

Law (1921) Department.

Miscellaneous

Ordinary SERIES.

G.O. No. *49*

DATED *18.7.21*

[Despatch Abstract.]

Census.

Heads of Departments instructed to afford necessary aid
for Census duty.

-1 JAN 1921

Note for Secretary to Government

U.O. No 1036
29.12.20.

2/1/21

4-6

Reference:- Census Commissioner's letters Nos. C-89, dated November 30th, 1920, and 982, dated December 23rd, 1920, regarding the steps to be taken to meet non-co-operation in connection with the Census. Copies of these letters are attached to this note.

Non-co-operation may affect the Census in two ways:- (1) people may refuse to act as Census Officers, and (2) the public, or some part of it, may refuse to give the information about themselves necessary to enable the Enumerator to fill up the Schedule.

As for the first point, under Section 2 of the Indian Census Act (IV of 1920) Local Governments may appoint any person to take, or aid in, or supervise the taking of, the Census within any specified local area; and under Clause (3) of the Section the Local Government may delegate its powers under this Section. Section 3 of the Act lays down that a declaration in writing, signed by an authorised officer, that a person has been duly appointed a Census officer shall be conclusive proof of his appointment. By their Notification No.134 published at page 1531 seq., of the Fort St. George Gazette of December 14th, 1920, the Madras Government have appointed certain Census officers and have delegated to these officers the power of appointing Census officers within their jurisdiction; these officers have also been authorised to issue the declaration in writing under Section 3 of the Act. Section 10 (a) of the Act makes it an offence for a Census officer to refuse or neglect to use reasonable diligence in performing his duties or

in obeying orders.

It follows that any person who refuses to act as a Census officer is liable to prosecution for an offence under Section 10 (a) of the Census Act.

Upon the public, Section 7 of the Act imposes the obligation to answer truthfully questions properly put by a Census officer; and under Section 10 (c) any person refusing to answer such a question is punishable with fine.

The Census Commissioner suggests that prosecution should as a matter of course follow any offence under the Act; paragraph 7 of the Madras Government's Notification requires the District Magistrates' sanction for all such prosecutions. I propose therefore, while pointing out the legal position, to ask District Magistrates to sanction prosecution at the first sign of non-co-operation.

It is necessary however to recognise that penal measures may not stop non-co-operation; and I propose to indicate how a serious attempt at wholesale non-co-operation should be met. If anywhere non-official Enumerators cannot be made to do their work, it will be necessary to draw further on Government servants of all Departments. I would request that Heads of Departments may be specially asked to render assistance in this matter.

To meet non-co-operation by the public, Enumerators must be told to write up the Census record from the best information available; from their own knowledge of the people, or from such information as can be obtained by enquiring in the neighbourhood.

From

From the reports so far received I do not anticipate any wholesale obstruction of the Census work by non-co-operation. I do not think it necessary at present to contemplate either the dispensing with the final Census or the postponement of the Census to a more convenient season.

I request Government will be pleased to approve the draft instructions which I propose to issue on the subject.

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Copy of letter from the Census Commissioner for India, Simla, to the Superintendents of Census Operations of British Provinces only, No.C-89, dated 30th November 1920.

Reports have come from certain Provinces that there is a possibility of non-cooperation in connection with the Census and it is necessary to prepare for any obstacle of this kind.

2. Non-cooperation may take two forms:- (1) It may be impossible to get persons to act as Census officers, and (2) a portion of the public may refuse to give the necessary information for filling up the Schedule. The Census Act has penal provisions which deal with refusal to obey statutory obligations and it would certainly seem advisable that prosecution should follow any offence under the Act as a matter of course. This, however, is a matter for you to settle with your Local Government.

3. If serious non-cooperation persists in spite of penal measures it will be necessary to make the best possible arrangements for the preliminary enumeration, mobilizing the strongest staff available. In cities and towns it will be possible to draw on the Government and Municipal staff, and in rural areas, wherever there is a subordinate Revenue or Land Record staff which remains unaffected there will be little difficulty in getting the Preliminary enumeration carried out accurately with the assistance of such Enumerators as may be available.

4. Non-cooperation by the public should be dealt with in the following manner. Where all means to make the householder give the necessary information fail the Enumerator will fill up the Schedule as accurately as possible according to information he possesses himself or can obtain by enquiry in the neighbourhood. He will probably in this way be able to obtain information for column 3 (persons in the house), column 5 (Sex) and enough information to make a near estimate of column 7 (Age). If he cannot obtain

obtain information sufficient to fill the other columns of the Schedule he should proceed on the following lines, the actual instructions being adapted by Superintendents to suit the local conditions:-

Columns 4(Religion), 8(Caste), 9(Occupation) & 13(Language)-

He will enter the religion, caste, occupation and language most numerous in the locality.

Column 6 (Civil Condition) - He will enter all females above 13 and all males above 18 as married.

Column 10 (Subsidiary Occupation) - He will leave this blank.

Column 11 (Dependence). He will enter here for all females, and for all males under 16 years, the same entry as for the principal occupation of the head of the family.

Column 12 (Birthplace) - He will enter the district of Enumeration.

Columns 14-(Literacy), 15 (English), and 16 (Infirmities) - He will leave blank.

5. Where non-cooperation is limited and concentrated, arrangements should be made, if this is possible, for the careful scrutiny and check of the Schedules by the Tahsildar or some officer who knows the people and the local conditions and can correct obviously absurd entries.

6. These measures should suffice to meet all ordinary cases of non-cooperation. Where the Census staff is clearly insufficient to carry out a final Enumeration this must be dispensed with; and if in any locality, e.g., a city or town, Census operations have been so seriously obstructed as to render the figures useless it may be necessary to hold a second Census at a later date when conditions are more normal.

Copy of letter from the Census Commissioner for India, Simla, to the Superintendents of Census Operations of British Provinces only, No.982, dated 23rd December 1920.

In continuation of my letter No.C-89, dated the 30th November 1920, on the subject of non-cooperation in connection with the Census, I have the honour to explain that the instructions in the latter part of para: 4 of the letter are only to be applied when all efforts to obtain the required information have failed and there is no means of filling up the columns of the Schedule except by a mere estimate. It is not anticipated that it will be necessary to apply these arbitrary rules in any but the most exceptional circumstances, as the Census officer will usually be able to obtain correct information, at any rate, regarding the main categories. The religion, for example, of the head of the household would almost invariably be known and the other members of the family would be entered as belonging to that religion.

2. I would request that in any instructions that you issue on the subject you will emphasise this point.

DRAFT.

Office of the Superintendent of Census
Operations,

No.

Chepauk, Madras, dated January 1921.

From

G. T. Boag Esq., I.C.S.,

Superintendent of Census Operations,

Madras.

To

All Collectors.

Sir,

In view of the possibility that organised attempts may be made to obstruct the Census work by "non-co-operation", I have the honour to suggest certain measures by which such attempts should be met.

2. "Non-co-operation" may affect the Census in two ways:- (1) it may be impossible to get persons to act as Census officers; (2) some portion of the public may refuse to give the information necessary for the completion of the Schedule. The Indian Census Act (IV of 1920) provides a penalty both for persons who refuse to act as Census officers and for persons who refuse to answer questions properly put to them by a Census officer. The legal position is this:- Section 2(1) of the Act empowers Local Governments to appoint any person a Census officer for some specified area, and Section 2 (3) empowers Local Governments to delegate the powers under the Section. Section 3 of the Act lays down that a declaration in writing signed by an authorised officer that a person has been appointed a Census officer is conclusive proof of such appointment. By their Notification No.134, published at page 1531 seq. of the Fort St. George Gazette of December 14th, 1920, the Madras Government have appointed certain Census officers and have delegated to

these

these officers the power of appointing Census officers within their jurisdictions; these officers have also been authorised to issue the declaration in writing under Section 3 of the Act. Section 10 (a) of the Act provides a penalty for a Census officer who refuses or neglects to use reasonable diligence in performing his duties or in obeying orders; and Section 10 (c) provides a penalty for any person who refuses to answer to the best of his knowledge or belief a Census officer's questions. The powers conferred by the Census Act should be used, and as a general rule any offence under the Act should be followed as a matter of course by prosecution. Under paragraph 7 of the Madras Government's Notification prosecutions require your sanction as District Magistrate. I ask you therefore to sanction prosecution of every person to whom a specific offence under the Act can be brought home. It is not at all unlikely that prompt action on these lines at the very start of an obstructive movement may prevent its spread throughout a Taluk.

3. It is however necessary to be prepared for "non-co-operation" which persists in spite of penal measures. Where this takes the form of non-officials refusing to work as Supervisors or Enumerators, you should consider how best to get the Preliminary Census done; it may be necessary to draw further upon Government servants of all Departments; or in villages it may be desirable to entrust the whole work to village officers; the exact measures to be taken must necessarily depend on the exact form the "non-co-operation" takes and on the local resources. So far as my information at present goes there is no danger of any such wholesale abstention from the Census as might necessitate the dispensing with the Final Census in certain localities.

4. Where the public 'non-co-operate' by refusing to supply the information necessary for the Schedule, Enumerators must be

told

9
a

told to fill up the form as accurately as they can either from their own knowledge or from such information as they can obtain in the neighbourhood. In almost every case the Enumerator should be able to give fairly accurate returns in this way.

5. If you have reason to anticipate any serious difficulty on account of the "non-co-operation" movement I shall be glad if you will let me have a report at the earliest possible moment stating the area affected, the form the obstruction is likely to take, and the measures adopted to get over the obstruction. It might perhaps do some good to point out to non-cooperators that the Indian public will be the chief loser if the success of the Census is impaired. Accurate statistics will always be required by any Government, whatever be its form. A considerable sum has already been spent on paper and printing which will have been wasted if the Census is not to be complete or reliable.

I have the honour to be,

Sir,

Your most obedient servant,

Superintendent of Census Operations,

Madras.

Home (Mis) Dept

10.1.21

The non-cooperation movement does not appear to be quite ~~violent~~ ^{violent} in this Presidency and it is not likely that any serious obstruction to the census work will be felt on this account. There is, however, no harm to the issue of the draft instructions at pp 7-9 ante. A draft d.o. to Mr. Boag is submitted for approval.

With reference to the Census Supdt's remarks at 'K' on page 2 ante the draft order submitted below may also be issued.

48.36
10.1.21

10
10

Home (Mis) Dept

For the U.S.

The non-cooperation movement does not appear to be quite ~~violent~~ ^{violent} in this Presidency and it is not likely that any serious obstruction to the census work will be felt on this account. There is, however, no harm to the issue of the draft instructions at pp 7-9 ante. A draft d.o. to Mr. Boag is submitted for approval.

2 With reference to the Census Supdt's remarks at 'K' on page 2 ante the draft order submitted below may also be issued.

3 It does not seem necessary to send ~~the draft~~ ^{it} to other depts of the Secretariat for acceptance.



There isn't so far any indication in this Province that N.C.O. has seriously considered the question of the approaching Census. It is therefore desirable to treat these instructions as Confidential.

AR.
11.1.21

Ld
10.1.21

Secy.

W 10/1/21

by
8/21

C 3.

Secy.

I have seen the addition made in pencil to the draft d.o. - Ld 11/1/21

Handwritten notes at the top left of the left page.

Main body of handwritten notes on the left page, written in cursive.

Additional handwritten notes at the bottom of the left page, including some calculations.

	No. of clerks spared during last Census.	No. of clerks promised this time.
1. General Superintendent, P.W. Workshops...	13	Nil.
2. Divisional Engineer, Telegraphs, Madras Division	11	Nil.
3. Superintending Engineer, P.W.D., V Circle.	10	Nil.
4. Sanitary Engineer to Government	16	Nil.
5. Inspector General of Registration	8	4
6. Inspector of Salt, Abkari and Customs Department, Madras Town	5	1
7. Asst. Commissioner, ----- do ----- Chingleput	5	2(+1 name received on 7-1-21.)
8. Executive Engineer, Chingleput Division.	9	6(+3 names -do- on 7-1-21)
9. Secretary to the Commissioner for Govern- ment Examinations	4	2
10. Superintendent, Army Clothing Factory..	21	3 ✓
11. Executive Engineer, North Presidency Division	5	2
12. Inam Commissioner	24	7 ✓
13. Board of Revenue, Separate Revenue	27	14(+13 names re- ceived on 7-1-21)
14. Asst. Collector of Customs for Accounts.	31	15 ✓
15. Deputy Accountant-General, Posts and Telegraphs	55	42 ✓
16. Secretary to Government, L & M Deptt...	17	12
17. Inspector-General of Police	26	7 ✓
18. Registrar, Co-operative Societies.....	7	3 ✓
19. Commissioner of Police, Madras	7	2
20. Registrar, Court of Small Causes.....	34	23 ✓
21. Director of Survey	71	56 ✓
Total	406	201

Uo. No 76

11-1-21.



p. 11 supra

N

Misc. No. 167
14.1.21

12

Census Office.

Note for Secretary to Government, ^{Law} Home (Mis) Deptt.

The accompanying statement compares the response made by certain offices in Madras City to the appeal for the services of clerks for Census duty with what was achieved in 1911.

2. The Revenue Officer of the Corporation informs me that he is still 240 men short, and fears that it may be necessary to appoint some paid enumerators unless Government insists upon its officers sparing more men.

3. I should be glad if Government would issue orders to all heads of offices in Madras to spare the services of as many clerks as possible, and in no case a smaller number than were spared at the last Census.

Encl
11/1/21

[So. to Mr. Boag No. 11-1 of 14.1.21]

Home (Mis) Deptt

For Gen. Sec.

(referred to in para 1 on p. 10 ante)

The So. to Mr. Boag has

issued.

With reference to the remarks at 'N' above the draft order already submitted

Home (Mis) No. 11-1
14.1.21

13/13
has been amplified by the
addition of the following:—
"and the heads of all Government
offices in the City of Madras"
for orders as to whether the
draft order as amended may
issue.

Perhaps the G.O. may be reinforced
by a d.o. to heads of offices in Madras

Secy.
14.1.21

Yes. Possibly the replies are
related *W* 14/1/21

For the Res.

A draft G.O.
to heads of offices in Madras
City is submitted for approval.

[For orders whether the addition in red ink
proposed in the draft order may now be omitted]
Let it be, I think.

Secy.
17/1/21

W 17/1/21

Law (Miscellaneous) Department.

11-1 of 14.1.21

Dear Mr. Boag,

Your u.o. Note No. 1036 dated 29-12-20

I am to inform you that the Govt. approve of the draft instructions regarding measures to get over any possible obstruction from non-cooperation. *Please an collection to treat the minutes as confidential*
Orders are also being issued - requesting Heads of Departments to render every aid in their power towards the successful accomplishment of the Census.

Securing the requisite staff

Yours truly

Ld
10/1/21

W 7/12

DESPATCHED
14 JAN. 1921

To

G.T. Boag Esq. D.C.S.

Supdt. Census Operations

Madras

Heads of Departments instructed to afford necessary aid
for Census duty.

” ” ” ” ” 191

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

” ”; ” ”; ”; ” 191

No. 49, dated 18 7 192

The attention of all Heads of -
Departments ~~is drawn to para 3 of G.O.~~
No.1335 Home(Mis) dated 27th August 1920.
~~the services of a large number of~~
Government servants may probably be ~~required for the purposes of Census on~~
~~the present occasion~~ ^{very} ~~and they~~
are specially requested to render all
possible assistance in the matter.

Mobilizing the ^{strongest} ~~requisite~~ staff
available when requisitioned by

Let the Supt
10/1/21

107112

To

All departments of the Secretariat.
The Superintendent, Census Operations
The Board of Revenue (all Depts)
~~All Collectors.~~
~~Private Secretary to H. E. Governor.~~
~~President, Board of Examiners.~~
~~Person & Hinduстан Translator to~~
~~Government.~~
~~Postmaster General~~
Census Commissioner for India (with C.L.)
Commissioner of the Corporation of Madras
~~Publicity Officer.~~
Superintendent Government Press
for publication in gazette.

for publication in Gazette.
All heads of depts under the
Home Department including
Collector and 8 judges (including
P. & C. J. J.)

Received

1921

Government of Madras

Registered

1921

Abstract

Law (Miscellaneous) Department

G.O. No. 49 dated 18th January 1921

O.R.D.R.

The attention of all heads of Departments and the Heads of all Government Offices in the City of Madras is drawn to para 3 of G.O. No. 1335 Home (Miscellaneous) dated 27th August 1920 and they are specially requested to render all possible assistance in mobilizing the strongest staff available when requisitioned by the Superintendent, Census Operations.

(By order of the Governor in Council)

Madhavan
for Secretary.

To
All departments of the Secretariat.
The Superintendent, Census Operations.
The Board of Revenue (All Departments)
The Census Commissioner for India (with C. I.)
The Commissioner of the Corporation of Madras
All heads of Departments under the Home Department including Collectors, District Judges and the Publicity Officer.

Rai
18.1.21

LAW (MISCELLANEOUS) DEPARTMENT

Dear ^x no 11-2-2818.21

In order to get over any possible obstruction of the Census work ~~from~~ non-co-operation it may be necessary for the Census Superintendent to draw largely on Government servants of all Departments.

^{therefore} I am to request you to render ^{the Census Dept} every aid in your power by sparing the services of as many clerks as possible and in no case a smaller number than were spared at the last Census.

Yours _____

Handwritten notes:
17.1.21
17.1.21
17.1.21

^x Lists of Heads of Offices in Madras City

Confidential

From a statement received from the Supt. of Census it is observed that heads of Offices in the Presidency have not responded adequately to the appeal for the services of Clerks for Census duty. With only ^{two} exceptions the number of ~~clerks~~ ^{promised by the various} falls far short of the number ^{of} ~~and~~ ^{clerks} ~~despatched~~ ^{in 1911}. The Govt. expect from heads of Offices a more increased readiness to help in Census work.

Stamp: DESPATCHED
21 JAN. 1921
TO All Heads of Offices in Madras City.

G.O. No. 1355 dated 18th January 1921

Handwritten: 28.1.21

The attention of all heads of Departments and the heads of all Government Offices in the City of Madras is drawn to para 5 of G.O. No. 1355 (Miscellaneous) dated 18th January 1921 and they are respectfully requested to render all possible assistance in mobilising the ~~services~~ ^{services} of all available Government servants in the City of Madras.

(By order of the Governor in Council)

To All Departments of the Government.
The Superintendent, Census Department.
The Board of Revenue (All Departments).
The Census Commissioner for India (with C.I.).
The Commissioner of the Corporation of Madras.
All heads of Departments under the Government.
The Police Commissioner.
The Publicity Officer.



18

Port St. George.

18th January 1921

Law Department
(Miscellaneous)

D.O. No 11-2

Dear Sir,

From a statement received from the ---

Superintendent of Census it is observed that Heads of Offices in the Presidency Town have not responded adequately to the appeal for the services of clerks for Census duty. With only two exceptions the number of clerks promised by the various offices falls ^{far} very short of the number deputed in 1911. The Government expect from Heads of offices a more increased readiness to help in Census work. I am therefore to request you to render the Census Superintendent every aid in your power by sparing the services of as many clerks as possible and in no case a smaller number than were spared at the last Census.

Yours sincerely,

M. Aduloyin

All Heads of Offices in
Madras City

Rai
18/1/21

When given for copying _____
When copied _____
When examined _____
When signed _____

192 .

READ AGAIN G.O. No. _____
192 .

DATED

Rai
18/11

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT

A A A A A A A

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

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

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.