Rev (Spl) Dept

Government of Madras

HOME DEPARTMENT (MISCELLANEOUS)

G.O. No. 586, 19th March 1919

Planters' Labour Act, 1903

Recording reports from the District Magistrates of Malabar and The Nilgiris on the working of the — during the year 1918.

INDEXED

1,000—16-7-18.

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ORIGINAL.

Government of Madras

HOME DEPARTMENT (MISCELLANEOUS)

G.O. No. 586, 19th March 1919

Planters' Labour Act, 1903

Recording reports from the District Magistrates of Malabar and The Nilgiris on the working of the — during the year 1918.

READ—the following papers :—

I

Letter—from A. R. CUMMING, Esq., I.C.S., District Magistrate, The Nilgiris.
To—the Secretary to Government. Home (Miscellaneous) Department.
Dated—Ootacamund, the 11th February 1919.
No.—Cur. 128-M.

I have the honour to submit my report on the working of the Madras Planters' Labour Act, 1903, for the year 1918, accompanied by the prescribed statements which explain themselves.

2. The total number of prosecutions instituted under the Act rose from 1,733 to 1,997. The increase is particularly noticeable in the courts of the Taluk Magistrate, Gudalur, and the Stationary Sub-Magistrate, Coonoor, and is attributed to the fact that many estate coolies who were permitted to go to their villages for a time on account of a severe outbreak of influenza did not return to their estates after the epidemic subsided. The variations in the number of cases instituted in the other courts are due to ordinary fluctuations.

3. One hundred and six estates resorted to the provisions of the Act against ninety in the previous year. As usual the bulk of the cases was contributed by estates in the Gudalur taluk. Twenty-one estates instituted over 25 prosecutions against nineteen estates in 1917. Devarshola launched the largest number of prosecutions, viz., 214.

4. There is reason to believe that coolies generally were well treated during the year under report, as no complaints to the contrary were received. Except for the difficulty experienced in apprehending accused persons, the Act on the whole may be said to have worked satisfactorily during the year.

ENCLOSURES

(1)

Comparative statement showing the number of cases instituted in the several courts of the district of The Nilgiris under the several sections of the Madras Planters' Labour Act I of 1903 during the years 1917 and 1918.

Name of court.	During the year 1917.								
	Sections of the Act.								
	21	22	23	24	25 to 29	30	35	36	Total.
(1)	(2)								
Court of the Taluk Magistrate, Coonoor ..	..	..	..	5	..	26	..	..	31
Do. Stationary Sub-Magistrate, Coonoor.	..	..	..	17	..	391	..	..	408
Do. Taluk Magistrate, Ootacamund ..	..	..	..	4	..	95	..	..	99
Do. do. Gudalur ..	..	..	..	54	3	965	6	..	1,028
Do. Sarishtadar-Magistrate, Gudalur ..	..	..	..	11	..	156	..	..	167
Total ..	..	..	..	91	3	1,633	6	..	1,733

Name of court.	During the year 1918. Sections of the Act. 21	22	23	24	25 to 29	30	35	36	Total. (3)	Number of estates from which prosecutions were filed in the year 1918. (4)
Court of the Taluk Magistrate, Coonoor ..	..	..	..	2	..	58	..	..	60	10
Do. Stationary Sub-Magistrate, Coonoor.	..	..	..	19	..	548	..	1	568	31
Do. Taluk Magistrate, Ootacamund ..	..	..	..	3	..	51	..	..	54	12
Do. do. Gudalur ..	..	..	..	93	1	1,086	3	..	1,183 *	43
Do. Sarishtadar-Magistrate, Gudalur ..	..	..	..	7	..	125	..	..	132	10
Total ..	..	..	..	124	1	1,868	3	1	1,997	106

* Excludes 63 cases transferred from the file of the Sarishtadar-Magistrate's Court where they were filed *in the first instance*.

(2)

List of estates from which more than 25 prosecutions were filed in the year 1918 in the district of The Nilgiris.

Number and name of estates.	Number of prosecutions filed.	Increase or decrease as compared with the previous year.
Coonoor taluk.		
1. Craigmore	35	Not dealt with in 1917.
2. Woodland and Oland	53	Do.
3. Sutton	46	Do.
4. Adderly	40	Do.
5. Cleaveland	93	+ 63
6. Taimalai and Sultana	43	+ 17
7. Tiger Rock and Meejé	52	Not dealt with in 1917.
Gudalur taluk.		
1. Suffolk	34	— 3
2. Hellan	27	None.
3. Devarshola	214	— 9
4. Mangorange	31	+ 2
5. Peria Shola	44	— 28
6. Geeyud	38	+ 10
7. Hope	44	— 41
8. Mayfield	64	— 46
9. Seaforth	31	+ 2
10. Wentworth	115	+ 50
11. Sussex	37	— 2
12. Woodbriar	30	+ 3
13. Tulloes	27	Not dealt with in 1917.
14. Balmadis	41	Do.

(3)

Statement showing the number of cases and persons received, disposed of and pending and the results of trials under the Madras Planters' Labour Act I of 1903 during the year 1918 in the several courts of the Nilgiri district

Section of the Act. (1)	Name of court. (2)	Cases. Persons. Pending from previous year. (3)	Instituted during the year. (4)	Total. (5)	Disposed of during the year. Dismissed under section 203 of the Criminal Procedure Code. (6)	By transfer, death or escape of accused. (7)	Acquitted under section of the Code of Criminal Procedure. 245 (8)	247	248	Resulting in conviction. (9)	Total number of cases disposed of. (10)	Pending at the close of the year. (11)	Average duration. (12)	Under trial. (13)	Disposed of during the year. Transferred to other courts. (14)	Acquitted under section of the Code of Criminal Procedure. 245 (15)	247	248	Convicted. (16)	Total number disposed of. (17)	Pending. In custody. (18)	Not in custody.
21	Nil.																					
22																						
23																						
24	Court of the Taluk Magistrate, Coonoor ..	1	4	5	..	..	..	..	..	..	..	2	73	3	..	..	..	..	1	1	..	2
	Do. Stationary Sub-Magistrate, Coonoor ..	2	19	23	..	..	..	..	..	1	1	16	69	22	..	..	..	..	15	15	..	7
	Do. Taluk Magistrate, Ootacamund ..	3	3	6	..	..	..	..	..	..	..	4	64	4	..	..	..	..	2	2	..	2
	Do. do. Gudalur ..	32	97	129	..	..	2	1	..	3	6	49	98	126	..	..	1	..	46	47	..	80
	Do. Sarishtadar-Magistrate, Gudalur ..	2	7	9	..	..	3	..	..	4	7	9	77	5	..	..	..	..	5	5	..	..
	Total ..	42	128	170	..	1	2	1	..	8	12	79	..	160	..	..	1	..	69	70	..	91
28	Court of the Taluk Magistrate, Gudalur	..	1	1	..	..	..	..	..	..	..	1	..	1	..	..	..	..	1	1	..	..
30	Court of the Taluk Magistrate, Coonoor ..	10	58	68	..	..	1	..	..	1	2	18	66	68	..	..	1	..	48	49	..	18
	Do. Stationary Sub-Magistrate, Coonoor ..	87	548	635	..	7	4	..	..	3	7	194	57	600	..	..	4	..	364	368	10	184
	Do. Taluk Magistrate, Ootacamund ..	13	51	64	..	..	1	..	..	..	1	14	61	61	..	..	..	..	31	31	..	14
	Do. do. Gudalur ..	767	1,145	1,912	..	..	441	50	28	20	539	1,171	107	1,788	..	..	18	16	569	603	15	1,156
	Do. Sarishtadar-Magistrate, Gudalur ..	64	125	179	..	..	9	3	1	6	19	..	66	98	..	..	1	3	88	92	..	..
	Total ..	931	1,927	2,858	..	7	455	53	29	29	566	1,444	..	2,615	..	..	55	19	1,090	1,164	25	1,372
35	Court of the Taluk Magistrate, Gudalur	5	3	8	..	..	1	..	..	..	1	6	28	8	..	..	..	..	1	1	..	6
36	Court of the Stationary Sub-Magistrate, Coonoor ..	1	..	1	..	..	..	..	..	..	..	1	60	1	..	..	..	..	1	1	..	..
	Grand total ..	978	2,060	3,038	..	8 (b)	245	57	30	57	397	1,494	..	2,785	..	..	57	19	1,132	1,208	25	1,469

(a) *Particulars for column (7)*

Section 24.		Section 30.	Total.
Transferred to long-pending registration	2	155	157
Death of accused	3	22	25
Transfer to other court	4	59	63
	9	236	245

(a) Rigorous imprisonment for one month and under .. .. 20* Transferred to long-pending registration 2
Do. two months and under .. .. 4 Death of accused 3
Do. three months and under .. .. 3 Transfer to other court 4
27 9

* One also fined Rs. 100 in addition to the imprisonment.

II

Letter—from J. F. Hall, Esq., I.C.S., District Magistrate, Malabar.
To—the Secretary to Government, Home (Judicial) Department.
Dated—Camp, Meppadi, the 21st February 1919.
No.—24-Perl.

I have the honour to submit my report on the working of the Planters' Labour Act I of 1903 in the Wynad for 1918.

2. The number of cases instituted in 1918 was 28 per cent greater than the number instituted in 1917. The figures for the years 1916, 1917 and 1918 are 1,378, 1,197 and 1,528 respectively. There was a fall in 1917 due to no particular ascertainable cause. There has been a much larger rise in the number of cases this year. It is difficult to explain this increase: but the epidemic of influenza which swept over Wynad in the latter part of 1918 has probably something to do with it: for in a number of cases labourers deserted their estates through fear of the disease—only to find that it existed in the plains as well as in the hills.

3. The statement below gives comparative figures for cases instituted under the various sections of the Act in 1917 and 1918:—

Name of court.	Section 21.		Section 24.		Section 28.		Section 30.		Section 36.		Total.	
North Wynad—	1917.	1918.	1917.	1918.	1917.	1918.	1917.	1918.	1917.	1918.	1917.	1918.
Tahsildar-Magistrate, Wynad ..	..	..	..	..	..	..	..	..	..	..	..	..
Sarishtadar-Magistrate, Wynad .	..	..	22	23	..	..	117	283	..	..	139	306
South Wynad—												
Sub-Magistrate, Wynad	..	..	195	270	..	1	862	950	1	1	1,058	1,222
Total ..	..	..	217	293	..	1	979	1,233	1	1	1,197	1,528

One case under section 36 and another case under section 28 ended in the acquittal of the accused. Under sections 24 and 30 of the Act, 139 and 431 persons respectively were convicted and 30 and 152 persons respectively were acquitted.

4. Including those brought from the special register, 28 cases came up for disposal under section 24 during the year in the Sarishtadar-Magistrate's Court, Wynad. Of these, 25 cases were filed by European Estates and the remaining 3 by Indians. There were 353 cases under the same section for disposal in the Court of the Sub-Magistrate, Vayittiri. The complainants in 86 of these cases were Indians and the rest were Europeans. Of the 300 cases which were filed in the Sarishtadar-Magistrate's court under section 30 inclusive of 17 cases pending at the close of the previous year—12 cases were filed by the superintendents of European Estates; 7 by Indian Proprietors; and the remaining 281 by Maistris. In the Sub-Magistrate's Court, Vayittiri, there were 992 cases for disposal under the same section. Of these, 36 cases were filed by Indian Estates and the rest by maistris of European Estates.

5. In South Wynad 24 estates resorted to the provisions of the Act as against 25 in 1917. Perrengoda, Arappetta, Achoor and Poonopoya estates launched the largest number of prosecutions being together responsible for 435 cases.

6. Labourers have been well treated and no undue pressure appears to have been brought to bear on them. Wages were sufficient and suitable quarters were provided. Adequate medical assistance was given both in the hospitals and dispensaries of the Wynad Medical Association and in the institutions of those estates which do not belong to the association.

7. There is still much difficulty in the execution of warrants. During the year under report the accused in nearly 31 per cent of the cases could not be traced. Most of the Wynad Estates do not belong to the Labour department of the United Planters' Association of Southern India and the special arrangements for executing warrants through the agency of the association are in force to only a limited extent in Wynad. I understand, however, that a number of estates will join the department with effect from 1st April 1919.

8. On the whole the Act worked satisfactorily. The prescribed statements are submitted.

Enclosures (1)

Statement showing the number of cases received and disposed of and pending and the result of trials under the Planters' Labour Act I of 1903 in the several courts in the Wynad division for the year 1918.

Names of courts.	Section of the Act.	Number of cases			Persons.									
		Pending from previous year.	Instituted during the year.	Total.	Disposed of.					Pending.				
					Under trial.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	Average duration.	In custody.	Not in custody.	Pending at the end of the year exclusive of the cases transferred to the special register of long-pending cases.	Disposed of during the year.	
Subdivisional Magistrate's Court, Wynad.		..	..	..	..	..	..	..	..	..	..	..	..	
Tahsildar-Magistrate's Court ..	Section 24 ..	5	23	28	19	3	15	..	6·00	1	..	7	21	
Sarishtadar-Magistrate's Court ..	Do. 30 .	17	283	300	148	47	87	3	3·28	3	1	72	228	
	Total ..	22	306	328	167	50	112	3	..	4	1	79	(b) 249	
Court of the Sub-Magistrate, Vayittiri ..	Section 24 ..	61	292	353	152	27	124	..	5·10	1	..	103	250	
	Do. 28 ..	1	1	1	1	1	..	..	1·00	..	..	1	1	
	Do. 30 ..	324	992	1,316	453	105	334	4	4·80	7	3	333	983	
	Do. 36 ..	..	1	1	1	1	..	..	1·00	..	..	..	1	
	Total ..	385	1,286	(a) 1,671	607	134	458	4	..	8	3	436	(c) 1,235	

(a) Includes 64 cases taken from the special register. (b) Includes 70 cases treated as long pending. (c) Includes 538 cases treated as long pending.

(2)

Statement showing the number of cases and persons received and disposed of and pending and the result of trials under the Planters' Labour Act I of 1903 in the several courts in the Wynad division during the year 1918.

Name of court.	Section of the Act.	Cases. Pending from previous year.	Instituted during the year.	Cases taken from special register.	Total.	Disposed of during the year.	Long pending.	Pending at the end of the year exclusive of cases transferred to the special register as long pending.	Average duration.	Persons disposed of. Under trial.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	Persons pending. In custody.	Not in custody.
Subdivisional Magistrate's Court, Wynad	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Tahsildar-Magistrate's Court	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Sarishtadar-Magistrate's Court	Section 24	5	23	..	28	18	3	7	6·00	19	3	15	3	1	..
	Do. 30	17	283	..	300	161	67	72	3·28	148	47	97	3	3	1
	Total ..	22	306	..	328	179	70	79	..	*167	50	112	3	4	1
Court of the Sub-Magistrate, Vayittiri	Section 24	61	270	22	353	179	71	103	5·1	162	27	124	1	1	..
	Do. 28	..	1	..	1	1	..	..	1·0	1	1	..	..	..	..
	Do. 30	324	950	42	1,316	516	467	333	4·8	453	105	334	7	7	3
	Do. 36	..	1	..	1	1	..	..	1·0	1	1	..	..	..	..
	Total ..	385	1,222	64	1,671	697	538	436	..	607	134	458	4	8	3

* Accused in twelve cases did not appear in court.

(3)

Statement showing the particulars of acquittals in cases under the Madras Planters' Labour Act I of 1903 during the year 1918 in the several courts in the Wynad division called for in G.O. No. 1662, Judicial, dated 11th August 1913.

Names of courts.	Section of the Act.	Particulars of acquittals. Section 245, Criminal Procedure Code. 1917.	1918.	Section 247, Criminal Procedure Code. 1917.	1918.	Section 248, Criminal Procedure Code. 1917.	1918.	Section 40 of Act I of 1903. 1917.	1918.	Total acquittals. 1917.	1918.
Subdivisional Magistrate's Court, Wynad.	..	..	..	..	..	..	..	..	..	..	..
Tahsildar-Magistrate's Court	..	..	..	..	..	..	..	..	..	..	..
Sarishtadar-Magistrate's Court.	Section 24	2	1	..	..	3	1	7	1	12	3
	Do. 30	4	2	1	2	33	20	17	35	55	59
	Total ..	6	3	1	2	36	21	24	36	67	62
Court of the Sub-Magistrate, Vayittiri.	Section 24	..	..	..	..	3	12	17	15	20	27
	Do. 28	..	..	..	..	..	..	..	1	..	1
	Do. 30	9	3	2	7	18	51	155	44	184	105
	Do. 36	..	..	..	..	..	..	2	1	2	1
	Total ..	9	3	2	7	21	63	174	61	206	134

Order—No. 586, Home (Miscellaneous), dated 19th March 1919.

Recorded.

(True extract)

R. Ramachandra Rao,
Secretary to Government.

To the District Magistrate, Malabar.
" " The Nilgiris.
" Inspector-General of Police.
" Secretary, United Planters' Association of Southern India, Bangalore.
" " Wynad Planters' Association, Meppadi.
" " Nilgiri Planters' Association, Ootacamund.
Editors' Table.

NOTES CONNECTED WITH G.O. No. 586, HOME (MISCELLANEOUS), DATED 19TH MARCH 1919

[SUBJECT.—*Planters Labour Act*, 1903.]

Previous papers :

G.O. 1912–15,	*Judicial*,	23*rd Dec.* 1904	*G.O.*	101,	*Judicial*,	12*th Jan.*	1916
,, 1063	,,	14*th Aug.* 1909	,,	728	,,	18*th Mar.*	,,
,, 1714–15	,,	8*th Dec.* ,,	,,	358-*A*,	*Home* (*Mis.*)	5*th Apl.*	1917
,, 883	,,	2*nd June* 1910	,,	450	,,	9*th May*	,,
,, 610	,,	17*th Apr.* 1912	,,	332	,,	3*rd Apr.*	1918
,, 1622	,,	11*th Aug.* 1913	,,	548	,,	11*th July.*	,,
,, 589	,,	7*th Mar.* 1914	,,	599	,,	8*th Aug.*	,,
,, 1073	,,	14*th May.* 1915	,,	705	,,	15*th Oct.*	,,

From the District Magistrate, The Nilgiris, No. 128, *dated* 11*th February* 1919.

From the District Magistrate, Malabar, No. 24, *dated* 21*st February* 1919.

The noticeable features in the reports on the working of the Planters Labour Act in The Nilgiris and Malabar districts during the year 1918 are set out below.

2. *Prosecutions.*—The following statement compares the figures for the last three years [cf. the notes to G.O. No. 332, Home (Miscellaneous), dated 3rd April 1918] :-

Section and nature of offence.	The Nilgiris.			Malabar.		
	1916.	1917.	1918.	1916.	1917.	1918.
21. Wrongful withholding of wages	3	..	..	..	..	..
22. Other offences by planter or maistri	..	..	..	..	..	..
23. Failure of maistri to supply labourers	..	..	..	..	..	..
24. Other defaults by maistri	163	91	124	256	217	293
30. Desertion by labourer	2,198	1,633	1,868	1,114	979	1,233
35. Failure of maistri to complete contract ..	6	6	3	..	1	..
36. Enticement of labourer under labour contract.	1	..	1	8	..	1
Total ..	2,371	1,730	1,996	1,378	1,197	1,527

The large increase in the number of prosecutions in both the districts is explained by the District Magistrates as being due to the epidemic of influenza which swept over the estates which afforded opportunity to a number of labourers to desert their estates.

3. *Pendency of cases.*—The number of cases under sections 24 and 30 of the Act for disposal as compared with the previous years has naturally been very high. There were as many as 170 under the former section and 2,858 under the latter section in The Nilgiris, and 381 and 1,616 respectively in the Malabar district. No useful comparison can be made with the figures for the previous years as the conditions during the year under report were exceptional. But the courts concerned appear to have risen equal to the occasion as no great pendency is noticed as compared with the cases filed. The total number of disposals in The Nilgiris were under all sections 1,544 and in Malabar 697.

NOTES TO G.O. No. 586, HOME (MISCELLANEOUS), 19TH MARCH 1919

4. *Acquittals and discharges.*—In The Nilgiris district there were only 95 persons convicted and in Malabar 458 during the year under report, *under all the sections of the Act taken together*. The percentage works out to 6·15 in The Nilgiris and to about 65 per cent in Malabar. It has already been observed in the previous years' reports that the percentage of convictions in Malabar has always been high.

5. *Execution of warrants against maistris and coolies.*—The District Magistrate, Malabar, reports that the Wynad estates are to join the Labour department of the United Planters' Association of South India from 1st April 1919, and the difficulty till now experienced with regard to the service of warrants, etc., against absconding maistris will then be greatly minimized.

A draft order recording the reports is submitted.

A.V.S.—12-3-19.

C. H. BROWN—13-3-19.

Withdrawals are very common in The Nilgiris but cases are pushed to judgment more frequently in Malabar; this appears to be the chief reason for the disparity in convictions.

R. RAMACHANDRA RAO—14-3-19.
L. D[AVIDSON]—16-3-19.

[G.O. No. 586, Home (Miscellaneous), dated 19th March 1919.]

Ft. II-10 (*a*)—5,002 13-1-19 (6) Planters Labour Act 1903 Home (Mis.) DEPARTMENT.

Recording reports from the Dt Magts of Malabar and the Nilgiris on the working of the — during the year 1918.

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

" " " " ..... " ..... 191 .

READ ALSO:—

C. No. 1919, From the Dt Magte Nilgiris No. 128, dated 11. 2. 191 9.

" " 2329 " " " Malabar " 24 " 21. 3. 1919.

" " ..... " " ..... " ..... 191 .

ORDER. No. 586, dated 19. 3. 1919.

Prem

Recorded.

Secy
12. 3. 19

13.3.19

Dr Pottle Secy Highcourt

Dt Magte Malabar

" Nilgiris

Fy. Officer, Madras

Secy Mysore A.S.D. Bangalore

" Wynad Planters Assn. Meppadi

" Nilgiri Planters Assn. Ootacamund.

E.T.

Please strike
Dded 28/3

8

G.O. No. 586, 19th March 1919

Planters' Labour Act 1903

Recording reports from the District Magistrates of Malabar and the Nilgiris on the working of the — during the year 1918.

GOVERNMENT PRESS
28 MAR 1919
MADRAS.

READ—the following papers :—

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To—the Secretary to Government, Home (Miscellaneous) Department.
Dated—Ootacamund, the 11th February 1919.
No.—Cur. 128-M.

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3. One hundred and six estates resorted to the provisions of the Act against 90 in the previous year. As usual the bulk of the cases was contributed by estates in the Gudalur taluk. Twenty-one estates instituted over 25 prosecutions against 19 estates in 1917. Devarshola launched the largest number of prosecutions, viz., 214.

4. There is reason to believe that coolies generally were well treated during the year under report, as no complaints to the contrary were received. Except for the difficulty experienced in apprehending accused persons, the Act on the whole may be said to have worked satisfactorily during the year.

ENCLOSURES

(1)

Comparative statement showing the number of cases instituted in the several courts of the District of the Nilgiris under the several sections of the Madras Planters' Labour Act I of 1903 during the years 1917 and 1918.

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	Sections of the Act.								
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Total ..	..	..	..	91	3	1,633	6	..	1,733

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	(3)									(4)
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Do. Stationary Sub-Magistrate, Coonoor.	..	..	..	19	..	548	..	1	568	31
Do. Taluk Magistrate, Ootacamund ..	..	..	..	3	..	51	..	..	54	12
Do. do. Gudalur ..	..	..	..	93	1	1,086	3	..	1,183 *	43
Do. Sarishtadar-Magistrate, Gudalur ..	..	..	..	7	..	125	..	..	132	10
Total ..	..	..	..	124	1	1,868	3	1	1,997	106

* Excludes 63 cases transferred from the file of the Sarishtadar-Magistrate's Court where they were filed *in the first instance*.

(2)

List of estates from which more than 25 prosecutions were filed in the year 1918 in the district of The Nilgiris.

Number and name of Estates.	Number of prosecutions filed.	Increase or decrease as compared with the previous year.
Coonoor taluk.		
1. Craigmore	35	Not dealt with in 1917.
2. Woodland and Oland	53	Do.
3. Sutton	46	Do.
4. Adderly	40	Do.
5. Cleaveland	93	+ 63
6. Taimalai and Sultana	43	+ 17
7. Tiger Rock and Meeje	52	Not dealt with in 1917.
Gudalur taluk.		
1. Suffolk	34	— 3
2. Hellan	27	None.
3. Devarshola	214	— 9
4. Mangorange	31	+ 2
5. Periashola	44	— 28
6. Geegud	38	+ 10
7. Hope	44	— 41
8. Mayfield	64	— 46
9. Seaforth	31	+ 2
10. Wentworth	115	+ 50
11. Sussex	37	— 2
12. Woodbriar	30	+ 3
13. Tulloes	27	Not dealt with in 1917.
14. Balmadis	41	Do.

(3)

Statement showing the number of cases and persons received, disposed of and pending and the results of trials under the Madras Planters Labour Act I of 1903, during the year 1918, in the several courts of the Nilgiris district.

Section of the Act. (1)	Name of court. (2)	Cases. Pending from previous year. (3)	Instituted during the year. (4)	Total. (5)	Disposed of during the year. Dismissed under section 203 of the Criminal Procedure Code. (6)	By transfer, death of escape of accused. (7)	Acquitted under section of the Code of Criminal Procedure. 245 (8)	247 (8)	248 (8)	Resulting in conviction. (9)	Total number of cases disposed of. (10)	Pending at the close of the year. (11)	Average duration. (12)	Persons. Under trial. (13)	Disposed of during the year. Transferred to other courts. (14)	Acquitted under section of the Code of Criminal Procedure. 245 (15)	247 (15)	248 (15)	Convicted. (16)	Total number disposed of. (17)	Pending. In custody. (18)	Not in custody. (18)
21	Nil.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
22		..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
23		..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
24	Court of the Taluk Magistrate, Coonoor	1	2	3	..	..	..	..	..	1	1	2	73	3	..	..	..	..	1	1	..	..
	Do. Stationary Sub-Magistrate, Coonoor..	4	19	23	1	..	..	1	11	3	16	7	69	22	..	..	..	..	..	..	..	2
	Do. Taluk Magistrate, Ootacamund ..	3	3	6	..	..	..	1	1	..	4	2	64	4	..	..	1	11	3	15	..	7
	Do. do. Gudalur	32	97	129	..	3	..	..	23	23	49	80	98	126	..	..	1	1	..	2	..	2
	Do. Sarishtadar-Magistrate, Gudalur ..	2	7	9	..	4	..	..	5	..	9	..	77	5	..	..	..	5	..	5	..	..
	Total ..	42	128	170	1	9	..	2	40	27	79	91	..	160	..	..	2	40	(a) 27	69	..	91
28	Court of the Taluk Magistrate, Gudalur	..	1	1	..	..	..	..	..	1	1	..	8	1	..	..	..	..	1	1	..	..
30	Court of the Taluk Magistrate, Coonoor	10	58	68	..	..	1	1	48	..	50	18	66	68	..	1	1	48	..	50	..	18
	Do. Stationary Sub-Magistrate, Coonoor..	87	548	635	7	28	4	18	364	20	441	194	57	600	..	4	18	364	20	406	10	184
	Do. Taluk Magistrate, Ootacamund ..	13	51	64	..	3	..	16	31	..	50	14	51	61	..	..	16	31	:	47	..	14
	Do. do. Gudalur	767	1,145	1,912	..	124	1	17	559	40	741	1,171	107	1,788	..	1	17	559	40	617	15	1,156
	Do. Sarishtadar-Magistrate, Gudalur ..	54	125	179	..	81	1	3	88	6	179	..	66	98	..	1	3	88	6	98	..	..
	Total ..	931	1,927	2,858	7	236	7	55	1,090	66	1,461	1,397	..	2,615	..	7	55	1,090	66	1,218	25	1,372
35	Court of the Taluk Magistrate, Gudalur	5	3	8	..	..	..	..	1	1	2	6	28	8	..	..	..	1	1	2	..	6
36	Court of the Stationary Sub-Magistrate, Coonoor..	..	1	1	..	..	..	..	1	..	1	..	60	1	..	..	..	1	..	1	..	..
	Grand total ..	978	2,060	3,038	8	(b) 245	7	57	1,132	95	1,544	1,494	..	2,785	..	7	57	1,132	95	1,291	25	1,469

(b) *Particulars for column (7)*

			Section 24.	Section 30.	Total.
(a) Rigorous imprisonment for one month and under	20*	Transferred to long-pending registration	2	155	157
Do. two months and under	4	Death of accused	3	22	25
Do. three months and under	3	Transfer to other court	4	59	63
	27		9	236	245

* One also fined Rs. 100 in addition to the imprisonment.

II

Letter—from J. F. Hall, Esq., I.C.S., District Magistrate, Malabar.
To—the Secretary to Government, Home (Judicial) Department.
Dated—Camp, Meppadi, the 21st February 1919.
No.—24-Perl.

I have the honour to submit my report on the working of the Planters Labour Act I of 1903 in the Wynad for 1918.

2. The number of cases instituted in 1918 was 28 per cent greater than the number instituted in 1917. The figures for the years 1916, 1917 and 1918 are 1,378, 1,197 and 1,528 respectively. There was a fall in 1917 due to no particular ascertainable cause. There has been a much larger rise in the number of cases this year. It is difficult to explain this increase: but the epidemic of influenza which swept over Wynad in the latter part of 1918 has probably something to do with it: for in a number of cases labourers deserted their estates through fear of the disease—only to find that it existed in the plains as well as in the hills.

3. The statement below gives comparative figures for cases instituted under the various sections of the Act in 1917 and 1918:—

Name of court.	Section 21.		Section 24.		Section 28.		Section 30.		Section 36.		Total.	
North Wynad—	1917.	1918.	1917.	1918.	1917.	1918.	1917.	1918.	1917.	1918.	1917.	1918.
Tahsildar-Magistrate, Wynad ..	..	..	..	..	..	..	..	..	..	..	..	..
Sarishtadar-Magistrate, Wynad .	..	..	22	23	..	..	117	283	..	..	139	306
South Wynad—												
Sub-Magistrate, Wynad	..	..	195	270	..	1	862	950	1	1	1,058	1,222
Total ..	..	..	217	293	..	1	979	1,233	1	1	1,197	1,528

One case under section 36 and another case under section 28 ended in the acquittal of the accused. Under sections 24 and 30 of the Act, 139 and 431 persons respectively were convicted and 30 and 152 persons respectively were acquitted.

4. Including those brought from the special register 28 cases came up for disposal under section 24 during the year in the Sarishtadar-Magistrate's Court, Wynad. Of these, 25 cases were filed by European estates and the remaining 3 by Indians. There were 353 cases under the same section for disposal in the Court of the Sub-Magistrate, Vayittiri. The complainants in 86 of these cases were Indians and the rest were Europeans. Of the 300 cases which were filed in the Sarishtadar Magistrate's court under section 30 inclusive of 17 cases pending at the close of the previous year—12 cases were filed by the superintendents of European estates: 7 by Indian proprietors; and the remaining 281 by maistris. In the Sub-Magistrate's Court, Vayittiri, there were 992 cases for disposal under the same section. Of these, 36 cases were filed by Indian estates and the rest by maistris of European estates.

5. In South Wynad 24 estates resorted to the provisions of the Act as against 25 in 1917. Perrengoda, Arappetta, Achoor and Poonopoya estates launched the largest number of prosecutions being together responsible for 435 cases.

6. Labourers have been well treated and no undue pressure appears to have been brought to bear on them. Wages were sufficient and suitable quarters were provided. Adequate medical assistance was given both in the hospitals and dispensaries of the Wynad Medical Association and in the institutions of those estates which do not belong to the association.

7. There is still much difficulty in the execution of warrants. During the year under report the accused in nearly 31 per cent of the cases could not be traced. Most of the Wynad estates do not belong to the labour department of the United Planters' Association of Southern India and the special arrangements for executing warrants through the agency of the association are in force to only a limited extent in Wynad. I understand, however, that a number of estates will join the department with effect from 1st April 1919.

8. On the whole the Act worked satisfactorily. The prescribed statements are submitted.

Enclosures (ii) (1)

Statement showing the number of cases received and disposed of and pending and the result of trials under the Planters Labour Act I of 1903 in the several courts in the Wynad division for the year 1918.

Names of courts.	Section of the Act.	Number of cases.						Persons.					
								Disposed of,				Pending.	
		Pending from previous year.	Instituted during the year.	Total.	Disposed of during the year.	Pending at the end of the year exclusive of the cases transferred to the special register of long-pending cases.	Average duration.	Under trial.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	In custody.	Not in custody.
Subdivisional Magistrate's Court, Wynad.	..	..	..	..	..	..	..	..	..	..	..	..	..
Tahsildar-Magistrate's Court	..	..	..	..	..	..	..	..	..	..	..	..	..
Sarishtadar-Magistrate's Court	Section 24 ..	5	23	28	21	7	6·00	19	3	15	..	..	..
	Do. 30 ..	17	283	300	228	72	3·28	148	47	97	3	3	1
	Total ..	22	306	328	(b) 249	79	..	167	50	112	3	4	1
Court of the Sub-Magistrate, Vayitttri ..	Section 24 ..	61	292	353	250	103	5·10	152	27	124	..	1	..
	Do. 28 ..	..	1	1	1	..	1·00	1	1	..	..	..	..
	Do. 30 ..	324	992	1,316	983	333	4·80	453	105	334	4	7	3
	Do. 36 ..	..	1	1	1	..	1·00	1	1	..	..	..	..
	Total ..	385	1,286	(a) 1,671	(c) 1,235	436	..	607	134	458	4	8	3

(a) Includes 64 cases taken from the special register. (b) Includes 70 cases treated as long pending. (c) Includes 538 cases treated as long pending.

(2)

Statement showing the number of cases and persons received and disposed of and pending and the result of trials under the Planters Labour Act I of 1903 in the several courts in the Wynad division during the year 1918.

Name of court.	Section of the Act.	Cases.								Persons disposed of.				Persons pending.	
		Pending from previous year.	Instituted during the year.	Cases taken from special register.	Total.	Disposed of during the year.	Long pending.	Pending at the end of the year exclusive of cases transferred to the special register as long pending.	Average duration.	Under trial.	Acquitted or discharged.	Convicted.	Died, escaped or transferred.	In custody.	Not in custody.
Subdivisional Magistrate's Court, Wynad	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Tahsildar-Magistrate's Court	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Sarishtadar-Magistrate's Court	Section 24	5	23	..	28	18	3	7	6·00	19	3	15	..	1	..
	Do. 30	17	283	..	300	161	67	72	3·28	148	47	97	3	3	1
	Total ..	22	306	..	328	179	70	79	..	*167	50	112	3	4	1
Court of the Sub-Magistrate, Vayittiri	Section 24	61	270	22	353	179	71	103	5·1	152	27	124	..	1	..
	Do. 28	..	1	..	1	1	..	..	1·0	1	1	..	..	..	..
	Do. 30	324	950	42	1,316	516	467	333	4·8	453	105	334	4	7	3
	Do. 36	..	1	..	1	1	..	..	1·0	1	1	..	..	..	..
	Total ..	385	1,222	64	1,671	697	538	436	..	607	134	458	4	8	3

* Accused in twelve cases did not appear in court.

(3)

Statement showing the particulars of acquittals in cases under the Madras Planters Labour Act I of 1903 during the year 1918 in the several courts in the Wynad division called for in G.O. No. 1662, Judicial, dated 11th August 1913.

Names of courts.	Section of the Act.	Particulars of acquittals.								Total acquittals.	
		Section 245, Criminal Procedure Code.		Section 247, Criminal Procedure Code.		Section 248, Criminal Procedure Code.		Section 40 of Act I of 1903.			
		1917.	1918.	1917.	1918.	1917.	1918.	1917.	1918.	1917.	1918.
Subdivisional Magistrate's Court, Wynad.	..	..	..	..	..	..	..	..	..	..	..
Tahsildar-Magistrate's Court ..	..	..	..	..	..	..	..	..	..	..	..
Sarishtadar-Magistrate's Court.	Section 24	2	1	..	..	3	1	7	1	12	3
	Do. 30	4	2	1	2	33	20	17	35	55	59
	Total ..	6	3	1	2	36	21	24	36	67	62
Court of the Sub-Magistrate, Vayittiri.	Section 24	..	..	..	..	3	12	17	15	20	27
	Do. 28	..	..	..	..	..	..	..	1	..	1
	Do. 30	9	3	2	7	18	51	155	44	184	105
	Do. 36	..	..	..	..	..	..	2	1	2	1
	Total ..	9	3	2	7	21	63	174	61	206	134

Order—No. 586, Home (Miscellaneous), dated 19th March 1919.

Recorded.

(True extract)

R. Ramachandra Rao,
Secretary to Government.

To the District Magistrate, Malabar.
" " The Nilgiris.
" Inspector-General of Police.
" Secretary, United Planters' Association of Southern India, Bangalore.
" " Wynad Planters' Association, Meppadi.
" " Nilgiri Planters' Association, Ootacamund.
Editors' Table.

HOME (MISCELLANEOUS) DEPARTMENT.

NOTES CONNECTED WITH G.O. No. 586, HOME (MISCELLANEOUS), DATED 19TH MARCH 1919

[SUBJECT.—*Planters Labour Act*, 1903.]

Previous papers :

G.O.	1912–15,	*Judicial*,	23*rd Dec.* 1904	*G.O.*	101,	*Judicial*,	12*th Jan.* 1916
,,	1063	,,	14*th Aug.* 1909	,,	728	,,	18*th Mar.* 1916
,,	1714–15	,,	8*th Dec.* ,,	,,	358-*A*,	*Home* (*Mis.*)	5*th Apl.* 1917
,,	883	,,	2*nd June* 1910	,,	450	,,	9*th May* ,,
,,	610	,,	17*th Apr.* 1912	,,	332	,,	3*rd Apr.* 1918
,,	1622	,,	11*th Aug.* 1913	,,	548	,,	11*th July.* ,,
,,	589	,,	7*th Mar.* 1914	,,	599	,,	8*th Aug.* ,,
,,	1073	,,	14*th May.* 1915	,,	705	,,	15*th Oct.* ,,

From the District Magistrate, The Nilgiris, No. 128, *dated* 11*th February* 1919.
From the District Magistrate, Malabar No. 24, *dated* 21*st February* 1919.

The noticeable features in the reports on the working of the Planters Labour Act in The Nilgiris and Malabar districts during the year 1918 are set out below :—

2. *Prosecutions.*—The following statement compares the figures for the last three years [cf. the notes to G.O. No. 332, Home (Miscellaneous), dated 3rd April 1918] :—

Section and nature of offence.	The Nilgiris.			Malabar.		
	1916.	1917.	1918.	1916.	1917.	1918.
21. Wrongful with holding of wages	3	..	..	..	..	..
22. Other offences by planter or maistri	..	..	..	..	..	..
23. Failure of maistri to supply labourers	..	..	..	..	..	..
24. Other defaults by maistri	163	91	124	256	217	293
30. Desertion by labourer	2,198	1,633	1,868	1,114	979	1,233
35. Failure of maistri to complete contract ..	6	6	3	..	..	..
36. Enticement of labourer under labour contract.	1	..	1	8	1	1
Total ..	2,371	1,730	1,996	1,378	1,197	1,527

The large increase in the number of prosecutions in both the districts is explained by the District Magistrates as being due to the epidemic of influenza which swept over the estates which afforded opportunity to a number of labourers to desert their estates.

3. *Pendency of cases.*—The number of cases under sections 24 and 30 of the Act for disposal as compared with the previous years has naturally been very high. There were as many as 170 under the former section and 2,858 under the latter section in The Nilgiris, and 381 and 1,616 respectively in the Malabar district. No useful comparison can be made with the figures for the previous years as the conditions during the year under report were exceptional. But the courts concerned appear to have risen equal to the occasion as no great pendency is noticed as compared with the cases filed. The total number of disposals in The Nilgiris were under all sections 1,544 and in Malabar 697.

4. *Acquittals and discharges.*—In the Nilgiris district there were only 95 persons convicted and in Malabar 458 during the year under report, *under all the sections of the Act taken together.* The percentage works out to 6·15 in The Nilgiris and to about 65 per cent in Malabar. It has already been observed in the previous years' reports that the percentage of convictions in Malabar has always been high.

NOTES TO G.O. No. 586, HOME (MISCELLANEOUS), 19TH MARCH 1919

5. *Execution of warrants against maistris and coolies.*—The District Magistrate, Malabar, reports that the Wynad estates are to join the Labour department of the United Planters' Association of South India from 1st April 1919, and the difficulty till now experienced with regard to the service of warrants, etc., against absconding maistris will then be greatly minimized.

A draft order recording the reports is submitted.

A.V.S.—12-3-19.

C. H. BROWN—13-3-19.

Withdrawals are very common in the Nilgiris but cases are pushed to judgment more frequently in Malabar; this appears to be the chief reason for the disparity in convictions.

R. RAMACHANDRA RAO—14-3-19.

L. D[AVIDSON]—16-3-19.

[G.O. No. 586, Home (Miscellaneous), dated 19th March 1919.]

GOVERNMENT PRESS
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HOME (MISCELLANEOUS) DEPARTMENT.

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(c) The number of copies and the details of distribution should be filled in by the Superintendent or Referencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for *one* week, and larger papers for *two* weeks only. *The type of notes and of all confidential papers is distributed immediately after striking.*

(e) This slip, properly and completely filled in, should accompany every paper sent to Press; it will be returned by the Press when proofs are furnished; it should be sent to the Press when a call is made for revised proofs or when a corrected proof is sent for striking. When finally returned by Press it should be filed with the original order or letter.

INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Registrar any instance of incomplete or careless editing.

(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(d) This slip should be returned by the Press to the Secretariat when proofs are furnished; it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

(e) The names of the Secretary and Members should be printed in full when they occur on the right hand side, only the first time when they appear on the left side, the initials alone being printed later.

[P.T.O.

TO PRESS, MADRAS OOTY.

A

Please send proof in duplicate. The papers have been carefully edited.

Referencer.
Clerk.

Supdt.

B

Proof returned corrected. Please strike off and send number of copies as indicated.

Type may be released ~~after usual interval.~~ at once.

Referencer.
Clerk.

Supdt.

C

As the matter is clear manuscript and has been carefully edited, (*b*) proof need not be sent. Please print and supply number of copies as indicated.

Type may be released after usual interval.

Referencer.
Clerk.

Supdt

SPECIAL INSTRUCTIONS.

TO BE FILLED IN BY THE PRESS.

Diary.	Initials of Press official.
Received in Press on 19-3-17	SA
First proof furnished on 25/3/17	[illegible]
Call for revised proof received on	
Revised proof furnished on	
Corrected proof received for striking on 28/3/17	[illegible]
Final copies supplied on 29/3	

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