

Public Works (1897) Department.

G.O., No. 600W

DATED 3 March 1897

[Despatch Abstract.]

Famine Code: P.W. Revenue Dept. passed orders on Board's P.W. Submitting a - for this Residency revised with reference to the instructions of the Govt of India, recorded.

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R. S.

Passing orders on Board's Proceedings, submitting a — for the Madras Presidency, revised with reference to the instructions of the Government of India.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 22nd October 1896, No. 287:—

Read—the following G.O., No. 244, Revenue, dated 9th June 1896:—

Read—the following letter from DENZIL IBBETSON, Esq., C.S., Officiating Secretary to the Government of India, Department of Revenue and Agriculture (Famine), to the Secretary to the Government of Madras, Revenue Department, dated Simla, the 5th August 1895, No. 1142—6-2:—

I am directed to enclose a memorandum of certain modifications which the Government of India desire should be made in the draft Famine Code received with your letter, No. 686, dated 24th September 1894. It will be observed from paragraphs 20 and 25 of the memorandum that the Governor-General in Council has duly considered the two matters mentioned in paragraph 3 of your letter, and that, though he accepts the views of the Madras Government on the subject of the tasks to be allotted to the various classes of relief workers, he is not prepared to re-open the question of the sufficiency of the minimum ration.

2. The Code, after being corrected in accordance with the instructions conveyed in the accompanying memorandum, and after being duly indexed in compliance with paragraph 16 of this Department's Resolution, No. 35, dated 24th August 1893, should be issued; and I am to request that 31 copies of the Code as issued may be supplied to this Department.

3. You will be addressed separately hereafter in connection with your letter, No. 901, dated 26th December 1894, regarding the application of the principles of the Code to Native States subordinate to the Madras Presidency.

ENCLOSURE.

MEMORANDUM of Modifications required in the Madras draft Famine Code (1894).

CHAPTER I.—General instructions in ordinary times.

1. It should be stated that the prices referred to in section 2 are retail shop prices.
2. Provision should be made for the publication and periodical revision of a schedule of normal rates, as prescribed in paragraph 10 of the Government of India's Circular No. 25-I., dated 10th September 1891. It is suggested that in this schedule a column might be added showing the scarcity rate, a rise to which renders necessary a report to the Board under section 2.
3. In section 8 it should be stated that when the figure in column 3 of statement C (section 11) exceeds 20 per cent. of the population, the programme should show works capable of giving employment to this larger number for three months.
4. With reference to paragraph 6 of the Board's Resolution, No. 156, dated 11th April 1894, the Government of India agree that the village officers in their monthly reports should not show the estimated amount of the grain stocks.

CHAPTER II.—General instructions when serious scarcity is imminent.

5. The second sentence of section 17 should be omitted and an order substituted directing that harvest operations must not be interfered with on the ground that the inspection of the tracts affected has not been made.
6. After section 34, the following rule, which is similar to the rule in section 19 of the Bombay Code, should be inserted:—
“When in consequence of the apprehension of imminent and serious scarcity, application is made by the local officers for the immediate strengthening of the district staff, the Local Government is empowered to sanction the employment of such additional staff as may appear to be necessary, provided that all such appointments as ordinarily require the sanction of the Government of India or the Secretary of State are reported at once to the Government of India for confirmation.”

7. The Code should notice the expansion of ordinary works as a preliminary and test measure when it is apprehended that famine is imminent, and a rule similar to the rule in the Bengal Code, which is reproduced below, may, if the Local Government agrees, be added to the chapter:—

“District officers are required to use their discretion in determining whether there is scarcity or whether famine is imminent. The proper course is, with the first indications of distress, to open one or more test works, according as the area which seems affected is small or large, regulating them strictly according to the provisions hereinafter contained as to relief works. Ordinary works in progress under the District Board or required by it should be opened and should be utilized as test works, wages and the quantity of work to be done being regulated according to the rules for relief works. Employment should be offered to the needy, on the strict condition that the labour is paid for at task work rates, not daily rates, and the wage given does not exceed the famine wage according to the Code. If such test works attract labourers in large numbers, then it may be considered proved that distress exists.”

8. The Government of India approve of the proposal in section 16 regarding the opening of ordinary works at other than contract rates, but the necessary arrangements should in such cases be made by the Collector in communication with the officers of the Public Works Department.

CHAPTER III.—Duties of Superior Officers.

9. Sections 31, 32 and 34 should be expunged. The question whether any expenditure on famine relief works or on gratuitous relief is Imperial or Provincial is decided by the Provincial Contracts. Under the Provincial Contracts now in force, charges under 33—Famine Relief, are wholly Provincial in all Provinces and Provincial resources must be exhausted before Imperial revenues are indented on.

10. After section 35 add “All such grants of funds as would ordinarily require the sanction of the Government of India or the Secretary of State must be reported at once for confirmation.”

11. In section 33 it should be stated that Local and Municipal Bodies are expected to devote (so far as the law allows) towards famine relief all such funds as are not required for absolutely necessary expenditure of other kinds.

The following rule, taken from the Bengal Code, is suggested for adoption:—

“District Boards must be regarded as forming an integral part of the administration, and it becomes their duty, as it is that of other departments of Government in time of serious scarcity, to subordinate the ordinary objects and methods of their expenditure to the special consideration of saving life. District Boards are the primary agency available for coping with famine, and must be expected in such crises to direct their whole resources, subject only to the maintenance of absolutely necessary works in non-affected tracts, to affording relief. The primary obligation having been carried out it remains for Government to supplement the resources of Boards if necessary, so as to enable them not only to combat famine, but also to perform their ordinary functions connected with the upkeep of district communications. Before then an appeal is made by the Boards to Government for funds, all possible expenditure, beyond that absolutely necessary for bare maintenance and establishment charges should be diverted from non-affected to affected areas and on the opening of relief operations, the district budgets should be remodelled with this object.”

12. A general rule should be introduced in this chapter requiring the District-officer to utilize, as far as is practicable, the executive agency of Local and Municipal Bodies (Cf. section 90).

13. Form A of Appendix II, referred to in section 49 (vi) and printed at page 43 of the draft, should contain the extra columns regarding death-rate, &c., suggested in the Government of India Circular No. 7, dated 18th March 1892: this will be more satisfactory than the separate statement on these points prescribed by section 49 (viii).

CHAPTER IV.—Division of districts, Circle organization and duties of Circle Officers.

14. The division of the country into relief circles should be utilized, not only as provided in section 76 for purposes of gratuitous relief, but also for general purposes of famine administration, and it is therefore advisable to allude to this division in this chapter and to render Circle officers liable, as, e.g., in section 4 (d) of the Provisional Code, to serve for purposes other than that of gratuitous relief.

15. As the draft Code contains no general rule for the guidance of District-officers in their treatment of migrants, a section should be added to the following effect:—

“Migrants should not ordinarily be interfered with except (i) when they are obviously too weak to carry out the journey they propose; (ii) when it is known that the place to which they propose to go is unable to support them; (iii) when they are wandering aimlessly. On routes where migration is large, rest-houses should be provided. In treating applicants for relief no distinction should be made between those who come from British territory and those who have migrated from Native States.”

CHAPTER VI.—*Gratuitous Relief.*

16. With reference to paragraph 16 of the Board's Resolution of 11th April 1894, mention should be made in section 69, if not in section 61, of the fact that capable persons refusing to labour should be sent to the poor-house (section 81 of Provisional Code).

17. A rule should be entered either in this chapter or in Chapter IX to ensure that all expenditure on the objects mentioned in sections 131 and 133 to 136 should be classed in the returns as gratuitous relief.

18. As there will generally be a certain number of infirm adults who are allowed to stay on the works and receive a minimum wage direct, although they do no work, provision should be made for these in the Code, as otherwise the officer in charge might feel bound to separate them from their own people. The following rule, which is taken from the Bengal Code, may, if the Local Government agrees, be added to this chapter:—

"Infirm persons unfit to work, who apply for relief, shall receive the minimum wage prescribed in section 119, and if dependent on labourers employed on the work, shall be allowed to remain on such work so long as such labourers are so employed."

CHAPTER VII.—*Famine Relief Works.*

19. As no indication is given regarding the manner of appointment and the status of the "officer in charge" of a work, it should be stated that the officer will, *qua* "officer in charge," be appointed by the civil authorities (see Provisional Code, section 35), and that in cases where a Public Works officer is in charge both of the construction and of the general arrangements, he should, as regards the latter, be under the orders of the civil authorities.

20. With reference to section 99, the Government of India accept the proposal made in paragraph 2 (1) of G.O., No. 685, dated 24th September 1894, that the task of B and C labourers should be 75 and 50 per cent. of those required from labourers of class A, but except that in future famine administration strict attention will be paid to the adequacy of the task imposed on A labourers.

21. There should be a general rule in this chapter that fines should not be such as to reduce the wage below the minimum wage prescribed by section 119: contumacious characters, however, should be liable either to have their wages reduced below the minimum or to be sent to the poor-house.

22. It should also be a general rule that fines are not meant to meet short work due to weakness rather than wilfulness.

23. It should be definitely stated in the Code that infirm adult dependants who cannot work may either receive relief at kitchens under section 67 or be granted allowances as in section 113 (see paragraph 15 of the Government of India's Circular No. 35, dated 24th August 1893).

24. The Code should reproduce the rule printed at the end of paragraph 15 of the Government of India Circular No. 35, dated 24th August 1893, viz., that when the number of dependants and non-working children for whom allowances are granted exceeds 10 per cent. of the number of persons employed, a special explanation should be required from the officer in charge of the works.

In view of difficulties which have been raised in other provinces, it may be noted that the children and other infirm dependants who do work will be entered in column 9 (class D) of the monthly Famine Statement A (page 43 of draft Code): those who do no work will be entered in column 11.

CHAPTER VIII.—*Wages and Rations.*

25. The Government of India have carefully considered the arguments put forward in paragraph 30 of the Board's Resolution, No. 156, dated 11th April 1894, and paragraph 2 (2) of G.O., No. 685, dated 24th September 1894, regarding the rate of minimum ration. They are not, however, prepared to re-open the question of the sufficiency of this ration or to accept any deviation from the scale definitely prescribed in the Provisional Code and in paragraph 9 of the Circular No. 35, dated 24th August 1893. The items of the ration should be prominently stated in the Code and not relegated to the second footnote on page 24 of the draft.

26. It will be observed that, though the first item of the ration is flour or husked grain, the "grain equivalent" is prescribed by the Government of India in terms of unhusked grain, the depreciation thus caused in respect of the first item being compensated by the liberality of the equivalent in the case of the remainder. The word "husked" must, therefore, be expunged from section 119, as provided for in G.O., No. 32, dated 22nd January 1895.

The statement on pages 67 to 69 should be based strictly on the equivalent prescribed in section 119, without reference to the original ration. No allowance, therefore, for husking and grinding should be made in respect of any part of the ration; and the statements must be corrected accordingly. As the figures in the table do not depend on the particular grain adopted under section 120 as the basis of the grain equivalent, one table will suffice for all grains.

27. The draft Code omits to notice that in certain cases it is permissible to give a wage calculated on the money value of each item of the ration (see the end of paragraph 11 of the Government of India Resolution of 24th August 1893). This omission should be made good.

CHAPTER XII.—*Medical and Sanitary Rules.*

28. A section should be introduced on the lines of section 125 of the Provisional Code regarding the decision of matters in which the medical officers hold different views from those who are not medical officers.

CHAPTER XIII.—*Accounts.*

29. It is suggested that before this chapter is issued it should be examined by the Accountant-General and the Public Works Department, so as to ensure the absence of technical error.

Order—No. 244, Revenue, dated 9th June 1896.

Miscellaneous.

Communicated to the Board of Revenue (Revenue Settlement, Land Records and Agriculture) with the request

that a proof copy of the draft Famine Code revised with reference to the instructions contained in the memorandum forwarded by the Government of India with its letter read above and indexed with reference to paragraph 2 thereof may be submitted to Government at an early date.

2. With reference to paragraph 29 of the memorandum, Chapter XIII of the draft Code will be forwarded to the Public Works Department and the Accountant-General for scrutiny.

(True Extract.)

(Signed) A. T. ARUNDEL,
Ag. Secretary to Government.

To the Board of Revenue (Revenue Settlement, Land Records and Agriculture).
" Public Works Department (with Chapter XIII of the Code).
" Accountant-General (with Chapter XIII of the Code).

Read—the following G.O., Mis. No. 3007, Revenue, dated 28th July 1896:—

Read—the following letter from DENZIL IBBETSON, Esq., C.S., C.S.I., Officiating Secretary to the Government of India, Department of Revenue and Agriculture (Famine), to the Secretary to the Government of Madras, Revenue Department, dated Simla, 14th July 1896, Circular No. 13—37-1:—

Under rule 1 of the rules for famine reports required by the Government of India, which were published with Resolution No. 5—48, dated the 2nd March 1892, the first indication of failure of harvest or scarcity in a Province is to be communicated in the weekly telegraphic "weather and crop" reports. In some recent cases it has been found that, in spite of a strict adherence to the letter of this rule, the weekly reports have failed to give the Government of India timely warning of the approach of distress. The failure of harvest may have occurred some months before signs of distress appear, and it is difficult to estimate the real position of affairs from general statements of the agricultural condition of any local area.

I am therefore to request that the following addition may be made to rule 1 of the rules referred to above and that its requirements may be carefully observed in future:—

"Whenever the state of affairs becomes so strained that the opening of test or relief works appears likely to be necessary, the fact should be distinctly stated in the weekly telegraphic reports."

Order—Mis. No. 3007, Revenue, dated 28th July 1896.

Communicated to the Board of Revenue for information and guidance.

(True Extract.)

(Signed) A. T. ARUNDEL,
Ag. Secretary to Government.

To the Board of Revenue (Revenue Settlement,
Land Records and Agriculture).

Read—the following G.O., Mis. No. 3036, Revenue, dated 30th July 1896 :—

Read—the following letter from the Accountant-General, No. 2230, dated 20th July 1896 :—

With reference to paragraph 2 of G.O., No. 244, dated the 9th of June 1896,
I have the honour to suggest that the first sentence of rule 179 (3),* chapter XIII of the draft Madras Famine Code, be amended as follows :—

* Local Fund, &c., charges.

“Will be paid in the case of Local Funds upon bills drawn in regular form, and in the case of Municipalities upon cheques.” This is necessary as, in cases where Municipalities bank with Government Treasuries, money is drawn only by cheques.

2. It is presumed that mention is made elsewhere in the draft code of the system of apportioning the famine expenditure between the Local bodies and Government.

3. No other technical error in the rules is apparent.

Order—Mis. No. 3036, Revenue, dated 30th July 1896.

Communicated to the Board of Revenue.

(True Extract.)

(Signed) A. T. ARUNDEL,
Ag. Secretary to Government.

To the Board of Revenue (Revenue Settlement, &c.).

Read—the following G.O., Mis. No. 3299, Revenue, dated 15th August 1896 :—

Read—the following Proceedings of the Public Works Department, No. 2285 W., dated 10th August 1896 :—

Read—G.O., No. 244, Revenue, dated 9th June 1896.

Read—Office-note from the Examiner of Public Works Accounts, No. 2120-D.A., dated 22nd July 1896.

Order.—Chapter XIII of the draft Famine Code is practically a reprint of chapter III, and sections IV and V of chapter IV, old Famine Code. The Public Works Department has no remarks to offer.

Order—Mis. No. 3299, Revenue, dated 15th August 1896.

Communicated to the Board of Revenue.

(True Extract.)

(Signed) F. J. WILSON,
Ag. Under Secy. to Government.

To the Board of Revenue (Settlement).

Resolution—dated 22nd October 1896, No. 287.

With reference to G.O., No. 244, dated 9th June 1896, the Board begs to submit a proof copy of the draft Famine Code, with the alterations suggested in the memorandum received from the Government of India carried out, and with an index newly prepared. The Board has considered it necessary to slightly modify section I for reasons set forth in Mr. Benson's letter read in its Proceedings, dated 5th October 1895, No. 313.

2. The addition suggested in paragraph 6 of the memorandum has been made after section 29 instead of after section 34, as the former seems to be the more appropriate place.

3. To bring section 35 into accordance with the rules laid down by the Government of India, a small addition has been made thereto.

4. In paragraph 13 of the memorandum, it is stated that form A of Appendix II should contain extra columns regarding death-rate, &c., ordered in the Government of India's Circular, dated 18th March 1892, No. 7, instead of a separate statement being submitted to furnish this information. As reported in Board's Proceedings, dated 4th April 1892, Mis. No. 3308,* it would be impossible to obtain the mortuary returns much before the close of the month succeeding that to which they refer and a

* In Board's Proceedings, dated 2nd May 1892, No. 328.

separate statement was therefore prescribed in the Board's draft Code in accordance with the wishes of the Government of India contained in paragraph 3 of their Circular of 18th March 1892 referred to above. The extra columns have therefore not been added to form A of Appendix II.

5. With reference to paragraph 2 of the Accountant-General's letter communicated with G.O., No. 3036, dated 30th July 1896, the Board begs to point out that no mention has been made in the Code regarding the system of apportioning famine expenditure between Local Boards and Government. In section 34 of the draft Code, the general principle on which famine expenditure from Local and Municipal Funds should be adjusted was described, but the Government of India has ordered elimination of that section. This leaves District Boards entirely at the mercy of Government and there is no fixed principle laid down as to how relief to Local Funds is to be given. No doubt the Bengal rule quoted at paragraph 11 of the Government of India memorandum alludes vaguely to some such form of relief, but no actual duty is enjoined on Government, and the amount of relief to be given is not specified. It is plain that the Accountant-General contemplated that the principle originally laid down would be adhered to, and the Board having considerable previous experience on this point would ask Government to consider whether the Government of India should be addressed again on the subject. In paragraph 9 of its memorandum, the Government of India was plainly only guarding Imperial funds, and possibly did not notice that section 34 of the draft Code contemplated relief to Local Funds from Provincial resources only.

6. In view of the present state of season and considering that it is of the utmost importance that the new code should be in the hands of Collectors as early as possible and as the deviations from the requirements of the Government of India are not of great importance, the Board is communicating copies of the Code to all Collectors for information and guidance. Any changes that may hereafter be found necessary can be issued in the form of errata to be inserted in the Code as now submitted.

(True Copies and Extract.)

(Signed) R. V. SRINIVASIAH,
Secretary.

To the Secretary to Government, Revenue Department,
with copy of Code and of Board's Proceedings, dated 5th October 1895, No. 313.

„ all Collectors with copy of the Code to each.

ORDER—No. 96, Revenue, dated 16th February 1897.

Miscellaneous.

With the Proceedings read above the Board of Revenue submits the draft Famine Code revised with reference to the suggestions made by the Government of India in the memorandum forwarded with its letter No. 1142—6-2, dated 5th August 1895. The Government generally approves of the way in which the revision has been carried out by the Board.

2. In paragraph 13 of its memorandum, the Government of India stated that the separate statement prescribed in section 49 (viii) of the draft Code to show the monthly death-rate and the deaths due to starvation in each district was not satisfactory, and directed that form A of the monthly report should be enlarged so as to furnish this information. The Board has not carried out this direction on the ground that it would be impossible to obtain the mortuary returns before the close of the month succeeding that to which they refer. The Government considers that this difficulty need not prevent compliance with the wishes of the Government of India, as under section 49, column IX of the draft Code (section 48 of the present Code), the information may be furnished either in the next report or in a separate letter. The Board is, therefore, requested to amend the Code in this particular also.

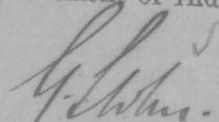
3. The Government approves the alteration made in section 1 of the Code with reference to Board's Proceedings, No. 313, dated 5th October 1895, directing the submission of a weekly statement of crops by Revenue Inspectors and Deputy Tahsildars to Tahsildars.

4. Separate orders have issued regarding the amendment of sections 106 and 120 of the Code. The Board of Revenue is requested to carry out these alterations and to issue the necessary correction slips.

5. In paragraph 5 of its Proceedings, the Board points out that the omission of section 34 of the draft Code, in accordance with the instructions of the Government of India, leaves district boards entirely at the mercy of Government, and that the Code contains no fixed principle as to how relief to local funds should be given. The Government considers that neither of the positions taken up by the Board can be maintained. The omitted section no doubt directed that no famine expenditure shall be debited to local and municipal funds in excess of the *total grants* from them for public works during the year. But as the term "*total grants*" was explained to include further assignments which it was possible to make from savings under other heads or from balances, the effect was that the annual income and the previously-accumulated balance, except such portion as was absolutely necessary for other purposes, were liable to be spent on famine relief. It cannot therefore be said that section 33 of the Code as revised places local boards in a worse position than before. Further, local and municipal bodies are under the revised Code expected to devote their funds, *so far as the law allows*, towards famine relief, and as the law does not permit expenditure from local and municipal funds on gratuitous relief, it follows that only the works expenditure, exclusive of all form of gratuitous relief, can be charged to those funds. In this respect also no alteration has been made.

6. The following letter will be despatched to the Government of India.

(True Extract.)



Ag. Secretary to Government.

To the Board of Revenue (Revenue Settlement,
Land Records and Agriculture).
„ the Public Works Department.
„ the Accountant-General.
„ the Financial Department.
„ the Local and Municipal Department.

Ezd. Shaik Karim.

100 Copies.