Rev (Sp) Dept

Government of Madras

HOME (MISCELLANEOUS) DEPARTMENT

522

G.O. No. 521, 30th May 1917

Emigration—Assam

Requesting District Magistrates concerned to bring to the notice of the Government, cases of illegal recruitment in this Presidency whenever they frequently arise in future and directing the despatch of a reply to the Government of India furnishing the views of this Government on certain points raised in the report of the Assam Labour Board for the year ending the 30th June 1916.

INDEXED

500—4-17.

BACK PAPERS.

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

FURTHER PAPERS.

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

Number of copies { Letter. / Order.

N. P.

Original

Government of Madras

HOME (MISCELLANEOUS) DEPARTMENT

2

G.O. No. 521, 30th May 1917

Emigration—Assam

Requesting District Magistrates concerned to bring to the notice of the Government, cases of illegal recruitment in this Presidency whenever they frequently arise in future and directing the despatch of a reply to the Government of India furnishing the views of this Government on certain points raised in the report of the Assam Labour Board for the year ending the 30th June 1916.

READ—the following papers:—

I

Letter—from G. S. HARDY, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry.
To—the Secretary to the Government of Madras, Home (Miscellaneous) Department.
Dated—Simla, the 15th November 1916.
No.—11325.

I am directed to forward a copy of the report on the working of the Assam Labour Board during the year ending with 30th June 1916 with special reference to paragraphs 23 and 24, and to say that the Government of India would be glad to receive any observations which His Excellency the Governor in Council may desire to offer thereon.

ENCLOSURE.

Extracts from the Annual Report on the working of the Assam Labour Board during the year ending the 30th June 1916.

* * * * * *

V.—Illegal Recruitment.

* * * * * *

23. During the earlier half of the year under review, reports were rife that contractors and arkatties were sending up batches of coolies to Assam either as ordinary third class passengers or under cover of recruitment for Chittagong tea gardens. Accounts were, moreover, received of batches being hawked from garden to garden. At the instance of the Board the Government of Bengal kindly agreed to depute a special police officer to patrol the transit routes and the Chief Commissioner of Assam was pleased to permit the Assam railway police to co-operate. Owing to press of other work it was unfortunately found necessary to remove the special police officer from this work, but it is hoped that it will be found possible to depute one again later on. To what extent this type of illegal recruitment is being practised at present it is not easy to say, as there is no very definite information. The Board are inclined to the opinion, however, that it is not now being followed to any great extent, though undoubtedly at the outset, before the new conditions became fully known, some illegally recruited batches went forward. For one thing, the number of managers who will accept illegally recruited coolies is exceedingly small. For another, the temporary closure of the Hill Section of the Assam-Bengal Railway would considerably hamper operations nominally for Chittagong. There can be no doubt, also, but that arkatties and the like are not having by any means an easy time; their trade is now illegal and it becomes increasingly difficult to carry it on. In Basti district in the United Provinces there was an organised raid on recruiters. In Sambalpore, too, legal proceedings were taken against them on a large scale and in other districts the authorities have taken steps to curb their activities. In this work the Board have been able to afford assistance by furnishing District Officers with information of offers to supply coolies made to tea agency firms and managers of estates, which are now in many cases reported to the Board by the recipients. The information gleaned by the Supervisors of the Board and from other sources is likewise placed at the disposal of District Officers, who are also made welcome to the services of the Supervisors, if required. In some cases District Officers have requested the Board to undertake prosecutions, but latter believe that neither they nor their Supervisors are empowered to do so and that their duty is confined to furnishing information and rendering assistance. It would, however, greatly add to the usefulness of the Supervisors if they were given powers of arrest and investigation in cases of illegal recruitment. Were the Criminal Investigation Department, also, to take up such cases, it would result in the more speedy elimination of the arkatti, as the operations of illegal recruiters are often widespread, extending over many districts, and even over several provinces, a fact which renders it difficult for the ordinary district police to cope with the organization.

Recruitment nominally for Chittagong, etc.

24. What has done more than anything 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. From the correspondence in the Board's office it would seem that tea agency firms and managers of estates have been bombarded with offers to supply coolies, if either sardars are sent down to the applicant or latter is appointed their local agent. In not a few cases the Board's recommendation has been sought for the appointment of persons of this class as local agents, such recommendation being, needless to say, withheld. Though offers of this description are generally consigned to the waste paper basket or forwarded to the Board to be dealt with, a small minority of concerns have been lured into sending down sardars to these persons. Offers to supply coolies come in the greatest numbers from the United Provinces. This is largely due to the fact that the province is a centre of recruitment for the Colonies. There can be no doubt but that certain Colonial contractors unite with their legitimate business an illegal recruiting business for Assam, coolies who are rejected by the Colonial authorities being too frequently sold to illegal recruiters or sardars for despatch to Assam. An ex-contractor for the Colonies informed the Chairman of the Board that he used to dispose of his rejections in this way, and in the Madras Presidency a Colonial contractor actually offered the Chairman a batch of coolies, which he was unable, for the moment, to get accepted for the Colonies, emigration having been temporarily stopped. Neither of these gentlemen, it may be remarked, knew that he was doing anything illegal, though the same, it is feared, cannot be said in regard to most of the other persons concerned in this traffic. It is obvious that this system of disposing of Colonial rejections not only provides a field for the arkatti and independent sardar, but also constitutes a temptation to the bona fide sardar, working under a local agent. From the point of view of recruitment for Asam, therefore, it seems very desirable that steps should be taken to insure that coolies rejected by the Colonial authorities as being unfit or unsuitable are sent back to their homes.

Garden-sardars working independently of a local agent.

In view of the danger to bona fide recruitment caused by the employment of garden-sardars to recruit independently of a local agent, the Board decided, at their meeting held in December 1915, that, on its coming to their notice that a manager has deputed a sardar to recruit independently, he should be called upon to recall him at once, and to give a guarantee that he will in future only depute sardars to recruit under a responsible local agent. Failing compliance with such requisition it was resolved that the matter should be reported to the Assam Administration with the recommendation that countersignature of the certificates of all sardars of the garden should be withheld, until the concern should take the desired action. Through the courtesy of the Hon'ble the Chief Commissioner the Board is now being supplied monthly with lists of garden-sardars who have been granted certificates to recruit independently of a local agent, so that action can at once be taken to secure their withdrawal. It is satisfactory to note that for the last few months these lists have been blank.

* * * * * *

W. M. KENNEDY,
Chairman, Assam Labour Board.

II

Endorsement No. 1302-2, Home (Miscellaneous), dated 13th December 1916.

Referred to the District Magistrate, Ganjam / Vizagapatam / Godavari / Kistna / Guntur / Nellore, for remarks, if any, on the suggestions of the Assam Labour Board in paragraphs 23 and 24 of the report.

Inspector-General of Police.

(By order)

E. A. HARVEY,
Under Secretary to Government.

To the District Magistrates, Ganjam, Vizagapatam, Godavari, Kistna, Guntur and Nellore.
,, Inspector-General of Police.

III

Letter—from H. H. BURKITT, Esq., I.C.S., Acting District Magistrate, Kistna.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—Masulipatam, the 23rd December 1916.
No.—D. Dis. 2386-Magl.

I have the honour to submit my reply to the Government endorsement No. 1302-2, dated 13th December 1916. With reference to paragraph 23 of the report on the working of the Assam Labour Board during the year ending with

30th June 1916, I do not think that any illegal recruitment is being practised in this district. I support however the proposal to empower supervisors to arrest and investigate, the procedure to be followed being very carefully defined. Such powers should, however, be exercised only in very exceptional cases.

2. Referring to paragraph 24 of the report, I agree that the independent garden-sardar is the weak spot in the present system. It is open however to District Officers to refuse licenses to such men and in this district none are being granted.

IV

Letter—from N. MACMICHAEL, Esq., I.C.S., District Magistrate, Ganjām.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—Chatrapur, the 21st December 1916.
No.—Dis. 1754-Magl.

With reference to Government endorsement No. 1302-2, dated 13th December 1916, I have the honour to report that I approve of both the suggestions made by the Assam Labour Board in paragraphs 23 and 24 of its report on the working of the Board during the year ending with 30th June 1916.

V

Letter—from C. B. COTTERELL, Esq., C.I.E., I.C.S., District Magistrate, Gōdāvari.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—Cocanada, the 14th January 1917.
No.—D. Dis. 83-Magl.

Adverting to Government endorsement No. 1302-2, dated 13th December 1916, I have the honour to state that no cases of illegal recruitment of the class referred to in paragraph 23 of the report on the working of the Assam Labour Board have occurred in this district and that there is no necessity for the investment of the Supervisors of the Board with powers of arrest and investigation as such cases will be investigated by the police.

2. As regards the suggestion of the Board in paragraph 24 of its report, I think that the system of employment of garden-sardars working independently of the local agent can be discontinued and that steps may be taken to insure that coolies rejected by the Colonial authorities as unfit or unsuitable are sent back to their homes.

VI

Letter—from M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, B.A., District Magistrate, Nellore.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—the 23rd January 1917.
No.—117-D/Magl.

With reference to Government endorsement No. 1302-2, dated 13th December 1916, I have the honour to state that so far as this district is concerned there is no case of illegal recruitment for Assam. The utmost that is proved is extravagant offers of wages which the intending emigrants deliberately chose to confide in against the warnings of the local magistracy. Nor am I aware of any emigrants wrongly recruited for the colonies diverted to Assam.

I am certainly in favour of attaching sardars to local agents and prohibiting them from working independently.

VII

Letter—from E. A. DAVIS, Esq., I.C.S., District Magistrate, Guntūr.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—the 19th February 1917.
No.—Dis. 282 Magl.

With reference to endorsement No. 1302-2, dated 15th December 1916, on Government of India's No. 11325, dated 15th November 1916, I have the honour to state that I am in favour of the proposal that supervisors should be empowered to arrest and investigate in cases of illegal recruitment. It also seems desirable that garden-sardars should only be employed under the control of local agents.

VIII

Letter—from P. L. MOORE, Esq., C.I.E., I.C.S., Inspector-General of Police.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—Madras, the 15th March 1917.
No.—R.C. 1793-Statl.

With reference to endorsement No. 1302-2, Home (Miscellaneous), dated the 13th December 1916, calling for remarks on the suggestions contained in paragraphs

23 and 24 of the report on the working of the Assam Labour Board during the year ending with 30th June 1916, I have the honour to report as follows.

2. I have consulted the District Superintendents of Police of the districts from which recruitment under the Assam Labour and Emigration Act is permissible. I do not consider it necessary to give supervisors of the Board powers of arrest and investigation in cases of illegal recruitment. The assistance of the police can easily be secured. If experience however shows that cases frequently arise in which recruiters escape punishment for want of the power of arrest in supervisors, it may be conferred on them with the restriction that the person arrested is produced without the least delay at the nearest police station or before the nearest Magistrate. I do not consider it necessary that the Criminal Investigation Department should take up such cases. As regards the suggestion in paragraph 24 of the report, I consider that the practice of garden-sardars working independently of local agents should be prohibited. If they work through the local agent there is no fear of colonial rejections being sent on to Assam as the local agent sees every recruit personally and can reject any unsuitable men.

3. I would also suggest to the Board that the local agent should furnish the local District Superintendent of Police with a list of all sardars who come to the district to recruit. A large number of bad characters go to Assam and it not unfrequently happens that these return in the capacity of sardars, thus having an opportunity of committing crime and returning to Assam with the proceeds. The name of the Sardar, his village and taluk would be sufficient information and the police can keep a watch over improper recruiting.

IX

Letter—from H. A. B. VERNON, Esq., I.C.S., Acting District Magistrate, Vizagapatam.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—the 24th April 1917.
No.—D. Dis. 182.

With reference to Government endorsement No. 1302-2, dated 13th December 1916, calling for remarks on the suggestions of the Assam Labour Board in paragraphs 23 and 24 of the report for the year ending 30th June 1916, I have the honour to state that I do not consider it advisable to invest the Board's supervisors with powers to arrest and investigate into cases of illegal recruiting. When the supervisors have sufficient information to prove the guilt of the offenders, they can bring such cases of illegal recruiting to notice of Magistrates. I agree with the Board's suggestion that the Criminal Investigation Department should take up cases which need investigation.

2. As regards the suggestion contained in paragraph 24 of the Board's report, I agree in the Board's condemnation of the practice of deputing garden-sardars to work independently of a local Agent and consider that the practice should be prohibited.

Order—No. 521, Home (Miscellaneous), dated 30th May 1917.

The District Magistrates concerned are requested to bring to the notice of Government cases of illegal recruitment of labour for Assam.

2. The Inspector-General of Police is informed that registers of garden-sardars are kept by a local agent at each place of accommodation provided under section 62 of the Assam Labour and Emigration Act, 1901, and that these registers are open to inspection at any time by a police officer not below the rank of an Inspector of Police. In the future there will be few, if any, garden-sardars working independently of local agents.

3. The following reply will be despatched to the Government of India.

(True Extract)

R. RAMACHANDRA RAO,
Secretary to Government.

To the District Magistrates of Ganjam, Vizagapatam, Godavari, Kistna, Guntur, and Nellore.
,, Inspector-General of Police.

...of Madras,
Home (Miscellaneous) Department,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

DEPARTMENT OF COMMERCE AND INDUSTRY.

Dated Ootacamund, the 30th May 1917.

SIR,

In reply to Mr. Hardy's letter No. 11325, dated the 15th November 1916, I am directed to furnish the views of the Governor in Council on the suggestions contained in paragraphs 23–24 of the report of the Assam Labour Board for the year ending the 30th June 1916.

2. The Assam Labour Board has suggested that it would greatly add to the usefulness of supervisors if they were given powers of arrest and investigation in cases of illegal recruitment of labour for Assam and that it would result in the more speedy elimination of the arkatti if the Criminal Investigation Department were to take up such cases. The Governor in Council finds on enquiry that cases of illegal recruitment are not of such frequent occurrence in the districts of this Presidency in which labour is recruited for Assam as to justify action being taken on the lines suggested. The ordinary police can be trusted to deal effectively with such cases. The Governor in Council is of the opinion that supervisors should bring promptly to the notice of the police and magistrates concerned all cases of illegal recruitment, which come to their notice whereupon due steps will be taken.

3. I am to state that the Governor in Council is in entire agreement with the steps taken by the Assam Labour Board to prohibit the practice of garden-sardars working independently of a local agent and agrees that the independent garden-sardari system of recruitment should be put an end to.

4. Indentured emigration to colonies outside British India having been temporarily suspended, it appears unnecessary to consider the steps necessary to insure that coolies rejected by the Colonial authorities as being unfit or unsuitable are sent back to their homes.

5. The Governor in Council has no further remarks to offer on the report.

I have the honour to be,
Sir,
Your most obedient servant,

R. RAMACHANDRA RAO,
Secretary to Government.

ut to

NOTES CONNECTED WITH G.O. Nos. 521-22, HOME (MISCELLANEOUS) DATED 30TH MAY 1917.

[SUBJECT.—*Assam Labour Board.*]

I

From the Government of India, Department of Commerce and Industry, dated the 15th/20th November 1916, No. 11325.

The Government of India forward a copy of the first report on the working of the Assam Labour Board for the year ending the 30th June 1916, and enquire whether this Government have any observations to offer on the following suggestions made in paragraphs 23 and 24 of the report:—

(1) That it would greatly add to the usefulness of supervisors if they were given powers of arrest and investigation in cases of illegal recruitment;

(2) that it would result in the more speedy elimination of the arkatti if the Criminal Investigation Department were to take up cases of illegal recruitment; and

(3) that steps should be taken to insure that coolies rejected by the Colonial authorities as being unfit or unsuitable are sent back to their homes without allowing them to be illegally recruited for Assam.

Submitted that the views of the District Magistrates of the six districts in which labour is recruited to Assam may be invited in the first instance. A draft endorsement is submitted for approval.

2. It will be noticed that the Assam Labour Board dwells briefly in paragraph 19 of the report on the circumstances under which this Government have prohibited emigration to Assam from the southern districts. No remarks are called for.

T.C.N.—6-12-16.

P.DER.—11-12-16.

It seems as well to consult the Inspector-General of Police on the Criminal Investigation Department suggestion simultaneously. It is most probable that he will in any case have to be consulted eventually.

E. A. HARVEY—12-12-16.

Yes.

P. RAJAGOPALA ACHARIYAR—13-12-16.

[Issued as Endorsement No. 1302-2, Home (Miscellaneous), dated the 13th December 1916—**II.**]

III

From the District Magistrate of Kistna, dated the 23rd December 1916, No. D. Dis. 2386-Magl.

IV

From the District Magistrate of Ganjam, dated the 21st December 1916, No. Dis. 1754-Magl.

V

From the District Magistrate of Godavari, dated the 14th January 1917, No. D. Dis. 83-Magl.

From the District Magistrate of Nellore, dated the [illegible] 1917,
No. 117-*D./Magl.*

VII

From the District Magistrate of Guntur, dated the 19*th February* 1917,
No. Dis. 282-*Magl.*

VIII

From the Inspector-General of Police, dated the 15*th March* 1917,
No. R.C. 1793-*Stat.*

IX

From the District Magistrate of Vizagapatam, dated the 24*th April* 1917,
No. D. Dis. 182.

Replies from all the District Magistrates consulted and the Inspector-General of Police have been received.

2. *Proposal to give supervisors powers of arrest and investigation in cases of illegal recruitment.*—Section 116-C of the Assam Labour and Emigration Act, 1901, as amended by the Assam Labour and Emigration (Amendment) Act, 1915, provides for the appointment of supervisors by the Assam Labour Board. The duties of supervisors will be found set forth at pages 3–4 of G.O. No. 163, Public, dated the 1st February 1916. One of the duties is that in cases of abuses in recruitment or other malpractices where urgent action is necessary they may bring the matter to the notice of a Magistrate or a police officer. Every person who is guilty of wrongful recruitment is liable to prosecution and punishment under section 164 of Act VI of 1901. Cases of this kind are not cognizable and police officers cannot arrest without warrant.

Paragraph 5, page 4 of G.O. 39, 10th August 1916.

The object for which the Assam Labour Board proposes that supervisors should be given powers of arrest and investigation is set out in paragraph 23 of the report. It will be seen from the opinions of the District Magistrates and the Inspector-General of Police summarized below that there does not appear to be any case of illegal recruitment in the districts in which labour is recruited to Assam and that some of the District Magistrates are not in favour of the proposal:—

Officer concerned.	Opinion.
District Magistrate of Kistna ...	No illegal recruitment practised in his district. He however supports the proposal to empower supervisors to arrest and investigate, the procedure to be followed being carefully defined. Such powers should be exercised only in very exceptional cases.
District Magistrate of Ganjām ...	Approves the proposal of the Assam Labour Board. [No reasons have been stated.]
District Magistrate of Gōdāvari ...	No cases of illegal recruitment have occurred in his district. There is no necessity for the investment of the supervisors of the Board with powers of arrest and investigation.
District Magistrate of Nellore ...	No case of illegal recruitment in his district.
District Magistrate of Guntur ...	Supports the proposal to empower supervisors to arrest and investigate into cases of illegal recruitment. [No reasons have been stated.]
Inspector-General of Police ...	No necessity for empowering supervisors to arrest and investigate. Assistance of the police can be easily secured.
District Magistrate of Vizagapatam.	Not advisable to invest supervisors with powers of arrest and investigation. They can bring cases of illegal recruitment to the notice of Magistrates.

As stated by the Inspector-General of Police the assistance of the police can be easily secured. The Inspector-General of Police further states that if experience shows that cases of illegal recruitment frequently arise in which recruiters escape punishment to [illegible] supervisors, they may be conferred on them with the [illegible] that the person arrested is produced with the least delay at the nearest police station or before the nearest magistrate. Submitted that so far as this Presidency is concerned the necessity for taking this step does not appear to have arisen as yet. The District Magistrates may perhaps be asked to bring to the notice of Government if any such necessity arises in future and the Government of India may perhaps be informed that it will be sufficient if supervisors bring to the notice of the police or Magistrates cases of illegal recruitment if any which come under their notice and that there is no need for investing supervisors with powers of arrest and investigation so far as this Presidency is concerned.

3. *Whether it is necessary for the Criminal Investigation Department to take up cases of illegal recruitment.*—The Assam Labour Board is of the opinion that it would result in the more speedy elimination of the arkatti if the Criminal Investigation Department were to take up cases of illegal recruitment and it is stated that the operations of the illegal recruiters are often widespread which renders it difficult for the ordinary police to cope with the investigation. A majority of the District Magistrates of the districts in which labour is recruited for Assam state that there are no cases of illegal recruitment in their districts. The Inspector-General of Police considers it unnecessary that the Criminal Investigation Department should take up cases of illegal recruitment. For orders whether India may be informed accordingly.

4. *Prohibition of the practice of garden sardars working independently and the desirability of taking steps to send back coolies rejected by the Colonial authorities to their homes.*—Submitted that all the District Magistrates consulted and the Inspector-General of Police are of the opinion that the practice of garden sardars working independently of local agents may be put an end to. This view may be accepted and India informed accordingly. Now that indentured emigration to colonies has been prohibited it appears to be unnecessary to consider at present the steps necessary to ensure that coolies rejected by the Colonial authorities are sent to their homes.

5. *Suggestion of the Inspector-General of Police that the local agent should furnish the District Superintendents of Police with a list of all sardars who come to the district to recruit.*—Every local agent keeps two registers of garden sardars and the registers are open to inspection at the local agent's depot at any time by a police officer not below the rank of Inspector of Police. Police officers may therefore inspect such registers and it is for consideration whether local agents should be required to furnish lists of garden sardars to District Superintendents of Police. It is independent garden sardars who are responsible for improper recruiting. The Assam Labour Board states that it is now being supplied monthly with lists of such garden sardars by the Honourable the Chief Commissioner of Assam. Submitted that it will be useful if these lists are furnished to the District Superintendents of Police. The Assam Labour Board may perhaps be asked to furnish six copies of these lists to the District Superintendents of Police of the six districts in which labour is recruited to Assam.

T.C.N.—10-5-17.
P.DER.—12-5-17.

I agree with suggestions above which follow the opinion of the majority of the officers consulted. There seems to be something to be said for the suggestion that supervisors should prosecute in cases of illegal recruitment detected by them, and that if they are not legally entitled to do so, they should be so empowered. However the Board is against this. Please draft on the points raised.

E. A. HARVEY—17-5-17.

A draft order and a draft letter are submitted for approval.

T.C.N.—21-5-17.
P.DER.—22-5-17.

For consideration of drafts.

E.A.H.—23-5-17.

In addition to the reasons given, [illegible] that nothing is gained by giving him powers of arrest.

2. So far as investigation is concerned, our district police can deal better than the Criminal Investigation Department. A sardar works in a limited area. There is no recruitment by arkattis in this Presidency.

Drafts amended. For approval.

R. RAMACHANDRA RAO—27-5-17.

Approved.

H. F. W. G[ILLMAN]—28-5-17.

Issue.

R.R.—29-5-17.

[G.O. Nos. 521-22, Home (Miscellaneous), dated 30th May 1917.]

Home (Misc

Emigration - Assam.

Requesting District Magistrates concer
notice of the Government ~~of cases occurred~~ whenever they frequently
recruitment in this Presidency [and directing
reply to the Government of India furnishing the views of
Government on certain points raised in the report of the Assam
Labour Board for the year ending the 30th June 1916.

(Read papers in current file).

Please issue letter in No.
Jm
29.5.17

ORDER:
P.S.

521 dt the 30.5.1

Vide para 2, p 6 of notes

Vide para 2(3) of Notification No XII at p 24 of pamphlet 'V'

The District Magistrates concer
are requested to bring to the notice
Government ~~of future frequent occur-~~
~~rences of~~ cases of illegal recruitme
of labour for Assam ~~in which recrui~~
~~escape punishment for want of power~~
~~arrest in supervisors, wherever the~~
~~frequently occur in future~~.

2. The Inspector General of P
is informed that registers of gar
sardars are kept by a local agent
each place of accommodation provi
under section 62 of the Assam La
and Emigration Act, 1901, and t
these registers are open to ins
at any time by a police officer
below the rank of an Inspecto
Police. ~~Further~~
~~regarding the~~

ly will be des-
t of India.

27/5/17

pcs to Govt with secs
note 22.5.17

To The D.M Ganjam
" " Vizagapatam
" " Godavari
" " Kistna
" " Guntur
" " Nellore
The Supdt Vizag
Nom for L.T

LETTER: 522 dated the 30.5.17

To

The Secretary to the Govt. of India,
Department of Commerce and Industry.

Sir,

In reply to Mr. Hardy's letter
.11325, dated the 15th November 1916,
directed to furnish the views of
Governor in Council on the suggestions
tained in paragraphs 23-24 of the
rt of the Assam Labour Board for the
nding the 30th June 1916.

2. The Assam Labour Board has
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visors if the
rrest and
of ille

pp 24-36 C.F
pp 38-39 C.F

(Six districts)
Ganjam, Vizagapatam
Godavari, Kistna
Guntur & Nellore.

The Govern in Council is of the opinion that

Should

whereupon due steps will be taken

[Para 1 of Draft order]

Para 2 put out

158

speedy elimination of the arkatti if the C.I.D. were to take up such cases. The Governor in Council finds on enquiry that cases of illegal recruitment are not of such frequent occurrence in the districts of this Presidency in which labour is recruited for Assam as to justify action being taken on the lines suggested. The ordinary police can be trusted to deal effectively with such cases. ~~The Governor in Council is of the opinion that the circumstances and conditions of recruitment of labour for Assam obtaining in this Presidency call for no measures of the kind proposed and that it would provide a sufficiently efficient safeguard against illegal recruitment if~~ supervisors bring promptly to the notice of the police and magistrates concerned cases of illegal recruitment, ~~if any~~ which come to their notice. ~~Instructions~~ have however been issued to District Magistrates to bring to the notice of Government any cases of illegal recruitment in which recruiters escape punishment for want of powers of arrest in supervisors ~~whereupon the proposed steps will be taken~~.

3. I am to state that the Governor in Council is in entire agreement with the steps taken by the Assam Labour Board to

that the independent garden-sardari system of recruitment should be put an end to.

4. The Inspector General of Madras, ice, states that a number of bad aracters go to Assam and that it t infrequently happens that ~~they~~ return in the capacity of sardars, thus having an opportunity of committing crime and returning with the proceeds. He suggests that District Superintendents of Police should be furnished with lists of garden sardars. e police have information of arden sardars accredited to local gents, but independent garden sardars ~~who are mainly responsible for improper recruiting~~ escape their notice. It is bserved that the Assam Labour Board being supplied with lists of rden sardars who have been granted rtificates to recruit independently a local agent. I am to state that It would be conient if copies of lists of independent rden sardars if any who come over this Presidency for recruiting labour supplied to the District Superintendents lice concerned.

. Indentured emigration to es outside British India having porarily suspended, it appears ry to consider the steps to ins coolies authorities re sent

Para 3, p 36 C

Vide para 5 at p 8 footnotes.

End of para 24 at p 15 of report in C.F.

31

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GOVERNMENT OF MADRAS

HOME DEPARTMENT (Miscellaneous)

REMINDER

The Inspector-General of Police

is requested to submit an early reply to the communication noted in the margin.

E. A. Stanley

Under Secretary

Fort St. George,
191

To

The Inspector-General of Police

P. T. O.

End No. 1302-2 dated 13.12.16

Subject.

Suggestions contained in paras 23 & 24 of the report on the working of the Assam Labour Board during the year ending 30.6.16

CO 31.1.17 Ha 31.1.17

OFFICE OF THE INSPECTOR-GENERAL OF POLICE MADRAS 1-FEB 1917

Re 1793 Stall 4/16

37

Reply.

The subject is under reference with certain District Superintendents of Police. On receipt of their reports a reply to the Government Endorsement will be submitted.

—F.W. Gibson
for Inspr.-Genl.of Police.

Chief office,
Madras,
2nd February 1917.

(Withdrawn)

T.S.S.

KD

REGISTRAR HOME DEPARTMENT
-3-FEB-1917
GOVT OF MADRAS

SECRETARY TO GOVT. OF MADRAS
-3. FEB. 1917
HOME DEPARTMENT

Reply noted in the A.L. on 7.2.17

CO
7.2.17

Sectt. II 8 (c).—12-1-15.

NOTES.

Page 11 (11)

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Home dept (His)

Depd 5/4

Telegram

D.M Vizagapatam.

115 x Please expedite reply to
p23 C.F. Govt 1302 dash 2
Home His 13th december
1916 regarding certain
suggestions in report
on working of Assam
Labour Board for year
ending june 1916.

Depd CO 5/4/17

Post copy to go.

CM
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Draft submitted with reference to Secretary's orders in the Gjd Call book.

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No. 5395-Spl. 46 12 13

GOVERNMENT of INDIA,

DEPARTMENT of COMMERCE and INDUSTRY,

Simla, the 11th May 1917.

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From

The Honourable Mr. C. E. Low, C.I.E., I.C.S.,

Secretary to the Government of India,

To

The Secretary to the Government of Madras,

Home Department.

Sir,

I am directed to invite attention to the communication noted in the margin, and to request that, with the permission of His Excellency the Governor in Council, the Government of India may be favoured with an early reply.

plante

No. 11325, dated the 15th November 1916.

I have the honour to be,

Sir,

Your most obedient servant,

S H Clutterbuck

for Secretary to the Government of India.

SUBJECT.

Report on the working of the Assam Labour Board during 1915-1916.

H. C.J.

No. 66-C.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

(EMIGRATION.)

RESOLUTION.

Delhi, the 24th November, 1916.

The following paper is published in accordance with Rule 29 of the Assam Labour Board Rules:—

REPORT ON THE WORKING OF THE ASSAM LABOUR BOARD DURING THE YEAR ENDING THE 30TH JUNE, 1916.

No. 4619, dated the 11th October, 1916.

From—Lieutenant-Colonel W. M. Kennedy, C.I.E., I.A., Chairman, Assam Labour Board,

To—The Secretary to the Government of India, Department of Commerce and Industry.

In compliance with rule 28 of the rules prescribed under section 116 F of the Assam Labour and Emigration Act, 1901, I have the honour to submit the Annual Report of this Board, together with a copy of the Auditor's Report and audited Statement of Accounts of this Board, which were adopted at the meeting of the Board held on the 18th September, 1916.

Annual Report on the working of the Assam Labour Board during the year ending the 30th June, 1916.

I.—ADMINISTRATIVE.

Constitution of Board, etc.

1. The Assam Labour Board is incorporated under the authority conferred by the provisions of Section 5 of the Assam Labour and Emigration (Amendment) Act, 1915, which received the assent of the Governor-General on the 25th March, 1915. The Board consists of sixteen members including the Chairman, who is required to be an officer of Government appointed by the Government of India. The remaining members are elected as follows:—

(*a*) eight by the Indian Tea Association, Calcutta, as representative of that Association and of the Indian Tea Association, London;

(*b*) four by the Assam Branch, Indian Tea Association; and

(*c*) three by the Surma Valley Branch, Indian Tea Association.

Members of the Board hold office for three years, but a member elected or appointed to fill a casual vacancy holds office only for the remainder of the term of office of the member whom he replaces.

The Executive Committee of the Board consists of five members, namely, the Chairman of the Board and a member elected to represent each of the following bodies:—

Indian Tea Association, Calcutta.
Indian Tea Association, London.
Assam Branch, Indian Tea Association.
Surma Valley Branch, Indian Tea Association.

The two members of the Committee representing the Indian Tea Associations, Calcutta and London, are elected by the eight members of the Board representing those Associations, while the members of the Board representing each of the two Branch Associations elect the member of the Committee representing their Branch.

Membership of Board and Executive Committee.

2. Major (now Lieutenant-Colonel) W. M. Kennedy, C.I.E., I.A., Deputy Commissioner, Assam, was appointed Chairman of the Board for one year with effect from the 1st May, 1915, and the extension of his appointment for a further year has since been sanctioned. The following gentlemen were elected members of the Board with effect from the 1st May, 1915 :—

1. Mr. R. Graham. 2. Hon'ble Mr. E. H. Bray. 3. Mr. H. W. Carr. 4. Mr. G. F. A. Denne. 5. Mr. John Leslie. 6. Mr. J. Mackenzie. 7. Mr. A. D. Pickford. 8. Mr. C. Rennison.	Representatives of the Indian Tea Associations, Calcutta and London.
9. Hon'ble Mr. H. Miller. 10. Hon'ble Mr. C. L. Pringle. 11. Mr. A. Chrystall. 12. Mr. Eric H. Hanny.	Representatives of the Assam Branch, Indian Tea Association.
13. Hon'ble Mr. H. B. Fox. 14. Mr. W. Manson. 15. Mr. R. T. Fraser.	Representatives of Surma Valley Branch, Indian Tea Association.

The following changes occurred in the *Personnel* of the Board owing to resignations :—

Mr. A. Moffat elected *vice* Hon'ble Mr. H. Miller with effect from the 31st December, 1915.
Mr. G. Turnbull „ „ Mr. R. Graham „ „ „ the 22nd March, 1916.
Mr. C. Wood „ „ Hon'ble Mr. C. L. Pringle „ „ „ the 14th April, 1916.
Mr. T. D. Wood „ „ Mr. A. D. Pickford „ „ „ the 26th April, 1916.

Messrs. Pringle and Pickford having resigned their membership of the Board their seats on the Executive Committee become vacant and after the close of the year Messrs. Moffat and T. D. Wood have, respectively, been elected to replace them.

Rules for the working of the Board.

3. Rules for the working of the Board were prescribed by the Government of India under Section 116 F. of the Assam Labour and Emigration Act, 1901, in Department of Commerce and Industry Notification No. 295-132 C., dated the 20th November, 1915.

Meetings of Board.

4. Two meetings of the Board were held during the year under review, namely, on the 15th and 16th December, 1915, and on the 9th March, 1916. Under the rules for the working of the Board a minimum of two meetings in each year is required to be held, namely, in March and September or as near thereto as convenient. Additional meetings may be called at the discretion of the Chairman, who is required to summon a meeting of the Board on a requisition presented by five members. Owing to the fact that the rules for the working of the Board were not prescribed till November, 1915, it was not possible to hold a meeting before the following December. All the members of the Board were present at the meeting held in December, 1915, but the Hon'ble Mr. E. H. Bray and Mr. E. H. Hanny were unavoidably prevented from attending that held in March last.

When the Board or Executive Committee are not sitting, the rules provided for questions under consideration being referred for the opinion of members by the circulation of papers, and this procedure has been often followed, since the frequent summoning of meetings of the Board or of the Executive Committee would be attended with inconvenience to the eight members of the former and the two members of the latter who reside at considerable distances from Calcutta.

Meetings, etc., of Executive Committee.

5. Two meetings of the Executive Committee attended by all the members, were held, *viz*, on the 16th December, 1915, and the 7th March, 1916. A list of the matters delegated by the Board to the Executive Committee will be found in Appendix B.

Board's Office.

6. The Chairman joined his duties on the 10th May, 1915, and began to organise the Board's Office, which through the courtesy of the Indian Tea Association, was at first held in the Association's Office in the Bengal Chamber of Commerce Building. It was hoped that the Government of India would be able to provide accommodation for the Board in one of the vacant Government offices in Calcutta, but this could not, after all, be arranged so accommodation has been secured in Gillander House, 8, Clive Street, at a rental of Rs. 175 per mensem.

The office establishment has been fixed, for the present, at the following strength :—

1 Head Clerk on Rs. 100—$\frac{10}{5}$—150.
1 Shorthand Typist on Rs. 50—$\frac{5}{10}$—100.
1 Typist and Despatcher on Rs. 50—$\frac{5}{5}$—75.
1 Diarist on Rs. 30—$\frac{4}{5}$—50.
1 Duftry on Rs. 10—$\frac{1}{10}$—20.
1 Jemadar Chuprassie on Rs. 12.
1 Chuprassie on Rs. 10.
1 „ „ „ 9.
1 „ „ „ 8.

The ministerial and menial staff are granted travelling allowance at the rates admissible to Government officers of similar status. The Chairman has been empowered to grant leave up to one month on full pay to ministerial officers, any leave in excess of that period being sanctioned by the Executive Committee, who fix the allowance to be given. Leave to menials is granted by the Chairman

During the year, 1,561 letters were received and 3,003 letters issued. The fact that so many members of the Board reside outside of Calcutta tends to increase correspondence. With the sanction of the Executive Committee, the office was inspected by Mr. Charu Chandra Goswami, I.S.O., late Registrar, Assam Secretariat, who reported it to be in good order. Mr. Goswami has made several suggestions, including the establishment of a Provident Fund for the staff which are under consideration.

Appointment of Supervisors.

7. Section 116 C, Act VI of 1901, empowers the Board to appoint Supervisors to assist them in carrying out their duties. Three Supervisorships have been sanctioned, carrying a salary of Rs. 1,000 per mensem, rising by annual increments of Rs. 50 to Rs. 1,200, leave and travelling allowances being regulated by the provisions of the Civil Service Regulations relating to uncovenanted officers of Government drawing salary at a similar rate. The appointments are terminable at three months' notice on either side, subject to the right of the Board to dispense summarily with the services of a Supervisor for misconduct.

A large number of applications for the posts of Supervisor were received, and the following appointments were made with effect from the dates shown against each :—

Mr. C H. Craven, Indian Police, Assam—31st December, 1915.

Mr. C. E. Middleton Stewart, Indian Police, Central Provinces—5th April, 1916.

Mr. J. McPherson, Deputy Magistrate and Deputy Collector, Bihar and Orissa—4th April, 1916.

The services of these officers have kindly been lent by the Local Governments under whom they served, the Board paying the usual contribution towards their leave and pensionary allowances.

The following charges have been assigned to each of the three Supervisors :—

MR. CRAVEN.—The province of Bengal, except the districts of Midnapore, Bankura and Howarh; the districts of the Santhal Parganas, Singbhum, Manbhum, Ranchi, Sambalpore, Bhagalpur, Hazaribagh, Monghyr, Darbhanga, Muzaffarpur, Champaran, Saran, Patna, Shahabad, Gaya, and Palamau in the province of Bihar and

Orissa; the United Provinces, the districts of Mandla, Jubbulpore, Damoh, Saugor, Hoshangabad, Nimar, Narshingpur, Betul and Chhindwara in the Central Provinces.

Head-quarters of Supervisor—Purulia.

MR. STEWART.—The province of Madras; the districts of Puri, Cuttack and Balasore in the province of Bihar and Orissa; the districts of Midnapur, Bankura and Howarh in the province of Bengal; the districts of Bilaspur, Raipur, Drug, Balaghat, Bhandara, Chanda, Wardha and Nagpur in the Central Provinces.

Head-quarters of Supervisor—Bilaspore.

MR. MCPHERSON.—The transit routes from Asansol and Kharagpur to Assam and throughout the latter province, the Supervisor to be permitted, for a specific purpose, to travel over transit routes other than those specified above.

Head-quarters of Supervisor.—Barrackpore.

It was originally intended that Messrs. Craven and McPherson should be stationed at Asansole and Mr. Stewart at Kharagpur, but owing to the impossibility of securing house accommodation at those places, Purulia, Bilaspur and Barrackpore have, for the present, been fixed as their respective head-quarters.

On the recommendation of the Board, each of the Local Governments concerned have been so good as to empower all three Supervisors to exercise the powers and perform the duties conferred and imposed on them within the recruiting or labour districts, as the case may be, under the Local Government. It is occasionally necessary for a Supervisor engaged in an enquiry into alleged offences, or in watching suspected batches of coolies, to travel outside the special charge assigned to him. The concession, also, facilitates the transfer of Supervisors and the re-arrangement of their charges as experience may indicate to be necessary, and admits of the temporary deputation of a Supervisor to perform the duties of another Supervisor who is not available owing to sickness, absence or other causes.

The following establishment has been sanctioned in respect of each Supervisor:—

One Clerk on Rs. 30—$\frac{2}{10}$—50.

Two Chuprassies on Rs. 8 each.

Each Supervisor has been allowed a permanent advance of Rs 300 to meet office and tour expenditure.

Tours and Inspections.

8. The Chairman was on tour for 204 days and visited—

Midnapore (twice), Kharagpur (twice), Bankura, Asansole, Goalundo and Chandpur in Bengal;

Berhampur (twice), Chattrapur (twice), Waltair (twice), Parvatipuram (twice), Nellore, Masulipatam, Bezwada, Guntur, Coconada and Pithapuram, in Madras.

Ranchi (twice), Purulia (twice), Balasore (twice), Cuttack (twice), Sambalpore, Puri, Chaibassa, Galudih, Hazaribagh and Daltonganj, in Bihar and Orissa.

Allahabad, Banda, Bara Banki, Fyzabad, Gonda, Basti, Gorakhpore, Azamgarh, Ghazipore and Benares, in the United Provinces.

Jubbulpore, Katni, Nagpur, Riapur and Bilaspore in the Central Provinces.

Shillong, Gauhati, Moriani, Nazira, Safrai, Doom Dooma, Margherita, Dibrugarh, Amaluckie, Tezpur, Itakhola, Srimangal, Shamshernagar, Juri, Hailakandi.

Lalacherra, Bara Jalinga, Silchar, Pollarbund and Rampore, in Assam.

In the course of his tours he had the advantage of discussing emigration affairs with the officers of Government and, in Assam, with the tea planters, and he inspected 25 local agencies and 16 transport agencies. He also paid a visit to Simla by desire of the Government of India.

The following table shows the touring work done by the Supervisors:—

Name.	No. of days on tour.	No. of Stations visited.		No. of Local Agencies inspected.		No. of Transport Agencies inspected.	
		Once.	More than once.	Once.	More than once.	Once.	More than once.
Mr. C. H. Craven .	102	17	10	17*	5	...	6
Mr. C. E. Middleton Stewart.	72	19	7	2	2	...	2
Mr. J. McPherson	69	15	2	2	...	6	...

The tours of the Supervisors were also connected with the repression of abuses in recruitment by arkatties and others, and, when requested to do so, they rendered assistance to District Officers in the prosecution of illegal recruiters and in emigration matters generally. Their work, like that of the Board, is still in the experimental stage, but the Board has already derived much advantage from the tours and reports of the Supervisors, and the appointments promise to be even more useful in the future.

II.—FINANCIAL.

Sources of income of Board.

9. The income of the Board is derived from (*a*) a cess not exceeding five rupees in each year on each garden-sardar deputed to recruit labourers and on each person so recruited or engaged as a labourer or assisted to emigrate, and (*b*) one half of the salary of the Chairman contributed by the Government of India.

For the year under review the cess was fixed at Rs. 2 on each garden-sardar and emigrant, *vide* Department of Commerce and Industry Notification No. 13629-132, dated the 21st August, 1915, from which date cess first became payable.

Rule 24 of the rules prescribed by the Government of India under Section 116 F, Act VI of 1901, contains the provisions regulating the levy of the cess. This rule lays down that the cess payable in respect of a garden-sardar shall be deposited by the employer in the local treasury in Assam prior to the countersignature of the certificate of the garden-sardar, except in the case of garden-sardars deputed to recruit in areas such as the United Provinces, whose certificates do not at present require countersignature in the labour districts, when the cess is payable through the local agent, or, if the employer has not appointed a local agent, by the employer direct to the Board. The rule provides that the cess on emigrants shall be collected through local agents, and that it shall be paid direct to the Board by the employer if latter has not appointed a local agent. The portion of the rule requiring the deposit of the cess payable on a garden-sardar before the countersignature of his certificate in Assam, was not given effect to during the year under report. The cess was collected through local agents or directly from those employers who had not appointed a local agent, this being the procedure prescribed for the recovery of the cess which was payable before rule 24 came into operation. Since the close of the year arrangements have been made with the Assam Administration to give effect to rule 24 (1) (*a*) on and from the 1st September, 1916. The Board did not ask that this should be done previously since it was apprehended that confusion might arise in the case of garden-sardars deputed to recruit in the United Provinces. Though the countersignature in Assam of the certificates of garden-sardars working under a local agent has been dispensed with by notification of the Government of the United Provinces, it is understood that in practice the certificates of such garden-sardars are, in a number of cases, still produced for countersignature in Assam. If, therefore, effect had

*N.B.—Mr. Craven also accompanied the Chairman when latter inspected the local agencies in the United Provinces in January, 1916.

been given to the rule, it might have resulted in a double collection of the cess in such cases. In paragraph 26 of this Report it is stated that the Board have submitted a recommendation to the Government of the United Provinces that, with a view to the better control of the operations of garden-sardars, countersignature of their certificates in the labour districts should be reintroduced. If this recommendation is accepted full effect can, without risk of complications, be given to the provisions of rule 24 and, even in any case, under the arrangement approved by the Hon'ble the Chief Commissioner, instructions have been issued to countersigning officers in Assam to the effect that the fact that the cess due has been paid shall be noted on the sardar's certificate. This should obviate any chance of a double recovery by the local agent. As it is, there is no reason to believe that the Board have sustained loss owing to the non-observance of the letter of rule 24. The cess payable both on garden-sardars and emigrants has been received very punctually through the local agents. The number of garden-sardars employed to recruit independently of a local agent has been very small, and is now practically *nil*, the Board and the tea industry in general being opposed to this system of recruitment. By kind permission, also, of the Hon'ble the Chief Commissioner of Assam, the Board is now supplied monthly, by Deputy Commissioners of the labour districts, with details regarding garden-sardars deputed to recruit independently of a local agent. Moreover, the certificates of such garden-sardars require countersignature in all recruiting districts, so information regarding them and their recruits should be available in the monthly returns furnished under rule 24 by Superintendents of Emigration.

The collection of the cess has added considerably to the work of all local agents and especially to that of the officers of the Tea Districts Labour Supply Association, through whom the greater portion of the recruitment for Assam tea gardens is carried out, and the Board desire to offer to the recruiting Associations, and to firms and employers who maintain private local agencies, as well as to the local agents themselves, their cordial thanks for the assistance in this matter which has been so readily given.

Refund of Cess.

10. As the results of a reference from the Tea Districts Labour Supply Association, the Board have agreed to grant a refund of the cess paid on labourers who have not gone forward, who have absconded *en route* or who have been repatriated either *en route* or within a short time of their arrival on the garden. No such refunds were made during the year under reference, but Rs. 50 were refunded in respect of cess twice realised on the same individuals, and Rs. 2 being cess erroneously paid on a dependant.

Receipts and Expenditure.

11. The first budget of the Board covers the period from the 1st May, 1915, to the 30th June, 1916. The budget was, necessarily a rough one, since actuals of previous years were not available for guidance. A preliminary budget was prepared in May, 1915, and was passed at the meeting of the Board held in December, 1915, and sanctioned by the Government of India after inclusion of expenditure subsequently approved. The accounts were audited by an officer deputed by the Accountant-General, Bengal, and a statement showing the actual receipts and expenditure will be found in Appendix A.

The estimate of receipts provided for an income of Rs. 1,15,540-6-9, *viz.*, a Government grant of Rs. 20,240-6-9, and Rs. 95,300 derived from cess. The actual receipts largely exceeded this sum and amounted to Rs. 1,97,159-12-9. The estimate of the yield of cess was based on figures kindly supplied by the Tea Districts Labour Supply Association and the Madras Labour Association, and represented the average results of the three years ending the 31st March, 1915. On this basis it was assumed the cess would be payable on 24,750 garden-sardars and 22,900 emigrants. The year was, however, an abnormally successful one from the point of view of recruitment, owing to conditions of scarcity which obtained in certain areas, notably portions of Orissa and Chota Nagpur and the district of Bankura, and the cess actually realised amounted to Rs. 1,81,114, which was paid on 34,683 garden-sardars and 55,874 emigrants. Cess on garden-sardars and emigrants, for the period from the 21st to 31st August 1915, has yet to be paid in by the Tea Districts Labour Supply

Association the delay being due to the difficulty of checking the accounts for this period, cess being payable on all sardars at work on the 21st August 1915, as well as on those who arrived in the recruiting districts after that date. It is expected that some Rs. 7,836 will be realised on this account. The contribution payable by the Government of India towards the Chairman's salary for the months April to June 1916 is, also, still due.

The total expenditure amounted to Rs. 76,916-10-8, as compared with the revised estimate of Rs. 86,014-1-0, the closing balance being Rs. 1,20,243-2-1 (excluding a permanent advance of Rs. 300, with each of the Supervisors) against Rs. 29,496-5-9 estimated.

The savings accrued principally under the heads travelling allowance of all classes (Rs. 9,500); pay of office staff, owing to non-appointment of the sanctioned staff for the full period allowed (Rs. 730); tour charges (Rs. 230); pay of Supervisors (Rs. 3,140), owing to the fact that their salary for June was not drawn till July.

On the other hand the budget estimate was exceeded under the following heads:—

Stationery, printing and forms, due to the cost of publishing a pamphlet explaining the changes in the method of recruitment (Rs. 400); purchase of books (Rs. 540), temporary establishment and job typewriting (Rs. 690) and contribution towards the leave and pensionary allowances of Supervisors (Rs 1,860), for all of which no provision was made in the budget; office contingencies (Rs. 700), owing almost entirely to the cost of erecting partitions in the office and to the honorarium paid to the officer who inspected the office; contingent expenditure including stationery of Supervisors (Rs. 1,070), the original allotment of Rs. 700 being inadequate.

There were also minor savings and excesses under other heads to which it is unnecesary to refer in detail.

Budget Estimate for 1916-17.

12. The budget estimate for 1916-17, which was passed at the meeting of the Board held in March 1916, provides for an opening balance of Rs. 81,000-0-0, a contribution from Government of Rs. 16,133-0-0, and Rs. 1,36,000, as realisations from cess at Rs. 2/- on 27,000 garden-sardars and 41,000 emigrants Owing to the fact that the recruiting results for the year 1915-16 were quite abnormal, it was deemed advisable to adhere to the original estimate of the yield from cess for that year, which was based on the normal recruitment so far as could be ascertained, since it is most unlikely that the large emigration of the past season will continue if good rains fall. Indeed, some reduction as compared with the normal figures would not be improbable For the same reasons the Board decided not to recommend a reduction in the rate of the cess, which has accordingly been fixed by the Government of India at Rs. 2/- on garden-sardars and emigrants for the year 1916-17. The budget provides for an expenditure of Rs. 1,18,190-3-0 and a closing balance of Rs. 1,14,942-13-0. Since the actual closing balance of the year 1915-16 amounted to Rs. 1,20,243-2-1, the estimated opening and closing balances for the current year should be increased by Rs. 39,243-2-1. After the close of the year Rs 75,000, have been placed on fixed deposit for six months with the Bank of Bengal, bearing interest at 3% per annum. It is a matter for satisfaction that the yield from cess has been so good, since the result has been to place the Board in a sound financial position from the outset which, if maintained, may render it possible for them to recommend a reduction in the rate of the cess for the year 1917-18.

Audit.

13. The Report of the Auditor deputed by the Accountant General, Bengal, to audit the Board's accounts for the year 1915-16, will be found in Appendix A. The Objection Statement mentioned in paragraph 7 of the Report has been received and necessary action is being taken thereon. The recommendation made in paragraph 3 of the Report that expenditure against the permanent advance should be shown in a separate register will be followed in future. There was, in fact, no actual accumulation of cash in the Chairman's hands in excess of Rs. 400/- the sanctioned permanent advance, the apparent excess

being due to the fact that cheques, when received, were shown as cash until paid into the bank. The formal sanction of the Government of India to the budget estimate for the year under review was not received, but the budget was finally modified according to the instructions issued by Government. With reference to the remarks in paragraph 6 of the Report, the Board agree that the prescribed check on the levy of the cess payable in respect of emigrants is not of much value, since, in practice, Superintendents of Emigration obtain the figures for their statements from local agents. The Board will consider whether a more satisfactory check cannot be devised. The reason why the provisions of rule 24 (1) (*a*) as regards the cess leviable on garden sardars were not followed has been given in paragraph 9 of this Report. The excess of Rs. 5,623-3-8 over the budget provision under certain heads will be adjusted by re-appropriation from those heads under which there were savings This was not done during the course of the year, as the Chairman was doubtful whether the Accountant General would require the Board to follow the practice in this respect obtaining in Government Departments.

III.—SUPERVISION OF LOCAL AGENTS.

Appointm ent of Local Agents.

14. Under the provisions of amended Section 64, Act VI of 1901, applications for the appointment of local agents are now presented to the Board in the first place. Enquiries are thereupon, made by the Board regarding the fitness of the candidate put forward, and, on their conclusion, the application is forwarded, with the recommendation of the Board as to whether the license should be granted or refused, to the Superintendent of Emigration concerned who alone is empowered to allow or reject the application.

During the period under review 102 applications for the grant of local agents' licenses were received, of which the Board recommended that 92 should be granted and 6 refused. The recommendations of the Board were accepted by Superintendents of Emigration in all cases except three, in which latter licenses were granted to persons whom the Board did not consider to be suitable. Four applications were pending with the Board at the close of the year, three of which have since been forwarded to the Superintendents of Emigration concerned; the remaining application has been struck off.

In addition to the applications specified above, several applications were withdrawn at the suggestion of the Chairman, as they were for the appointment of persons whom the information in the Board's office showed to be connected with recruitment through arkatties, and in a number of cases, before putting in formal applications, employers asked the Chairman for information as to the fitness of the prospective candidate. This was supplied and generally resulted in the application being dropped. Owing to the abolition of the system of recruitment by contractors, a considerable number of persons who used to gain a livelihood by supplying coolies under that system are now without employment. It is inevitable that they should still endeavour to carry on business, either in the guise of local agents, or by supplying coolies to graden-sardars who are nominally working independently of a local agent. These persons issue many appeals to tea agency firms in Calcutta and to employers in Assam, asking for employment, and frequently stating that they have coolies ready for despatch if garden-sardars be sent to them. Many such letters have been forwarded to the Board, by whom a record is kept of the persons who write them and of other persons attempting to carry on an illegal system of recruitment. This record is not only of assistance to the Board in making the recommendations to Superintendents of Emigration, but often enables the Chairman to satisfy applicants for the appointment of local agents that their nominees are unsuitable.

Conduct of Local Agents.

15. The great majority of the local agents work under the Tea Districts Labour Supply Association, the number employed by individual firms or employers being small. At all their larger agencies the above Association have Europeans in charge, with, in many cases, European assistants, and their European staff is being strengthened as funds and suitable candidates become available. The present war conditions, however, have naturally retarded this improvement.

At the smaller agencies, Indian local agents are in charge but they work under the supervision of the local European superintendent. At the larger agencies the head clerk, also, as a rule, holds a second license in order that he may be able to carry on the work in emergencies, such as the temporary absence of the European agent-in-charge. Any defects noticed by the Chairman of the Board or the Supervisors in the course of their inspections are brought to the notice of the Association, who have always shown themselves ready to remedy them. Their local agents have generally carried out their duties honestly and well, but the Association found it necessary to dispense with the services of three local agents whose work was not satisfactory. In one case exception was taken by the Superintendent of Emigration concerned to the registration procedure at one of the local agencies, and the Chairman of the Board was asked to advise on the subject. He drew up a note suggesting improvements in procedure, which have been adopted.

When the Board was first formed, among the local agencies not under the Tea Districts Labour supply Association there were several whose operations partook more of the character of the contractors than that of the sardari system of recruitment. The licenses of these local agents have either expired and not been renewed, or have been cancelled at the instance of the employers concerned or of the Board or by the District Magistrate of his own motion. The reports on the working of the remaining existing private local agencies have been satisfactory, except in two of the three cases mentioned in paragraph 17, in which the Board felt themselves unable to recommend the renewal of the licenses of the local agents. Since January last other arrangements have been made in respect of one of the two agencies mentioned, the working of which has thereafter been quite satisfactory. In the third case the local agent had not previously held a license as such.

The Board is empowered by Section 116 D., Act VI of 1901, to call for and endorse the license of a local agent whose conduct they have reason to believe to have been such as to detract from his suitability to hold a license. Action under this section was not, however, necessary, it having been found equally efficacious and less cumbersome in cases calling for action to draw the attention of the District Magistrate or the employer to the delinquencies of the local agent.

System of remuneration of local agents.

16. A matter which occupied the attenion of the Board was the most suitable system of remunerating local agents, regarding which the Board's advice was sought by certain tea agency firms. There have been in the past, roughly speaking, three systems, namely:—

(*a*) the payment to the local agent of a fixed sum per recruit, to include all charges for the upkeep of the agency and forwarding charges, etc., of the coolies from the recruiting district to the tea estate or some centre such as Goalundo;—

(*b*) the payment of a fixed salary, supplemented by a commission on each recruit, all incidental charges being borne by the employer;

(*c*) the payment of a fixed salary, without commission, all incidental charges being borne by the employer.

The Board were asked to advise as to the relative suitability of systems (*a*) and (*b*), when the following resolution was recorded;—

"(*a*) a local agent should be granted a fixed salary sufficient to maintain him in comfort in the social position in life which he occupies and to place him beyond temptation to resort to malpractices;

(*b*) the Board consider that remuneration by a fixed salary, to be increased by commission according to the number of coolies challaned, is certainly preferable to remuneration at an all-round rate per coolie challaned, since there is always the danger that the latter system of remuneration may tempt a local agent to commit or to overlook malpractices in order that his remuneration may not be reduced."

There can be no doubt but that system (*a*) was a bad one, in that it acted as a direct incentive to a local agent to employ his own recruiters to supply coolies, who were challaned in the names of garden-sardars, and, even when a local agent did not proceed to the length of employing arkatties himself, the system tended to encourage his winking at his sardars doing so, and to render him over—ready to pass coolies who should have been rejected.

System (*b*) is the system which has hitherto been followed by the premier recruiting agency, namely, the Tea Districts Labour Supply Association, since, until lately, the financial position of the Association did not warrant them guaranteeing a high fixed salary. The Board have, however, learned with pleasure that the Association have decided, with effect from the season beginning the 1st September 1916, to raise the fixed salaries of their employés and to abolish payment by commission altogether. The Board feel sure that the most satisfactory method of remunerating local agents and employés at local agencies is by an adequate fixed salary.

In order that the Board should be in a position to satisfy themselves that local agents are paid adequate salaries, it was decided that all applications for the appointment of local agents should state the salaries proposed to be paid to the local agents and in what way incidental expenses are to be met.

Licensing of local agents contrary to the recommendation of the Board.

17. In the preceding paragraphs mention has been made of three cases in which licenses were granted to local agents contrary to the recommendation of the Board. Latter have hitherto been reluctant to raise the question of the grant of licenses against their recommendations, as they were unwilling hastily to take any action which might possibly be misconstrued into an attempt on their part to curtail the legitimate exercise by District Officers of the authority conferred on them, more especially as in all but the three cases referred to, their recommendations were readily accepted. The matter is, however, one of such vital importance to the existence of the Board as an influence in the direction of clean recruitment, that they have no option but to bring it forward. As the law at present stands, a Superintendent of Emigration is not bound to accept the recommendation of the Board in regard to the appointment of a local agent, and he can refuse to issue a license the grant of which they recommend, or grant a license the refusal of which they have advised. The two cases, however, are on an entirely different footing. It may very well and reasonably happen that a District Officer should refuse to grant a license recommended by the Board. He may disagree with the Board as to the fitness of the candidate proposed, or, apart from personal reasons, he may be of opinion that for purposes of efficient control the existing number of licenses in his district is sufficient. That being so, and the Superintendent of Emigration in his capacity as District Magistrate being responsible for the peace and good government of his district, no exception could be taken to any reasonable exercise of his right to refuse applications which are supported by the Board. In the second case, however, namely in granting a license which the Board had not recommended, the same principles are not involved, but the power of the Board to carry out their statutory duty in relation to the supervision of local agents and of recruitment is seriously impaired. The Board may refuse to recommend the grant of a license for more reasons than one. For instance, they may consider a particular candidate to be unsuitable, owing either to his status, or character, or previous connection with recruitment or work as local agent—and so important is it that local agents should be absolutely reliable in all respects, they are reluctant to take any risks in regard to these matters. Or it may be that they consider that a particular tea estate, by reason of its unsatisfactory recruiting record, should not be allowed to have a private local agent. Unless the Board are conceded either by the good will of District Officers or by law, the right of veto in cases such as these, where they are of opinion that licenses should not be granted, they are powerless to put down abuses and to control recruitment by tea estates. In fact the Board might as well cease to exist. Apart from this, there is the general consideration that the Board represent the tea industry as a whole, and it seems hardly reasonable that the industry should have forced upon it a local agent whom its representatives do not wish for, since the

industry is the body chiefly concerned. The Government of India are being addressed separately on this subject.

IV.—RECRUITMENT.

General results of the year.

18. As the Board receive only returns relating to adult labouring emigrants on whom cess is payable, they have not complete figures showing the volume of emigration to Assam tea gardens during the year under report. That the year was an unusually favourable one there can, however, be no doubt. The number of emigrants in respect of whom cess was paid, as compared with the number estimated on the basis of the results of the previous three years, is an indication of the extent of the increase, and these figures do not include children and aged dependants, who emigrated in large numbers. This result was due to a great extent to short rainfall, followed by conditions of scarcity, in portions of Bengal and Bihar and Orissa—especially the Feudatory States in the latter province—but it may, also, fairly be attributed in part to the abolition of the system of recruitment by contractors. The increase was most marked at the local agencies situated in the districts of Cuttack, Balasore, Bankura and Chaibassa, and was, likewise, considerable in those of Midnapur, Purulia, Ranchi and Hazaribagh. There was an improvement in the district of Ganjam but elsewhere in Madras, as also in the Central Provinces results were not so good as during the previous year. In the United Provinces and Bihar there was little variation. Given good agricultural conditions, a considerable falling off may be expected in the current year, but the fact that, of the large number of persons who emigrated during the year under report, many may wish to return to fetch their families and friends, should result in, at all events, the normal rate of emigration being maintained.

Measures affecting recruitment.

19. Towards the close of the year under review the Government of Madras were pleased to throw open to recruitment under special arrangements a portion of the Agency Tracts in the Ganjam and Vizagapatam districts, and the Tea Districts Labour Supply Association, have appointed two local agents for these areas. It will probably be some little time before the full benefit of the opening of these areas is reaped, but as the attractions which Assam has to offer to the emigrant become known to the people, it is hoped that a satisfactory class of labour will be available from these tracts. The Government of Madras have also sanctioned a scheme under which labourers in Assam, who are natives of the portions of the Agency Tracts still closed to recruitment, will be enabled to bring out their immediate relatives.

A matter of far-reaching importance, now under discussion with the Government of Bihar and Orissa, is the proposal to introduce, with the sanction of the Chiefs, a system of regularised recruitment in the Feudatory States, on payment of a fee on each garden-sardar sent down to recruit and on each coolie recruited. A measure of this description, if carried through, could not fail to benefit both the tea industry and the States themselves.

The Government of Madras consulted the Board as to the advisability of extending the Assam Labour and Emigration Act, 1901, to the Southern Districts of that Province and of prohibiting recruitment for Assam in those districts by notification under section 3 of the above Act. This proposal was made as the result of abuses which were found to exist, not so much with reference to emigration to Assam itself, which is small, but in connection with emigration to the colonies, a case having come to light in which certain coolies recruited by an Assam agency, were being shipped off to the colonies against their will. The Board concurred in the proposal to extend Act VI of 1901 to the Southern Districts of Madras, but asked that, instead of absolutely prohibiting emigration to Assam from those areas, it should be permitted under the supervision of licensed local agents. The small number of coolies from South Madras who have been recruited for Assam have not turned out very well, so there is at present no likelihood of any considerable emigration from those areas, but the facts that a likely class of labour may yet be procured from those districts and that a certain number of people therefrom, who are now in Assam, may wish to bring up their relatives, rendered total prohibition, in the opinion of the Board, inexpedient. The Government of Madras were unable

to accept the recommendation of the Board, that recruitment under a local agent should be allowed in the Southern Districts, and have prohibited emigration therefrom, but they have kindly undertaken to render assistance to any coolie now in Assam who wishes to fetch his family from the closed areas.

At the instance of the Tea Districts Labour Supply Association, the Board represented to the Government of the United Provinces that recruitment should be allowed in the districts of Unao, Rae Bareli, Etawah, and Farrukhabad, which are now closed to the engagement of labour for Assam. These districts are contiguous to districts in which recruitment is permitted, and though it is not anticipated that any considerable number of recruits would be obtained from them, persons belonging to those districts, who are occasionally recruited in Cawnpur and other districts open to recruitment, are as a result of the prohibition cut off from their families whom they are unable to assist to emigrate to Assam. Owing to the opposition of the Upper India Chamber of Commerce, His Honour the Lieutenant-Governor could not see his way to accept the recommendation of the Board.

Cost of sardari recruitment.

20. The Board have addressed the Indian Tea Association, suggesting that measures should be taken to reduce the cost of recruitment by garden-sardars, and this matter is still under consideration. Apart from such items as railway fare, clothing, agency charges and other incidental charges of a like nature, very considerable sums are paid in the way of advances and bonuses to garden-sardars, which tend to increase as years go on. Unless some agreement on this subject is arrived at, there is a danger of competition between tea concerns in the matter of the payment of bonuses and advances, resulting in the progressive enhancement of the cost of importing labour. There is, therefore, a general consensus of opinion among members of the tea industry that the time has arrived for a combined effort to keep down excess expenditure, which is not only money wasted, but which, by furnishing the garden-sardar with surplus funds, provides a temptation for him to purchase coolies from arkatties or other sardars. Connected with this subject is that of the advances or payments made to prospective emigrants for the purpose of paying off debts or for the support of members of their families left in the recruiting districts or on other grounds. Cases in which emigrants, who have received such payments and who have subsequently, when *en route* to Assam, declared themselves unwilling to proceed, have lately arisen, and in some instances the same emigrants have repeated these tactics on more occasions than one, so there is reason for the apprehension that the practice of making cash advances to the emigrants themselves instead of making payments direct to the creditors or other persons who are intended to benefit by them, has a tendency to encourage fraud of this description. This matter is also receiving attention, and the Governments of Bengal and Bihar and Orissa, on the matter having been represented to them, have been so good as to issue instructions that when complaints of improper recruitment, etc., are received from emigrants *en route* to Assam, employers or their local agents should be given a hearing before orders of repatriation are passed.

Labour for newly opened out tea estates, etc.

21. Owing to the abolition of the system of recruitment by contractors, the question of the provision of labour for newly opened out estates has become more difficult, and the same applies, but in a lesser degree, to the recruitment of labour for new extensions of existing concerns, or for estates which, owing to the fact that they have failed to send down recruiters for several years, have lost connection with the recruiting districts, and for estates which wish to recruit from districts other than those from which their labour force was obtained. The Indian Tea Association sought the advice of the Board as to whether some special concessions should not be granted to newly opened out estates and to existing estates which are extending their cultivation, and as to whether it should not be recognised in such cases that a sardar might not only recruit in villages other than his native one and persons of castes other than his own, but that he might be deputed to recruit in a district other than that to which he belonged.

It is not the present practice of garden-sardars to confine themselves to their own particular villages or castes when recruiting, nor can they reasonably

be expected to do so, as their relatives and friends or the acquaintances of their relatives and friends are not confined to a particular village and they, also, have social intercourse with persons of other castes. When, however, it comes to deputing a garden-sardar to recruit in a district in which he has no connections, the matter becomes more difficult. In the first place the chief safeguard to sardari recruitment lies in the fact that the sardar generally recruits people who know him or know of him, and in the second place a sardar operating outside his native district is not likely to prove successful except in times of famine or scarcity. The Board, therefore, think that there is a greater likelihood of new concerns obtaining better results by deputing as sardars time-expired coolies residing in the neighbouring villages, who are accustomed to work on the estate and who would recruit in their native districts. Another expedient which has been tried with varying results is to borrow sardars from another estate in the same Company, and the Board see no objection to this, provided that the sardar spends some weeks on the garden for which he is to recruit before he is sent to engage labourers, in order that he may gain some insight into labour conditions on the estate, and provided also that he remains for some months on the estate with the coolies whom he has recruited, and that the local agent explains to the coolies that the sardar will not remain permanently on the garden to which they are going. In view, however, of the special difficulties of newly opened out estates the Board would not be prepared to deprive them of any small advantage which they might obtain by deputing sardars to recruit in districts other than those in which their homes are situated, but they think that the sardars selected to do so should, as far as possible, be natives of districts in the neighbourhood of that in which they are to recruit, where conditions are similar and where prospective emigrants of the same or analogous castes are available. Tea estates which have entirely lost connection might, perhaps, be allowed the same concession, but it would seem that no special concessions are required in the case of estates needing labour for new extensions as they have already a nucleus from which they can draw recruiting sardars, or in the case of estates which have not a connection with a particular district, since they can presumably obtain labour from the districts from which they ordinarily recruit. In times of scarcity, however, when the people, owing to stress of circumstances, are looking for sardars to assist them to emigrate and are indifferent to what estate they go, the Board are of opinion that the principle that a garden-sardar may be sent down to recruit in a district in which there is scarcity, although it is not his home district, might with safety generally be recognised. The number of sardars sent to recruit outside their home districts will always be automatically limited, since no Manager unless compelled to do so, would employ sardars in this way owing to the fact that their chances of success would be much smaller than those of sardars operating in their native districts.

V.—ILLEGAL RECRUITMENT.

Non-act Native States' coolies

22. It was not to be expected that all of the large number of people who earned a livelihood by obtaining coolies for Assam tea estates under the contractors system would retire from business on the enactment of the Assam Labour and Emigration (Amendment) Act, 1915, and, even up to the present, some of them are endeavouring to carry on a profession which has now become illegal.

The fact that, till the abovementioned amending Act was passed, coolies recruited in Native States could be taken up to Assam free of all restrictions was a fruitful source of abuse. This was not only the case in regard to coolies who were *bonâ fide* natives of Native States, but also in regard to coolies who were natives of British recruiting districts, the latter being frequently forwarded to Assam misdescribed as natives of Native States. In this way the safeguards provided by the Act were evaded. Such people were often removed from their home districts on the pretext that they were proceeding to Chittagong, Calcutta or elsewhere in order to obtain work. Arrived at Goalundo or at some place at a distance from their homes, they became "free or non-act Native State coolies." Since the amendment of the law, all coolies described as being from Native States, are required to be registered before their departure from the British recruiting district which they may enter on leaving the

Native State, and can only emigrate to Assam from such district subject to the same conditions as natives of the district. The Amending Act (VIII of 1915) became law on the 27th March 1915, and although Section 7 of that Act, in virtue of the provisions of which the system of recruitment by contractors was abolished, was not put into operation by notification of the Government of India until the 1st July 1915, the provisions relating to natives of Native States came into force with the Act itself, and consequently all coolies said to have been recruited in Native States, whether by contractors or otherwise, should have been registered. This change in the law was, however, overlooked, and even after the 1st July 1915, from which date the provisions of Act VI of 1901 legalising recruitment by contractors were withdrawn, the so-called free or non-act Native States coolies were, through a misapprehension at Goalundo, allowed to pass up to Assam as before without restriction. But a stop was soon put to this by the Government of Bengal on the matter being brought to their notice by the Board, and other Local Governments were also good enough to issue instructions on the subject. This particular form of illegal recruitment had now ceased.

Recruitment nominally for Chittagong, etc.

23. During the earlier half of the year under review, reports were rife that contractors and arkatties were sending up batches of coolies to Assam either as ordinary third class passengers or under cover of recruitment for Chittagong tea gardens. Accounts were, moreover, received of batches being hawked from garden to garden. At the instance of the Board the Government of Bengal kindly agreed to depute a special police officer to patrol the transit routes and the Chief Commissioner of Assam was pleased to permit the Assam railway police to co-operate. Owing to press of other work it was unfortunately found necessary to remove the special police officer from this work, but it is hoped that it will be found possible to depute one again later on. To what extent this type of illegal recruitment is being practised at present it is not easy to say, as there is no very definite information. The Board are inclined to the opinion, however, that it is not now being followed to any great extent, though undoubtedly at the outset, before the new conditions became fully known, some illegally recruited batches went forward. For one thing, the number of managers who will accept illegally recruited coolies is exceedingly small. For another, the temporary closure of the Hill Section of the Assam-Bengal Railway would considerably hamper operations nominally for Chittagong. There can be no doubt, also, but that arkatties and the like are not having by any means an easy time; their trade is now illegal and it becomes increasingly difficult to carry it on. In Basti district in the United Provinces there was an organised raid on recruiters. In Sambalpore, too, legal proceedings were taken against them on a large scale and in other districts the authorities have taken steps to curb their activities. In this work the Board have been able to afford assistance by furnishing District Officers with information of offers to supply coolies made to tea agency firms and managers of estates, which are now in many cases reported to the Board by the recipients. The information gleaned by the Supervisors of the Board and from other sources is likewise placed at the disposal of District Officers, who are also made welcome to the services of the Supervisors, if required. In some cases District Officers have requested the Board to undertake prosecutions, but latter believe that neither they nor their Supervisors are empowered to do so and that their duty is confined to furnishing information and rendering assistance. It would, however, greatly add to the usefulness of the Supervisors if they were given powers of arrest and investigation in cases of illegal recruitment. Were the Criminal Investigation Department, also, to take up such cases, it would result in the more speedy elimination of the arkatti, as the operations of illegal recruiters are often widespread, extending over many districts, and even over several provinces, a fact which renders it difficult for the ordinary district police to cope with the organisation.

Garden-sardars working independently of a local agent.

24. What has done more than anything 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. From the correspondence in the Board's office it would seem that tea agency firms and managers of estates have been bombarded with offers to supply coolies, if either sardars are sent down to the applicant or latter is appointed their local agent. In not a few cases the Board's recommendation has been sought for the appointment of persons of this class as local agents, such recommendation being, needless to say, withheld. Though offers of this description are generally consigned to the waste paper basket or forwarded to the Board to be dealt with, a small minority of concerns have been lured into sending down sardars to these persons. Offers to supply coolies come in the greatest numbers from the United Provinces. This is largely due to the fact that the province is a centre of recruitment for the Colonies. There can be no doubt but that certain Colonial contractors unite with their legitimate business an illegal recruiting business for Assam, coolies who are rejected by the Colonial authorities being too frequently sold to illegal recruiters or sardars for despatch to Assam. An ex-contractor for the Colonies informed the Chairman of the Board that he used to dispose of his rejections in this way, and in the Madras Presidency a Colonial contractor actually offered the Chairman a batch of coolies, which he was unable, for the moment, to get accepted for the Colonies, emigration having been temporarily stopped. Neither of these gentlemen, it may be remarked, knew that he was doing anything illegal, though the same, it is feared, cannot be said in regard to most of the other persons concerned in this traffic. It is obvious that this system of disposing of Colonial rejections not only provides a field for the arkatti and independent sardar, but also constitutes a temptation to the *bonâ fide* sardar, working under a local agent. From the point of view of recruitment for Assam, therefore, it seems very desirable that steps should be taken to insure that coolies rejected by the Colonial authorities as being unfit or unsuitable are sent back to their homes.

In view of the danger to *bonâ fide* recruitment caused by the employment of garden-sardars to recruit independently of a local agent, the Board decided, at their meeting held in December 1915, that, on its coming to their notice that a manager has deputed a sardar to recruit independently, he should be called upon to recall him at once, and to give a guarantee that he will in future only depute sardars to recruit under a responsible local agent. Failing compliance with such requisition it was resolved that the matter should be reported to the Assam Administration with the recommendation that counter-signature of the certificates of all sardars of the garden should be withheld, until the concern should take the desired action. Through the courtesy of the Hon'ble the Chief Commissioner the Board is now being supplied monthly with lists of garden-sardars who have been granted certificates to recruit independently of a local agent, so that action can at once be taken to secure their withdrawal. It is satisfactory to note that for the last few months these lists have been blank.

Action taken as regards tea concerns which engage improperly recruited coolies.

25. The Board have not lost sight of the fact that illegal recruitment would cease altogether (except in so far as it can be carried on through the medium of *bonâ fide* sardars without the knowledge of their employers) if tea concerns would refuse to employ improperly recruited coolies. The Board are glad to be able to report that the great body of the tea industry is with them in their endeavour to put down abuses, and in the conviction that a clean system of recruitment is essential in order to promote emigration to Assam. At the outset, the methods adopted by certain gardens were open to objection, and in two cases the Assam Administration was asked to intervene, with the result that one manager who employed an arkatti to recruit as a sardar was required, on the recommendation of the local Branch of the Indian Tea Association, to contribute Rs. 150 to one of the war funds. In the other case the Assam Administration was of opinion that the manager had erred owing to the instructions which he had received from the agents for the garden. Latter were accordingly addressed with satisfactory results. In the remaining cases a reference to the agents for the estate or to the manager was

sufficient to ensure that the practices complained of would not be repeated Such trouble as there was in the earlier portion of the year was due to a great extent to the fact that some managers had not realised the changed conditions as regards recruitment now obtaining. The Chairman toured in both the Assam and Surma Valleys, where meetings were held at convenient centres, at which recruiting matters were discussed, and difficulties explained, and it is hoped that this helped to remove misapprehensions. The Board, however, regret to have to say that there is still a small residuum of estates, the recruiting methods of which leave much to be desired. These estates are being dealt with, and if they prove recalcitrant the Board will not hesitate to ask the Assam Administration to put a stop to their recruiting till they mend their ways. Certain cases regarding the recruitment for such estates are now under investigation in the recruiting districts, and will probably result in the prosecution of the managers concerned. The Board would have preferred to see the desired end obtained by voluntary agreement without resort to the law courts, but a few concerns, which are as blind to their own interests as they are indifferent to those of the tea industry as a whole, cannot be permitted to obstruct the adoption of the reforms which have been decided upon.

Illegal recruitment in the Gorakhpur Division.

26. The Government of the United Provinces addressed the Board in November 1915 in regard to the serious abuses in recruitment which had occurred in the Gorakhpur Division, and asked for their advice as to whether somewhat stringent restrictions should not be placed upon the operations of sardars. There can be no doubt but that the Government of the United Provinces had had much to complain of, but the Board were of opinion that the source of the abuses was not the *bonâ fide* garden-sardar working under a reliable local Agent, but that the evil was attributable partly to the fact that, though the contractors system was abolished in that province in 1908, contractors and arkatties still continued to work, in some cases as licensed local agents and in others without licenses at all. Their operations were facilitated owing to the fact that entirely free and unrestricted recruitment was at the same time allowed to the Surma Valley districts and Kamrup and Goalpara, the result being that no control was exercised over sardars or others alleging that they were recruiting for those areas, who could operate and remove their recruits without reporting to any one. The measures recommended by the Board were the careful selection of local agents, in which it is the duty of the Board to assist, the rigid supervision of all sardars working independently of a local agent, and the amendment of the notification issued by the Government of the United Provinces under section 91, Act VI of 1901. so as to provide for the countersignature of the certificates of all sardars in the labour districts, copies of the certificates being forwarded to the Magistrate of the recruiting district concerned. A conference on the subject was held at Gorakhpur in January 1916, at which the Commissioner presided, and which was attended by the local District Officers, the Chairman of Board, Mr. Craven, Supervisor, and the local Superintendent of the Tea Districts Labour Supply Association. The orders of the Government of the United Provinces on this subject are shortly expected, and the Chief Commissioner of Assam has already been so good as to direct that copies of all certificates shall be forwarded by the countersigning officer to the Magistrate of the district in which the sardar is to recruit.

MISCELLANEOUS.

Questions relating to transit arrangements.

27. Much inconvenience is experienced by batches of coolies *en route* to Assam, when the peon deputed by the local agency or transport agency to accompany the batch is taken into custody. Such cases occur when a coolie in the batch becomes unwilling to proceed and accuses the peon or sardar of wrongful confinement, or in consequence of charges made by the railway police or railway station staff. When the peon or sardar in charge is removed, the batch is stranded, and in many cases the coolies composing it become alarmed and abscond. The matter was represented by the Tea Districts Labour Supply Association some time back to the Government of Bengal, who, after consulting the Chairman of the Board, have passed orders which will do much to remove

the inconvenience. Stress has been laid upon the desirability of distinguishing between non-cognisable cases under the Assam Labour and Emigration Act, 1901, and cognisable cases under the Indian Penal Code, and it has been enjoined that, in all cases in which the detention of the sardar or peon in charge should be necessary, information should be sent without delay to the nearest local or transport agent concerned in order that he may arrange for the escort of the batch of coolies. Similar instructions have been issued by the Government of Bihar and Orissa and by the Chief Commissioner of the Central Provinces.

In July 1915, a conference was held at the office of the Coaching Superintendent, East Indian Railway, with the object of discussing improvements in transport arrangements. The conference was attend by representatives of the East Indian and Eastern Bengal Railways, the Tea Districts Labour Supply Association, the Transport Agents and by the Chairman of the Board, and satisfactory conclusions were arrived at. The Traffic Manager, East Indian Railway, has issued most useful instructions as regards the assistance which is to be afforded to emigrants travelling to Assam tea estates.

The Eastern Bengal Railway have undertaken to improve the facilities for emigrants on the Amingaon route and are providing feeding accommodation at Santahar and Golakganj, as well as hospital accommodation at the latter place, the present hospital accommodation at Amingaon being enlarged. On receipt of representations from the Board regarding the detention of certain batches of coolies which were being *chalaned* to gardens in the agency of Messrs. Williamson Magor & Co., the administration of that Railway has also been good enough to give instructions which are likely to obviate the recurrence of inconveniences of this description.

After consultation with the Tea Districts Labour Supply Association, a recommendation was made to the Government of the United Provinces that the transit routes prescribed by rule 55, Chapter III, page 91 of the Inland Emigration Manual of that Province should be amended as follows in view of recent improvements in communications with Assam:—

(*a*) From the districts situate on the north of the rivers Gogra or Ganges by the Bengal and North-Western Railway $\frac{\text{and}}{\text{or}}$ Oudh and Rohilkand Railway to Amingaon and Gauhati *viâ* Katihar or to Goalundo *viâ* Naihati.

(*b*) From all other districts, by the Great Indian Peninsula Railway $\frac{\text{and}}{\text{or}}$ East Indian Railway to Amingaon *viâ* Bhagalpur Ghât or to Goalundo *viâ* Naihati.

After the close of the year an intimation has been received from the Government of the United Provinces that this recommendation has been accepted.

Improved measures for the prevention of outbreaks of cholera and small pox among batches of tea garden emigrants were under discussion with the Sanitary Commissioner, Assam, at the close of the year.

Conclusion.

28. At the conclusion of the first year of the existence of the Board, the members wish to tender their thanks to the Local Governments and Officers of Government with whom the Board have been brought into contact, as well as to the Indian Tea Association and its Branches, to the Tea Districts Labour Supply Association, and generally to all connected with the tea industry for the kind reception and support which has been afforded them, without which the difficulty of establishing the Board on a sound working basis would have been greatly increased.

W. M. KENNEDY,

Chairman, Assam Labour Board.

APPENDIX A.

No. L. A.-688, dated Calcutta, the 15th September 1916.

From—The Inspector of Local Accounts, Bengal,

To—The Chairman, Assam Labour Board.

I have the honour to report that the accounts of the Assam Labour Board for the period from 1st May 1915 to 30th June 1916 have been audited under my supervision. The abstract of the accounts of receipts and expenditure prepared by the Board, a copy of which is attached to this report, has been examined and found generally correct subject to the remarks contained in the following paragraphs :—

Verification of Balance—

2. The balance of the accounts on the 30th June 1916 has been verified as explained below :—

	Rs.	A.	P.
Balance as per account	1,20,243	2	1
Amount of Permanent Advances to Supervisors . .	900	0	0
TOTAL .	1,21,143	2	1

Analysis of the Balance—

	Rs.	A.	P.	Rs.	A.	P.
(1) Amount deposited in the Bank of Bengal	1,22,166	3	9			
(2) Balance in the hands of the Chairman . . .	514	15	7			
(3) Permanent Advance	900	0	0			
(4) Debit in the Bank's Accounts not accounted for during the year	0	1	0			
TOTAL .	1,23,581	4	4			
Less—						
Outstanding cheques . . .	2,438	2	3			
				1,21,143	2	1

The total receipt during the period under audit amounted to Rs. 1,97,159-12-9, while the expenditure came to Rs. 76,916-10-8, leaving a balance of Rs 1,20,243-2-1. This balance would have been increased by Rs. 2,706-0-11 had not the salary of the Chairman and of the establishment for the month of June 1916 been paid on the last day of the month instead of on the first working day of the following month.

CASH BOOK.

3. The cash book contains records of petty payments made from the permanent advance of Rs. 400 sanctioned by the Board. It is desirable that the petty payments met from the permanent advance should be recorded in a separate permanent advance register and the amount of the advance recouped as necessity arises, the recoupments being only charged in the main cash book. In this connection, it is brought to notice that the limit of the permanent advance was exceeded in some instances If the permanent advance register is separately kept and the collections are remitted intact to the Bank for credit to the Board's accounts, such accumulations of cash may be avoided. This procedure will also minimise clerical work in the Board's office.

BUDGET ESTIMATES.

4. The Budget estimates for the year under report required the formal sanction of the Government of India as prescribed by rule 23 of rules published in Commerce and Industry Department Notification No. 295—132-C., dated the 20th November 1915. Some modifications were made in the estimates after they had been passed by the Board. These changes required the final approval of the Government of India.

There was an aggregate excess of Rs. 5,623-3-8 over the Budget grants under the several heads. This excess may be sanctioned by the Board with the approval of the Government of India.

RECEIPTS.

Cess on Garden Sardars and emigrants.

5. Under rule 24 (1) (*a*) of the rules published by the Government of India, the cess on sardars is to be remitted by the District Officers of the labour districts, who are also required to furnish the Chairman with lists of sardars deputed by the tea gardeners; but this procedure was not followed during the year under report and the cess was realised from the agents according to their own statements. Consequently no check could be exercised over the cess realised on the garden-sardars actually on work in the recruiting districts.

6. With regard to cess on the emigrants Rule 24 (3) lays down that the Superintendents of Emigration should furnish the Chairman with monthly statements showing the number of emigrants despatched to the tea gardens. It appears that the Superintendents did not furnish the statements regularly. Consequently no check could be exercised on the statements furnished by the agents. The cess is, however, being realised on the statements furnished by the agents In this connection, it may be mentioned that the statements furnished by the Superintendents of Emigration are the duplicate copies of the returns of the local agents who furnish the original copies to their agents. The intention of the Rule 24 (3) is apparently that one set of figures should check the other. Since both sets of figures practically come from the local agent, the value of the check referred to above seems to be doubtful. It is therefore suggested that a procedure may be laid down by which the Superintendents may furnish their figures from an independent source, so that they might be useful in checking the figures furnished by the agents. It is also suggested that the Superintendents of recruiting districts may be asked to furnish their statements regularly to the Board's office in future.

EXPENDITURE.

7. The irregularities in expenditure noticed during the course of audit have been communicated to the Chairman through the Audit Objection Statements for necessary action.

RECEIPTS.

Particulars.	Budget.	Actuals.	Short.	Excess.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1. Cess received from employers on garden sardars and emigrants.	95,300 0 0	1,81,114 0 0	...	85,814 0 0
2. Contribution from the Government of India on account of Chairman's salary.	20,240 6 9	*16,045 12 9	4,194 10 0	...
TOTAL .	1,15,540 6 9	1,97,159 12 9	4,194 10 0	85,814 0 0

* Contribution paid by the Government of India up to 31st March 1916.

W. M. KENNEDY, *Lt.-Col.*,
Chairman, Assam Labour Board.

Examined and found correct.

(Sd.) P. N. MUKHERJI,
Inspector of Local Accounts, Bengal.

EXPENDITURE.

Particulars.	Budget.	Actuals.	Saving.	Excess.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1. Salary of Chairman	38,540 5 1	38,216 15 9	323 5 4	...
2. Exchange compensation allowance	1,940 7 4	1,944 7 6	...	4 0 2
3. Travelling allowance of Chairman	6,500 0 0	3,556 13 5	2,943 2 7	...
4. Travelling allowance of Members of Board	5,000 0 0	1,765 7 0	3,234 9 0	...
5. Salary of Board's office	3,557 0 0	3,078 15 7	478 0 5	...
6. Travelling allowance of Board's office	1,600 0 0	973 5 4	626 10 8	...
7. Grain compensation allowance	56 0 0	30 8 10	25 7 2	...
8. Purchase of books and periodicals	...	539 1 0	...	539 1 0
9. Stationery and printing	500 0 0	793 3 1	...	293 3 1
10. Forms	500 0 0	626 13 0	...	126 13 0
11. Postage and telegrams	600 0 0	560 13 0	39 3 0	...
12. Office rent	2,100 0 0	1,845 15 6	254 0 6	...
13. Telephone charges	200 0 0	200 0 0	...	...
14. Electric light and fans	400 0 0	467 10 0	...	67 10 0
15. Office contingencies	900 0 0	1,647 13 0	...	747 13 0
16. Office furniture	1,000 0 0	965 14 0	34 2 0	...
17. Purchase of typewriters	1,223 0 0	1,340 12 0	...	117 12 0
18. Temporary establishment and job typing	...	690 6 7	...	690 6 7
19. Liveries	170 0 0	274 2 0	...	104 2 0
20. Tour charges	500 0 0	271 4 3	228 11 9	...
Supervisors.				
21. Salary of supervisors	12,161 4 7	9,021 4 7	3,140 0 0	...
22. Travelling allowance of supervisors	5,400 0 0	3,160 10 6	2,239 5 6	...
23. Contribution towards leave and pension allowances of supervisors.	...	1,861 15 10	...	1,861 15 10
24. Salary of supervisors' establishment	552 0 0	299 11 4	252 4 8	...
25. Travelling allowance of supervisors' establishment.	888 0 0	355 3 6	532 12 6	...
26. Contingent expenditure including stationery	700 0 0	1,769 14 6	...	1,069 14 6
27. Office rent	360 0 0	150 0 0	210 0 0	...
28. Grain compensation allowance	24 0 0	7 14 1	6 1 11	...
29. Furniture	600 0 0	427 3 0	172 13 0	...
30. Liveries	72 0 0	72 8 6	...	0 8 6
TOTAL .	86,044 1 0	76,916 10 8	14,750 10 0	5,623 3 8

W. M. KENNEDY, *Lieut.-Colonel,*
Chairman, Assam Labour Board.

APPENDIX B.

List of matters delegated by the Board to the Executive Committee.

It was resolved that the following powers and duties be delegated to the Executive Committee :—

Subject to the general control of the Board the Executive Committee shall have power :—

(1) to sanction excess expenditure under budget heads and, if necessary, transfers from one head of the budget to another and from the closing balance ;

(2) to sanction the entertainment of additional ministerial and menial establishment ;

(3) to dispose of all cases relating to individual instances of wrongful recruitment, complaints against Government or railway servants, not involving matters of general principle ;

(4) generally to dispose of all routine matters, and questions not involving general principles ;

(5) to sanction the grant of leave in excess of one month to the Board's servants other than menials. Leave not exceeding one month and all leave of menials to be sanctioned by Chairman ;

(6) to make temporary or acting appointments of supervisors in leave or other casual vacancies ;

(7) to sanction the posting and transfer of supervisors ; and

(8) to control the work of the supervisors and, from time to time, to issue such instructions as may be necessary for their guidance.

Ordered that a copy of the above Resolution be forwarded to the Local Governments and Administrations noted on the margin and that it be published in the Supplement to the *Gazette of India*.

Government of Bengal.
Government of Bihar and Orissa.
Government of the United Provinces.
Government of Madras.
Hon'ble the Chief Commissioner of the Central Provinces.
Hon'ble the Chief Commissioner of Assam.

Secretary to the Government of India.

HOME (MISCELLANEOUS) DEPARTMENT

G.O. No. 521, 30th May 1917

Emigration—Assam

Requesting District Magistrates concerned to bring to the notice of the Government cases of illegal recruitment in this Presidency whenever they frequently arise in future and directing the despatch of a reply to the Government of India furnishing the views of this Government on certain points raised in the report of the Assam Labour Board for the year ending the 30th June 1916.

READ—the following papers :—

I

Letter—from G. S. HARDY, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry.
To—the Secretary to the Government of Madras, Home (Miscellaneous) Department.
Dated—Simla, the 15th November 1916.
No.—11325.

I am directed to forward a copy of the report on the working of the Assam Labour Board during the year ending with 30th June 1916 with special reference to paragraphs 23 and 24, and to say that the Government of India would be glad to receive any observations which His Excellency the Governor in Council may desire to offer thereon.

ENCLOSURE.

Extracts from the Annual Report on the working of the Assam Labour Board during the year ending the 30th June 1916.

* * * * * *

V.—Illegal Recruitment.

* * * * * *

Recruitment nominally for Chittagong, etc.

23. During the earlier half of the year under review, reports were rife that contractors and arkatties were sending up batches of coolies to Assam either as ordinary third class passengers or under cover of recruitment for Chittagong tea gardens. Accounts were, moreover, received of batches being hawked from garden to garden. At the instance of the Board the Government of Bengal kindly agreed to depute a special police officer to patrol the transit routes and the Chief Commissioner of Assam was pleased to permit the Assam railway police to co-operate. Owing to press of other work it was unfortunately found necessary to remove the special police officer from this work, but it is hoped that it will be found possible to depute one again later on. To what extent this type of illegal recruitment is being practised at present it is not easy to say, as there is no very definite information. The Board are inclined to the opinion, however, that it is not now being followed to any great extent, though undoubtedly at the outset, before the new conditions became fully known, some illegally recruited batches went forward. For one thing, the number of managers who will accept illegally recruited coolies is exceedingly small. For another, the temporary closure of the Hill Section of the Assam-Bengal Railway would considerably hamper operations nominally for Chittagong. There can be no doubt, also, but that arkatties and the like are not having by any means an easy time ; their trade is now illegal and it becomes increasingly difficult to carry it on. In Basti district in the United Provinces there was an organised raid on recruiters. In Sambalpore, too, legal proceedings were taken against them on a large scale and in other districts the authorities have taken steps to curb their activities. In this work the Board have been able to afford assistance by furnishing District

GOVERNMENT OF INDIA
18 JUN 1917

Officers with information of offers to supply coolies made to tea agency firms and managers of estates, which are now in many cases reported to the Board by the recipients. The information gleaned by the Supervisors of the Board and from other sources is likewise placed at the disposal of District Officers, who are also made welcome to the services of the Supervisors, if required. In some cases District Officers have requested the Board to undertake prosecutions, but latter believe that neither they nor their Supervisors are empowered to do so and that their duty is confined to furnishing information and rendering assistance. It would, however, greatly add to the usefulness of the Supervisors if they were given powers of arrest and investigation in cases of illegal recruitment. Were the Criminal Investigation Department, also, to take up such cases, it would result in the more speedy elimination of the arkatti, as the operations of illegal recruiters are often widespread, extending over many districts, and even over several provinces, a fact which renders it difficult for the ordinary district police to cope with the organization.

Garden-sardars working independently of a local agent.

24. What has done more than anything 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. From the correspondence in the Board's office it would seem that tea agency firms and managers of estates have been bombarded with offers to supply coolies, if either sardars are sent down to the applicant or latter is appointed their local agent. In not a few cases the Board's recommendation has been sought for the appointment of persons of this class as local agents, such recommendation being, needless to say, withheld. Though offers of this description are generally consigned to the waste paper basket or forwarded to the Board to be dealt with, a small minority of concerns have been lured into sending down sardars to these persons. Offers to supply coolies come in the greatest numbers from the United Provinces. This is largely due to the fact that the province is a centre of recruitment for the Colonies. There can be no doubt but that certain Colonial contractors unite with their legitimate business an illegal recruiting business for Assam, coolies who are rejected by the Colonial authorities being too frequently sold to illegal recruiters or sardars for despatch to Assam. An ex-contractor for the Colonies informed the Chairman of the Board that he used to dispose of his rejections in this way, and in the Madras Presidency a Colonial contractor actually offered the Chairman a batch of coolies, which he was unable, for the moment, to get accepted for the Colonies, emigration having been temporarily stopped. Neither of these gentlemen, it may be remarked, knew that he was doing anything illegal, though the same, it is feared, cannot be said in regard to most of the other persons concerned in this traffic. It is obvious that this system of disposing of Colonial rejections not only provides a field for the arkatti and independent sardar, but also constitutes a temptation to the bona fide sardar, working under a local agent. From the point of view of recruitment for Asam, therefore, it seems very desirable that steps should be taken to insure that coolies rejected by the Colonial authorities as being unfit or unsuitable are sent back to their homes.

In view of the danger to bona fide recruitment caused by the employment of garden-sardars to recruit independently of a local agent, the Board decided, at their meeting held in December 1915, that, on its coming to their notice that a manager has deputed a sardar to recruit independently, he should be called upon to recall him at once, and to give a guarantee that he will in future only depute sardars to recruit under a responsible local agent. Failing compliance with such requisition it was resolved that the matter should be reported to the Assam Administration with the recommendation that countersignature of the certificates of all sardars of the garden should be withheld, until the concern should take the desired action. Through the courtesy of the Hon'ble the Chief Commissioner the Board is now being supplied monthly with lists of garden-sardars who have been granted certificates to recruit independently of a local agent, so that action can at once be taken to secure their withdrawal. It is satisfactory to note that for the last few months these lists have been blank.

W. M. KENNEDY,
Chairman, Assam Labour Board.

II

Endorsement No. 1302-2, Home (Miscellaneous), dated 13th December 1916.

Referred to the District Magistrate, Ganjam / Vizagapatam / Godavari / Kistna / Guntur / Nellore, for remarks, if any, on the suggestions of the Assam Labour Board in paragraphs 23 and 24 of the report.

(By order)

E. A. HARVEY,
Under Secretary to Government.

To the District Magistrates, Ganjam, Vizagapatam, Godavari, Kistna, Guntur and Nellore.
,, Inspector-General of Police.

III

Letter—from H. H. BURKITT, Esq., I.C.S., Acting District Magistrate, Kistna.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—Masulipatam, the 23rd December 1916.
No.—D. Dis. 2386-Magl.

I have the honour to submit my reply to the Government endorsement No. 1302–2, dated 13th December 1916. With reference to paragraph 23 of the report on the working of the Assam Labour Board during the year ending with 30th June 1916, I do not think that any illegal recruitment is being practised in this district. I support however the proposal to empower supervisors to arrest and investigate, the procedure to be followed being very carefully defined. Such powers should, however, be exercised only in very exceptional cases.

2. Referring to paragraph 24 of the report, I agree that the independent garden-sardar is the weak spot in the present system. It is open however to District Officers to refuse licenses to such men and in this district none are being granted.

IV

Letter—from N. MACMICHAEL, Esq., I.C.S., District Magistrate, Ganjām.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—Chatrapur, the 21st December 1916.
No.—Dis. 1754-Magl.

With reference to Government endorsement No. 1302–2, dated 13th December 1916, I have the honour to report that I approve of both the suggestions made by the Assam Labour Board in paragraphs 23 and 24 of its report on the working of the Board during the year ending with 30th June 1916.

V

Letter—from C. B. COTTERELL, Esq., C.I.E., I.C.S., District Magistrate, Gōdāvari.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—Cocanada, the 14th January 1917.
No.—D. Dis. 83-Magl.

Adverting to Government endorsement No. 1302–2, dated 13th December 1916, I have the honour to state that no cases of illegal recruitment of the class referred to in paragraph 23 of the report on the working of the Assam Labour Board have occurred in this district and that there is no necessity for the investment of the Supervisors of the Board with powers of arrest and investigation as such cases will be investigated by the police.

2. As regards the suggestion of the Board in paragraph 24 of its report, I think that the system of employment of garden-sardars working independently of the Local Agent can be discontinued and that steps may be taken to insure that coolies rejected by the Colonial authorities as unfit or unsuitable are sent back to their homes.

VI

Letter—from M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, B.A., District Magistrate, Nellore.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—the 23rd January 1917.
No.—117-D/Magl.

With reference to Government endorsement No. 1302-2, dated 13th December 1916, I have the honour to state that so far as this district is concerned there is no case of illegal recruitment for Assam. The utmost that is proved is extravagent offers of wages which the intending emigrants deliberately chose to confide in against the warnings of the local magistracy. Nor am I aware of any emigrants wrongly recruited for the colonies diverted to Assam.

I am certainly in favour of attaching sardars to local agents and prohibiting them from working independently.

VII

Letter—from E. A. DAVIS, Esq., I.C.S., District Magistrate, Guntūr.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—the 19th February 1917.
No.—Dis. 282 Magl.

With reference to endorsement No. 1302-2, dated 15th December 1916, on Government of India's No. 11325, dated 15th November 1916, I have the honour to state that I am in favour of the proposal that supervisors should be empowered to arrest and investigate in cases of illegal recruitment. It also seems desirable that garden-sardars should only be employed under the control of local agents.

VIII

Letter—from P. L. MOORE, Esq., C.I.E., I.C.S., Inspector-General of Police.
To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—Madras, the 15th March 1917.
No.—R.C. 1793-Statl.

With reference to endorsement No. 1302-2, Home (Miscellaneous), dated the 13th December 1916, calling for remarks on the suggestions contained in paragraphs 23 and 24 of the report on the working of the Assam Labour Board during the year ending with 30th June 1916, I have the honour to report as follows:

2. I have consulted the District Superintendents of Police of the districts from which recruitment under the Assam Labour and Emigration Act is permissible. I do not consider it necessary to give supervisors of the Board powers of arrest and investigation in cases of illegal recruitment. The assistance of the police can easily be secured. If experience however shows that cases frequently arise in which recruiters escape punishment for want of the power of arrest in supervisors, it may be conferred on them with the restriction that the person arrested is produced without the least delay at the nearest police station or before the nearest Magistrate. I do not consider it necessary that the Criminal Investigation Department should take up such cases. As regards the suggestion in paragraph 24 of the report, I consider that the practice of garden-sardars working independently of local agents should be prohibited. If they work through the local agent there is no fear of colonial rejections being sent onto Assam as the local agent sees every recruit personally and can reject any unsuitable men.

3. I would also suggest to the Board that the local agent should furnish the local District Superintendent of Police with a list of all sardars who come to the district to recruit. A large number of bad characters go to Assam and it not unfrequently happens that these return in the capacity of sardars, thus having an opportunity of committing crime and returning to Assam with the proceeds. The name of the Sardar, his village and taluk would be sufficient information and the police can keep a watch over improper recruiting.

IX

Letter—from H. A. B. VERNON, Esq., I.C.S., Acting District Magistrate, Vizagapatam.
To—the Secretary to Government, Home (Miscellaneous), Department.
Dated—the 24th April 1917.
No.—D. Dis. 182.

With reference to Government endorsement No. 1302-2, dated 13th December 1916, calling for remarks on the suggestions of the Assam Labour Board in paragraphs 23 and 24 of the report for the year ending 30th June 1916, I have the honour to state that I do not consider it advisable to invest the Board's supervisors with powers to arrest and investigate into cases of illegal recruiting. When the supervisors have sufficient information to prove the guilt of the offenders, they can bring such cases of illegal recruiting to notice of Magistrates. I agree with the Board's suggestion that the Criminal Investigation Department should take up cases which need investigation.

2. As regards the suggestion contained in paragraph 24 of the Board's report, I agree in the Board's condemnation of the practice of deputing garden-sardars to work independently of a local Agent and consider that the practice should be prohibited.

Order—No. 521, Home (Miscellaneous), dated the 30th May 1917.

The District Magistrates concerned are requested to bring to the notice of Government cases of illegal recruitment of labour for Assam.

2. The Inspector-General of Police is informed that registers of garden-sardars are kept by a local agent at each place of accommodation provided under section 62 of the Assam Labour and Emigration Act, 1901, and that these registers are open to inspection at any time by a police officer not below the rank of an Inspector of Police. In the future there will be few, if any, garden-sardars working independently of local agents.

3. The following reply will be despatched to the Government of India.

(True Extract)

R. RAMACHANDRA RAO,
Secretary to Government.

To the District Magistrates of Ganjam, Vizagapatam, Godavari, Kistna, Guntur, and Nellore.
,, Inspector-General of Police.

GOVERNMENT OF MADRAS.
HOME (MISCELLANEOUS) DEPARTMENT
No. 522.

29

From

THE HON'BLE DIWAN BAHADUR
R. RAMACHANDRA RAO AVARGAL,
Secretary to the Government of Madras,
Home (Miscellaneous) Department,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
DEPARTMENT OF COMMERCE AND INDUSTRY.

Dated Ootacamund, the 30th May 1917.

SIR,

In reply to Mr. Hardy's letter No. 11325, dated the 15th November 1916, I am directed to furnish the views of the Governor in Council on the suggestions contained in paragraphs 23–24 of the report of the Assam Labour Board for the year ending the 30th June 1916.

2. The Assam Labour Board has suggested that it would greatly add to the usefulness of supervisors if they were given powers of arrest and investigation in cases of illegal recruitment of labour for Assam and that it would result in the more speedy elimination of the arkatti if the Criminal Investigation Department were to take up such cases. The Governor in Council finds on enquiry that cases of illegal recruitment are not of such frequent occurrence in the districts of this Presidency in which labour is recruited for Assam as to justify action being taken on the lines suggested. The ordinary police can be trusted to deal effectively with such cases. The Governor in Council is of the opinion that supervisors should bring promptly to the notice of the police and magistrates concerned all cases of illegal recruitment, which come to their notice whereupon due steps will be taken.

3. I am to state that the Governor in Council is in entire agreement with the steps taken by the Assam Labour Board to prohibit the practice of garden-sardars working independently of a local agent and agrees that the independent garden-sardari system of recruitment should be put an end to.

4. Indentured emigration to colonies outside British India having been temporarily suspended, it appears unnecessary to consider the steps necessary to insure that coolies rejected by the Colonial authorities as being unfit or unsuitable are sent back to their homes.

5. The Governor in Council has no further remarks to offer on the report.

I have the honour to be,
Sir,
Your most obedient servant,
R. RAMACHANDRA RAO,
Secretary to Government.

Please file H

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18 JUN 1917

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NOTES CONNECTED WITH G.O. Nos. 521-22, HOME (MISCELLANEOUS), DATED 30TH MAY 1917.

[SUBJECT.—*Assam Labour Board.*]

I

From the Government of India, Department of Commerce and Industry, No. 11325, *dated the* 15*th*/20*th November* 1916, *and Resolution No.* 66-*C., dated the* 24*th November* 1916.

The Government of India forward a copy of the first report on the working of the Assam Labour Board for the year ending the 30th June 1916, and enquire whether this Government have any observations to offer on the following suggestions made in paragraphs 23 and 24 of the report:—

(1) that it would greatly add to the usefulness of the supervisors if they were given powers of arrest and investigation in cases of illegal recruitment;

(2) that it would result in the more speedy elimination of the arkatti if the Criminal Investigation Department were to take up cases of illegal recruitment; and

(3) that steps should be taken to insure that coolies rejected by the Colonial authorities as being unfit or unsuitable are sent back to their homes without allowing them to be illegally recruited for Assam.

Submitted that the views of the District Magistrates of the six districts in which labour is recruited to Assam may be invited in the first instance. A draft endorsement is submitted for approval.

2. It will be noticed that the Assam Labour Board dwells briefly in paragraph 19 of the report on the circumstances under which this Government have prohibited emigration to Assam from the southern districts. No remarks are called for.

T.C.N.—6-12-16.

P.DER.—11-12-16.

It seems as well to consult the Inspector-General of Police on the Criminal Investigation Department suggestion simultaneously. It is not probable that he will in any case have to be consulted eventually.

E. A. HARVEY—12-12-16.

Yes.

P. RAJAGOPALA ACHARIYAR—13-12-16.

[Issued as Endorsement No. 1302-2, Home (Miscellaneous), dated the 13th December 1916—II.]

III

From the District Magistrate of Kistna, No. D. Dis. 2386-*Magl.*/16, *dated the* 23*rd December* 1916.

IV

From the District Magistrate of Ganjam, No. Dis. 1754-*Magl.*/16, *dated the* 21*st December* 1916.

V

From the District Magistrate of Godavari, No. D. Dis. 83-*Magl.*/17, *dated the* 14*th January* 1917.

VI

From the District Magistrate of Nellore, No. 117-*D./Magl., dated the* 23*rd January* 1917.

VII

From the District Magistrate of Guntur, No. Dis. 282-*Magl.*/17, *dated the* 19*th February* 1917.

VIII

From the Inspector-General of Police, No. R.C. 1793-*Stat.*/16, *dated the* 15*th March* 1917.

IX

From the District Magistrate of Vizagapatam, No. D. Dis. 182/17, *dated the* 24*th April* 1917.

GOVERNMENT OF MADRAS
18 JUN 1917

Police have been

2. *Proposal to give supervisors powers of arrest and investigation in cases of illegal recruitment.*—Section 116-C of the Assam Labour and Emigration Act, 1901, as amended by the Assam Labour and Emigration (Amendment) Act, 1915, provides for the appointment of supervisors by the Assam Labour Board. The duties of supervisors will be found set forth at pages 3–4 of G.O. No. 163, Public, dated the 1st February 1916. One of the duties is that in cases of abuses in recruitment or other malpractices where urgent action is necessary they may bring the matter to the notice of a Magistrate or a police officer. Every person who is guilty of wrongful recruitment is liable to prosecution and punishment under section 164 of Act VI of 1901. Cases of this kind are not cognizable and police officers cannot arrest without warrant.

Paragraph 5 page 4 of G.O. 39, 10th August 1916.

The object for which the Assam Labour Board proposes that supervisors should be given powers of arrest and investigation is set out in paragraph 23 of the report. It will be seen from the opinions of the District Magistrates and the Inspector-General of Police summarized below that there does not appear to be any cases of illegal recruitment in the districts in which labour is recruited to Assam and that some of the District Magistrates are not in favour of the proposal:—

Officer concerned.		Opinion.
District Magistrate of Kistna	...	No illegal recruitment practised in his district. He however supports the proposal to empower supervisors to arrest and investigate, the procedure to be followed being carefully defined. Such powers should be exercised only in very exceptional cases.
District Magistrate of Ganjam	...	Approves the proposal of the Assam Labour Board. [No reasons have been stated.]
District Magistrate of Godavari	...	No cases of illegal recruitment have occurred in his district. There is no necessity for the investment of the supervisors of the Board with powers of arrest and investigation.
District Magistrate of Nellore	...	No case of illegal recruitment in his district.
District Magistrate of Guntur	...	Supports the proposal to empower supervisors to arrest and investigate into cases of illegal recruitment. [No reasons have been stated.]
Inspector-General of Police	...	No necessity for empowering supervisors to arrest and investigate. Assistance of the police can be easily secured.
District Magistrate of Vizagapatam.		Not advisable to invest supervisors with powers of arrest and investigation. They can bring cases of illegal recruitment to the notice of Magistrates.

As stated by the Inspector-General of Police the assistance of the police can be easily secured. The Inspector-General of Police further states that if experience shows that cases of illegal recruitment frequently arise in which recruiters escape punishment for want of powers of arrest in supervisors, they may be conferred on them with the restriction that the person arrested is produced with the least delay at the nearest police station or before the nearest magistrate. Submitted that so far as this Presidency is concerned the necessity for taking this step does not appear to have arisen as yet. The District Magistrates may perhaps be asked to bring to the notice of Government if any such necessity arises in future and the Government of India may perhaps be informed that it will be sufficient if supervisors bring to the notice of the police or Magistrates cases of illegal recruitment if any which come under their notice and that there is no need for investing supervisors with powers of arrest and investigation so far as this Presidency is concerned.

3. *Whether it is necessa... the Criminal Investigation Department to take up cases of illegal recruitment.*—The Assam Labour Board is of the opinion that it would result in the more speedy elimination of the arkatti if the Criminal Investigation Department were to take up cases of illegal recruitment and it is stated that the operations of the illegal recruiters are often widespread which renders it difficult for the ordinary police to cope with the investigation. A majority of the District Magistrates of the districts in which labour is recruited for Assam state that there are no cases of illegal recruitment in their districts. The Inspector-General of Police considers it unnecessary that the Criminal Investigation Department should take up cases of illegal recruitment. For orders whether India may be informed accordingly.

4. *Prohibition of the practice of garden sardars working independently and the desirability of taking steps to send back coolies rejected by the Colonial authorities to their homes.*—Submitted that all the District Magistrates consulted and the Inspector-General of Police are of the opinion that the practice of garden sardars working independently of local agents may be put an end to. This view may be accepted and India informed accordingly. Now that indentured emigration to colonies has been prohibited it appears to be unnecessary to consider at present the steps necessary to ensure that coolies rejected by the Colonial authorities are sent to their homes.

5. *Suggestion of the Inspector-General of Police that the local agent should furnish the District Superintendent of Police with a list of all sardars who come to the district to recruit.*—Every local agent keeps two registers of garden sardars and the registers are open to inspection at the local agents' depot at any time by a police officer not below the rank of Inspector of Police. Police officers may therefore inspect such registers and it is for consideration whether local agents should be required to furnish lists of garden sardars to District Superintendents of Police. It is independent garden sardars who are responsible for improper recruiting. The Assam Labour Board states that it is now being supplied monthly with lists of such garden sardars by the Honourable the Chief Commissioner of Assam. Submitted that it will be useful if these lists are furnished to the District Superintendents of Police. The Assam Labour Board may perhaps be asked to furnish six copies of these lists to the District Superintendents of Police of the six districts in which labour is recruited to Assam.

T.C.N.—10-5-17.
P.DER.—12-5-17.

I agree with suggestions above which follow the opinion of the majority of the officers consulted. There seems to be something to be said for the suggestion that supervisors should prosecute in case of illegal recruitment detected by them, and that if they are not legally entitled to do so, that they should be so empowered. However the Board is against this. Please draft on the points raised.

E. A. HARVEY—17-5-17.

A draft order and a draft letter are submitted for approval.

T.C.N.—21-5-17.
P.DER.—22-5-17.

For consideration of drafts.

E.A.H.—23-5-17.

In addition to the reasons given, a supervisor's charge is so enormously extensive that nothing is gained by giving him powers of arrest.

2. So far as investigation is concerned, our district police can deal better than the Criminal Investigation Department. A sardar works in a limited area. There is no recruitment by arkattis in this Presidency.

Drafts amended. For approval.

R. RAMACHANDRA RAO—27-5-17.

Approved.

H. F. W. G[ILLMAN]—28-5-17.

Issue.

R.R.—29-5-17.

[G.O. Nos. 521-22, Home (Miscellaneous), dated 30th May 1917.]

G.O. No. 521-22, dated 3-9-22 191 .

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