the lawful authority of the Government" and to support its lawful authority against unlawful attempts to subvert or resist it.

It appears to me *prima facie* that the articles which I have quoted from Native Indian newspapers are calculated to excite feelings of disaffection to the Government established by law, and that their writers are not entitled to the benefit of the explanation by which the provision of the Penal Code is qualified. The question, however, whether the law should be brought to bear on such writings, or whether they should be treated with disregard, is one which can best be decided on the spot, and I should be glad to have an early opinion on it from Your Excellency in Council. In any event I direct Your Excellency's serious attention to the continued publication of this class of articles by a portion of the Native Press

Thereupon the Government of India took the Advocate General's opinion as to whether the articles in question were actionable, and as to the probable result of a prosecution. The Advocate General was of opinion that the articles were actionable under the existing law, but he thought the result of a prosecution would be very hazardous and would lead to great scandal, especially if the case were tried by a jury. The conclusion of the Government of India was that the articles should be disregarded, and that in the present state of the law it is not desirable for Government to institute any such prosecution except in a case of systematic attempt to execute hostility

against the Government. This conclusion was reported to the Secretary of State in a despatch that promised to take up at some future day the question of the state of the law and the propriety of altering it.

The law on the subject consists of Section 124 A of the Penal Code explained in the extract above and Act XXV of 1867, which requires the proprietor of every Press to register himself as the printer and publisher of the publication issued by him.

Such being the law, the next fact requiring consideration is the present number of Native newspapers which would be affected by any change in it. This was ascertained last year, consequent on the correspondence with the Secretary of State, to be as follows:

Province.	No of papers.	Remarks
Madras	18	Weekly, bi-monthly and monthly.
Bombay	70	Chiefly weekly.
Bengal	48	As in Madras.
North-Western Provinces...	33	Ditto.
Punjab	26	Ditto.
Oudh	12	Daily, bi-monthly and monthly.
General Provinces...	1	Weekly.
Rajputana and Central India	5	Ditto.
Cashmere	1	Ditto.