Sectt. II—48—21,640-10-1-17.

Home (1917) Department.

(Miscellaneous)

Ordinary SERIES.

G.O. Nos. 1223-24.

DATED 3-12-1917.

INDEXED

[Despatch Abstract.]

Emigration - Assam.

Directing that the Government of India be addressed for sanction to the publication of notifications prohibiting the independent garden sardari system of recruitment of labour for Assam.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Sectt. II-47—1-17.

~~A.~~
B. } (a)
~~N.P.~~

Home misc DEPARTMENT.

ORDINARY
~~ROUTINE~~ SERIES.

2

† G.O. No. 1223-4 dated 3-12 1917.

CIRCULATED.
~~NOT CIRCULATED.~~
~~NOT SEEN BY C.S.~~

Receipt numbers ..	
Number and date of previous proceedings.	

Tabling Abstract.

Emigration – Assam

Directing that the Govt of India be addressed ~~asking~~ for sanction to the publication of notification prohibiting the independent garden sirdari system of recruitment of labour for Assam.

(b) Index Headings.

MAIN HEADING ________________

CROSS REFERENCES. ________________

SPECIAL INDEX.

DO NOT SPECIAL INDEX.

(a) and (b) not to be filled in for 'Routine' Series.

Home (Misc.) Cr. 3483
25.10.17

TCN

Home
Vm
23/10/17

Assam Labour ~~Board~~ Board.
Block B-3, Clive Buildings,
Calcutta.

REGR. CHIEF SECY.
23 OCT 1917
MADRAS GOVT.

3

No. 3407-10.

REGISTRAR HOME DEPARTMENT
23-OCT-1017
GOVT. OF MADRAS

4a
7.11

From

Lt. Col. W. M. Kennedy, C.I.E., I.A.,

Chairman, Assam Labour Board.

To

The Secretary to the Government of Madras,
Public Department,
Ootacamund.

Dated the 17th October 1917.

Sir,

p 3 infra

I have the honour to enclose a copy of memo No.10558 dated the 5th September 1917, from the Government of India, Department of Commerce and Industry, together with copies of the correspondence forwarded therewith, between that Government and the Central Provinces Administration, approving the publication by that Administration of a notification under Section 3 of the Assam Labour and Emigration Act, 1901 (VI of 1901), prohibiting all persons, other than garden-sardars duly accredited to local agents licensed under Section 64 of the said Act, from recruiting emigrants for Assam in the Central Provinces, the object of the notification being to prevent operations by garden-sardars not working under a local agent.

pp 4-6 infra

2. As your Government are probably aware my Board are strongly opposed to the employment of garden-sardars to recruit independenly of a local agent, since it has been our experience that such garden-sardars are either themselves arkatties or are mere dummies to whom arkatties supply coolies. This, indeed, has been generally re~~cogn~~cognised, and it has been the policy of Government, since the publication of the Report of the Assam Labour Enquiry Committee, 1906, to discourage the appointment of independent sardars and to encourage the employment by all concerns of local agents. When this Board was

Cf para 24 p20 of GO 521/30 5 17

first established a certain number of independent sardars were at work, and in every case that came to light the methods employed by them were most objectionable. We accordingly took steps to secure their withdrawal, and in the year 1916-17 several prosecutions were instituted against them and the gangs which supplied them with coolies. The Board, by the courtesy of the Assam Administration, are now supplied with lists of any sardars who are deputed to recruit independently of a local agent, in order to enable us to bring pressure on their employers to withdraw them. We are glad to inform you that for some time past these lists have been blank, and that, so far as we are aware, no independent sardars are now at work. It would, however, be an additional safeguard if the Government of —— Madras —— could see their way to publish a notification similar to that which the Hon'ble the Chief Commissioner of the Central Provinces proposes to publish, (in general) prohibiting recruitment for Assam except by garden-sardars working under local agents, and we venture to recommend the adoption of this course.

I have the honour to be

Sir,

Your most obedient servant,

Enclos:-

Chairman,
Assam Labour Board.

Copy.

No.10557.

Government of India.

Department of Commerce and Industry.

Simla, the 5th September 1917.

(Emigration).

From

G. S. Hardy Esq., I.C.S.,
Under Secretary to the Government of India.

To

The Hon'ble the Chief Commissioner of the Central Provinces.

Sir,

With reference to Mr. Dyer's letter No.417-H/VIII, dated the 16th August 1917, I am directed to say that the Government of India approve the draft notification to prohibit the recruitment of labourers for Assam by persons other than garden sardars duly accredited to local agents licensed under Section 64 of the Assam Labour and Emigration Act.

I have the honour to be, Sir,
Your most obedient servant,
G.S.Hardy,
Under Secretary to the Government of India.

No.10558.

Copy of correspondence forwarded to the Chairman, Assam Labour Board, for information.

By order, etc.,
SD/- --------
for Under Secretary to the Govt. of India.

Copy of a letter from the Hon'ble Mr. J.F.Dyer, I.C.S., Third Secretary to the Chief Commissioner, Central Proginces, to the Secretary to the Government of India, Commerce and Industry Department, No.417-H/VIII, dated Nagpur, the 16th August 1917.

I am directed to refer to the correspondence ending with your letter No.1917-36 dated the 8th March 1916, in which sanction was accorded to the publication of a notification under Section 3 of the Assam Labour and Emigration Act prohibiting all persons from recruiting labour for Assam in the Central Provinces otherwise than in accordance with the provisions of Chapter IV of the Act. The notification was duly published as No.318 dated the 18th March 1916.

2. At the instance of the ~~Chairman~~ Chairman of the Assam Labour Board, I am now to submit for the sanction of the Government of India the enclosed draft notification further restricting the conditions of recruitment in these Provinces by prohibiting all persons other than garden sardars duly accredited to local agents licensed under section 64 of the Act from working ~~xxx~~ as recruiters.

3. When recruitment by arkattis working under contractor was abolished by the Amendment Act (VIII of 1915), the control of the supply of labour to Assam was placed almost entirely in the hands of local agents responsible to the Superintendents of Emigration and acting under the general supervision of the Assam Labour Board. Since that time efforts have been concentrated on strengthening the position of the local agent and securing thoroughly trustworthy men for the purpose, as it is recognised that this is the only way by which the evils of the old methods of recruiting can be avoided. There remains, however, the danger of the control of the local agent and the Labour Board being evaded by garden sardars working directly under employers, and attention was drawn to this matter in paragraph 3 of Government of India, Commerce and Industry Department letter No.3110-3114 dated the 29th March 1915, and again in paragraph 24 of the report on the working of the Assam Labour Board during the year ending the 30th June 1916 which runs as follows:-

"What has done more than enything else, perhaps, to keep alive the arkatti is this practice of deputing garden sardars to recruit "independently of a local agent. Though the great majority of tea estates work only through responsible local agents, there have been a number-fortunately a decreasing one - which have deputed sardars to work independently. These sardars do not recruit themselves, but go to an ex-contractor or arkatti who supplies them with coolies on payment. In some cases which have come to the notice of the Board, the sardar is himself an arkatti."

4. The Chief Commissioner believes that recruitment by independent sardars is at present very rare in the Central Provinces, and its entire abolition would not cause serious hardship to any employer of labour in Assam. He is therefore strongly of an opinion that the opportunity should be taken to do away with this method of recruitment altogether and I am accordingly to commend the proposal for the sanction of the Government of India. The date for introducing the new restriction might be taken as 1st January 1918, for the reason above given that existing interests are hardly affected and also because it is desirable that the change should take place without waiting for the full term of six months mentioned in Section 3 of the Act.

Notification.

Nagpur, the August 1917.

No. In exercise of the powers conferred by Section 3 of the Assam Labour and Emigration Act, 1901 (VI of 1901), as subsequently amended, and with the previous sanction of the Governor-General in Council, the Chief Commissioner is pleased to prohibit all persons, other than garden sardars duly accredited to local agents licensed under Section 64 of the said Act, from recruiting, engaging, inducing or assisting any native of India to emigrate from any district in the Central Provinces to any labour district in the Province of Assam.

With reference to the proviso to the said Section 3 of the said Act, the Chief Commissioner is further pleased to direct that this notification shall take effect from the 1st day of January 1918.

Notification No.655 dated the 24th June 1915 under Section 91 and Notification No.318 dated the 9th March 1916 under Section 3 of the Act, are hereby cancelled.

Third Secretary.

True Copy.

SD/- Illegible.

Superintendent,

Department of Commerce and Industry.

Home dept
(Mis)

Emigration – Assam.

From the Chairman, Assam Labour Board, No 3407-10, d the 17.X.17.

For the w.s

p 2 of G.O 521/30.5.17 K

pp 2-4 of G.O. ibid K
cf para 4 of the note at p 3 of notes b G.O ibid K

In para 24 of the report of the Assam Labour Board for the year ending the 30th June 1916, the Board set out the steps taken by it to prohibit the practice of garden sardars recruiting labour for Assam independently of a local agent. The D. Ms of the six districts in this Presidency in which labour is recruited for Assam, and the I. G. of Police to whom the report of the Assam Labour Board was forwarded for remarks were al of the opinion that the pract of garden sardars working independently of a local agent should be put an end to. This view was accepted by this Govt and in para 3 of Letter to Indi No 522, Home (Mis), d the 30.5. this Govt expressed their entire

K

agreement with the steps taken by the Assam Labour Board to prohibit the practice of garden sardars working independently of a local agent and stated that the independent garden sardari system of recruitment should be put an end to.

p 2 c.f.

2 The Board at present considers that it would be an additional safeguard if action is taken under the Act to prohibit the independent garden sardari system of recruitment taking the lead of the Central Provinces Administration in the matter. Submitted that there appears to be no objection to publishing a notification of the kind suggested by the Board, with the approval of the G of I, but the necessity therefor in this Presidency is not apparent. It will be seen from the latest reports on the working of the Act that there are no independent garden sardars working in this Presidency); ~~but no cases of~~

pp 1-7 of papers L

Box 4

Scott II—8(a)—160,004—16-1-17.

NOTES.

11 9

Last sentence of para 24, p 2 of G.O. 521 K / 30.5.17 p 2 c.f.

the Assam Labour Board itself adm in its last report that lists of independent garden sardars were blank and states now that no such sardars are at present a wo. It is for consideration whether the D.Ms of the six districts in which labour is recruited for Assam may be consul as to the need for taking action on the lines suggested by the Assam Labour Board.

Sh 10.xi.17.

Pd. 15.xi.17

S.

No ~~few~~ independent Garden sardars are working in this Presidency: but we may publish the notification to formalise our position in the matter. I don't think we need worry the D.M.'s.

16.xi.17

I agree. Please draft notification.

17/11/17

Box 4
Circ 29.11.17
Retd 30.11.17

Scott II-8 (a)-160,004-16-1-17.

NOTES.

12
10

For the w. s

Submitted that four notifications have to be reissued with suitable amendments viz nos VIII, IX, XVI, and XIX at pages 19, 28 and 29 of the pamphlet containing notifications issued under the Act. Four draft notifications are accordingly submitted for approval. It will create confusion if all the four are consolidated and issued as a single notification. It appears therefore desirable to keep them separate as at present.

?(put up) Q

[Annexed to the draft letter]

Yes
27.11

2 A draft order and a draft letter asking India's sanction to the issue of the notifications are submitted for approval.

22.11.17.

Pdk
23.11.17

S.

The four notifications mean a good deal of printing but I don't see any way to make a single notificn. unambiguous.

27.11

28/11/17

29.11.17

30/11/17

SECRETARIAT GOVERNMENT OF MADRAS HOME DEPARTMENT
20-NOV-1917

3/XII

Sectt. II—10 (a)—7-2-16.

11 13

Home DEPARTMENT.
(Mis).

Emigration - Assam

Directing that the G of I be addressed ~~asking~~ for sanction to the publication of notifications prohibiting the ~~system of~~ independent garden sardari system of recruitment of labour for Assam.

READ AGAIN G.O. No. ......, dated 191

" " " " ......, " 191

READ ALSO:—

C. No. ......, From the ......, No. ......, dated ...... 191 .

" " 3483, " from the Chairman, Assam Labour Board, No 3407-10, d the 17.X.17 191 .

" " ......, " " ......, " ......, " ...... 191 .

ORDER.

No. 1223, dated 3 . 12 1917

Mis.

The G of I will be addressed.

27.11.17

28/11/17

To the Chairman
Assam Labour Board
(9/40).

Despatched
per
4727

21.11.17

1224. d 3.12.17

To

The Secretary to the G of I,
Dept. of Commerce and Industry.

Despatched
per
[illegible]

3/XII

with four draft notification & copy of pp 1-2 C.F.

Sir,

I am directed to forward herewith a copy of a letter from the Chairman, Assam Labour Board, no 3407-10, d the 17th October 1917, in which he suggests the desirability of issuing a notification

J.B.

Fo L. letter will be numbered when ready for issue. Please carefully compare draft notifications at pp 4-6 ~~[illegible]~~ to be sent as enclos. to letter.

20.11.17

pp 1-2 C.F.

prohibiting recruitment for Assam except by garden sardars working under local agents. It will be observed from para 3 of my letter no 522, Home (Mis), d the 30th May 1917, that this Govt have already expressed the view that the independent garden sardari system of recruitment should be abolished. The Govt in Council is glad to note that no independent garden sardars are at present at work in this Presidency, but as pointed out by the Chairman, Assam Labour Board, it would be a safeguard if action is taken under section 3 of the Act to prohibit the system. I am accordingly to forward for the sanction of the G of I four draft notifications to be published under section 3. It is proposed to give effect to the change

K

from the date of publication of the notifications in the Fort St George Gazette for the reasons that no hardship will thereby be caused to any employer in Assam and ~~also~~ ~~because~~ that ~~that~~ it is also desirable that the abolition of the system should take ~~takes~~ place at once.

21.11.17

23.11.17

27.11.17

28/11/17

When given for copying
When copied
When examined
When signed
} 191 .

READ AGAIN G.O. No. , DATED
191 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. .. .. A A A A A A A

TER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

N.B.—
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