

## Chapter 28

### Our Conclusions.

On perusal of the foregoing pages the reader must have noticed that in its relation of political nature of Baroda State with that of British Government, various occasions arose where coordination between the Baroda Government and the Government of India was absolutely necessary and the smooth action was impossible in the absence of whole hearted cooperation on both sides. To generalise from the Baroda story - as the realations of all the Native States of India with the Central British Government would have been more or less similar, it can be said that the interests of the Indian States were not invariably hostile to those of British India, they often ran in the same direction but it could not be denied that there were numerous fiscal and other interests, wherein the claims of the Indian States were necessarily at conflict with those of British India and it was with regard to these latter that means of joint deliberation with or of adequate representation on the Indian Legislature, were proposed to be devised. ~~All the political problems discussed in the foregoing pages, then, can be grouped.~~

#### Four Major Heads.

All the political problems discussed in the foregoing pages, then, can be grouped under the following main heads:

- 1) Transport and communications.
- 2) Customs and excise.
- 3) Justice.
- 4) Sovereignty.

#### (1) Transport and Communications.

Under this head we may group the various disabilities which

the Indian States suffered then, with regard to:-

- (a) Railway construction.
- (b) Postal arrangements.
- (c) Telegraph, telephones, and wireless.

Indian States had frequently assured the British Government to extend their whole hearted cooperation to the British Empire on occasions of emergency and for purposes of Defence of the Empire. On such occasions the States were prepared to place their resources including the Railway and telegraph at the disposal of the Empire. Baroda's generous contributions in men and money during the World War of 1914, its immediate request to the British Government to utilise Baroda's resources during the South African war and ~~F~~ Afghan uprisings, would bear witness to the above. But the States demanded that on ordinary occasions they should have perfect liberty to improve and extend all these means of transport and communication.

But what was the actual position ? The Government of India by one fiat raised the postal rates and telegraph charges. The receipts from post and telegraph raised, from Indian States were not handed over to the States for the benefit of the people who suffered the incidence of this taxation. Latterly, the Government had acknowledged the justice of the claim of Indian States to a share in these receipts; but the people in the State had no voice in the regulation of those service charges. The States demanded that their people should have a voice along with British Indian subjects.

The Railway Board by one order raised the railway fares and rates which even Indian State subjects had to pay without demur. Surplus freight and surcharges did not contribute to the State

Treasuries . Here also, people from the States ought to have a voice in the control of such competitive rates. Indian Industries were often paralysed by the manipulation of rates and the State subjects should have their say in settling the freight rates that might ruin their industries or prevent the development of their resources.

The Baroda Government had suggested the formation of a sort of Zolverin - a Railway Union or Postal Union to obviate these difficulties.

(2) Customs and Excise.

The Baroda Government was also of the opinion that there should be also a custom Zolverin. The claim of Indian States to share in the sea customs Revenues had been appreciated and recognised by the Political Department of the Government of India but there were difficulties from the Finance Department and Indian Legislature and therefore the claims of the States were asked to be vigorously pressed by adequate representation on the Legislative Assembly.

The Government of India had extinguished the ~~opinion~~ opium revenues of Indian States. They had not allowed to the States new openings for the replenishment of this revenue and in conflict with The British Indian Claims the interests of States were prejudiced in absence of proper safeguards.

The Government of India had created a state monopoly of Salt and the subjects of Indian States were liable to pay the salt duty even when enhanced without their consent and derive no benefit from this taxation. If certain States were compensated for the loss of Salt revenue the compensation was not increased with the increase in salt duty to meet the consequent loss to the State.

In Abkari arrangements arising out of the State monopoly of liquor the interests of State subjects suffered when they clashed with those of British India.

(3) Justice.

The Indian States were assured complete internal autonomy. They were notwithstanding denied all jurisdiction over European British Subjects and even over Europeans and other non-Asiatic foreigners. In some cases the Government of India interfered even on behalf of British subjects or British servants, thus impaired the autonomy of the States. The Baroda Government had more than once remarked that this could not be remedied unless the Indian States had some hand in amending and enacting criminal laws for India.

Jurisdiction over Railway lands was rarely allowed to continue with the Indian States. This was also considered by the Indian States a needless interference with their internal autonomy. The ends of justice could be secured by suitable amendments in the extradition laws and the Code of Criminal Procedure.

Reciprocal-arrangements could be suitably perfected for the arrest of mutual desertors and the surrender of fugitive offenders. Reciprocity could also <sup>have been</sup> secured for the execution of Decrees and the taking of evidence on commissions mutually accepted.

(4) Sovereignty.

Many instances have been already quoted and numerous instances could be multiplied where the incidence of Sovereignty and internal autonomy of Indian States was only partially and grudgingly recognised. To recapitulate:

Indian States were denied the privilege of coinage and induced to close their own mints. They were not admitted to the benefit of Seigniorage.

Indian States were prevented from levying income-tax on servants residing within lands ceded for only Railway purposes. Various kinds of revenues were derived by the Railway administration from land ceded only for the construction of Railway and the States were not allowed to participate in these fiscal gains.

The States were not allowed perfect freedom to develop their own natural resources. Difficulties and obstructions were placed in the way of the working of mines and minerals in States.

States were discouraged from opening and improving new ports and harbours. In some cases they were actually prevented when the port or seaborne traffice was likely to compete with established rail routes.

Difficulties were often experienced in the opening of new industries if they were likely to compete with particular industries in England. Improper restrictions were placed on the industries dealing with the manufacture of arms and ammunition.

Free import of arms and ammunition even for the use of the State Army or for the Ruler was prohibited.

Little solicitude or consideration was often shown for the feelings of the Ruler. Restrictions were placed on his free movements and travelling and on his acquisition of immovable properties in British India. Ceremonial occasions of visits were cut down and curtailed without consideration for his dignity and Izzat. His

freedom in the employment of European servants was also hampered.

These were the few instances of the whittling down of the sovereignty of Indian States. Adequate representation in the Imperial Councils and deliberative bodies were demanded by the Native States for the preservation of these ingredients in tact.

On the other hand, from the general review of the British policy regarding the States of India the following observations may be safely made.

The British standards of justice were basically different when applied to English people from those applied to the peoples of the Colonies and the former Indian Empire. In their dealing with the Native States they had only two guiding principles viz. Political expediency and convenience; and these may be found at the basis of what is termed by Sir Charles Tupper as the Indian Political law in his book entitled 'Our Indian Protectorate(P.7).

#### Indian Political Law.

Sir Charles says, "The fact is that for the adjustment of relations of the Continental States of India a new system has grown up, very different from any which was possible in the days of Edmund Burke, but it is believed, quite as much in accord with the principles of reason and morality as the western system, which determines the relations of European Independent States and other like States of the Civilised World. The the rules and principles which constitute the new system, I shall, throughout this treatise, give the name of Indian Political Law." (P.6).

At other place explaining the ends of this Indian Political law he says:-

" x x x the great ends of Indian ~~Politic~~ Political Law are the maintenance of the supremacy of the paramount power, whose guardianship is the security for the peace of the whole Indian Continent, the preservation of the autonomy of the feudatory States, and the assurance to the diversified populations of these States that they shall enjoy freedom from gross misrule." (P.11)

Remarking on the source of this Indian Political law Sir Charles unhesitatingly states:

"But the source of this law, which has supreme importance, is without doubt usage - the actual practice of the Indian Government itself ~~xxx~~ in its dealings with its feudatories." (P.10).

Here, not as an attempt to criticise the nature of Indian Political law, but as an effort to analyse its meaning it can be said, firstly, that what was termed Indian Political law was nothing but an arbitrary collection of maxims and formulæ that suited the political officer best. It had no basis in law, & justice or equity. Secondly, Indian Political Law must not ~~longer~~ be foreign to the generally recognised principles of International law. Thirdly, a large number of matters which were then treated politically e.g. Boundary disputes, claims against the States etc. should have been dealt with according to judicial proceedings.

Again one of the ends of this Indian Political Law is stated as "preservation of the autonomy of the feudatory States." From the perusal of this treatise one is tempted to hold another

conclusion. It is a story of the continuous unwarranted intervention on the part of the representatives of the British Government into the internal affair of a State. No doubt, there have been proclamations and announcements by the British Government regarding their relative positions with the Indian States like Queen's proclamation of 1858, which was followed by that of the King Edward and various pronouncements by Viceroys, the latest in the period under our review was that of lord Chelmsford. But how far these words had any meaning with the actual ~~rela~~ realities, and how was they interpreted by the actual practice is a matter for anybody's guess.

This feature of relationship between Indian States and British Government requires to be put in proper perspective to help correct understanding of the situation as it obtained then.

In this connection each Indian State had its own story to tell. When facts are analysed it will be found that they can be classified under a few major heads. This is of course a very rough classification.

- (1) Often deliberate attempt on the part of Political Department to lower the prestige of a State .
- (2) Insistent effort to favour smaller states or estates at the expense of the bigger ones.
- (3) To disregard the interest of Indian States when it conflicted in the least with that of British Government.
- (4) Policy of distrust, particularly in Military matters, resulting in antidiluvion equipment of Indian State Army and prevention of improvements even in the smallest details.

Illustrations are not wanting to support the above statements.

In Baroda, they can be particularly in the manner in which the Giras cases were managed and how individual idiosyncracics of officers have played havoc would form a history by itself of no small interest. From this evil not only Baroda has suffered but most of the States may have the same story to tell. The way in which other political cases were disposed off by the British Government, was hardly in keeping with the dignity of the States, The Allies. They were practically dealt with in the same manner as Summary cases in the Court of the Magistrate.

Another point of View.

Notwithstanding the inestimable harms done to the interests, Izzat and honour of the Ruler of a State to the student of history there is another interesting point of view in the day to day conduct of political relationship of the two viz. British and the ~~Native~~ Native Governments.

It has been said that the Indian Political law is distinct and no like system could be found anywhere else except in India. In the development of this Political law , those who were responsible for its development viz. The Political Officers of the British Government, ~~real~~ <sup>reveal</sup> to us the quality of the British people and their way to govern the people. One can easily imagine how shrewd and wise, of course for themselves, its manner and methods were that people of such a tiny island could establish and own a vast Empire extending throughout the surface of this planet. What were, then, the characteristics of this empire-building quality of the British people ?

(1) Art of negotiation.

British people are very astute negotiators. They know with

whom they are negotiating and for what they are negotiating. They try to win over the opposite party by any means viz. those propounded by Hindushastras स्वयं, राज, देव, भेद . The way in which Mount Stuart Elphinstone, the Governor of Bombay negotiated with Sayajirao II , bears witness to this conclusion.

The second stage after the negotiation is the stage of drafting the treaties or terms of understanding. While drafting the treaties they would exploit the ignorance of the language of the opposite party.

The third stage would be the interpretation of these treaties, which was done according to the policies in mind.

For all this, they took almost <sup>all</sup> advantage of the circumstances favourable to them e.g. in the interpretation they would exploit the minority regimes or their superior power over the States, or the complacency of the Dewan or the native in charge.

(2) Justice, fairplay and equity.

In the events of disputes the British pronouncements will always lay stress on the above points of high morality, at least on the paper. The State functions, Darbars, <sup>banquets</sup> ~~banquets~~ would be invariably utilised by them to make such pronouncements, and thus eventually show that all their acts flow from these supreme and honourable tenets of public good.

(3) Not to be too broad on paper.

In the correspondence with the States the intentions of the British Government were not put in too broad terms, lest they

might leave enough scope for the different interpretation through loop holes in the treaties. An instance in point is the Secretary of State's letter, quoted else where, regarding the choice of Dewan by the Gaekwad the matter which was put too broadly by the Bombay Government in 1867.

(4). Only purport of the decisions to be conveyed.

It was expressly laid down by the Governments of India and Bombay that the Resident while conveying the decision of the British Governments to the State should refrain from indulging in giving detailed explanations of the grounds of decisions arrived at but should only communicate the purport of the decision mostly using the same phraseology contained in the Government of India's letter.

(5). Art of Government.

Britishers are proficient in the art of administration. The huge Civil Service structure which we find today in India is their creation. They outwitted all the foreign powers on the soil of India in this art.

Secondly, their ~~choice~~ choice of the proper and fit person to execute the policies in view as required by political exigencies was superb. They could utilise the talents of persons to further their own cause.

(6) 'Divide and rule' policy.

This is a self evident characteristic. The whole of India was divided into British India and the Native States, the Native states were divided (1) bigger and the smaller states (2) Hindu.

and Muslim States.

When two persons, or two States or two parties are to be consulted, they were usually met separately and hardly called in together.

(7) Exploitation of human weakness.

For the solution of any problem of the State in their favour the human weaknesses of the Rulers or their Dewans were generally utilised. Personal attention, adorations, giving titles to nurture their self love and vanity were the various devices employed. Remember the sending of Mor Chhals (Peacock feathers fan) to Khanderao , which the latter himself demanded and other honours and titles given to Maharani Jannabai and to Sayaji Rao the III himself.

These characteristics, over and above many others, were chiefly responsible for the carving out a large ~~an~~ Empire for themselves and thus giving them a place of prominence in the comity of nations.