M.R.O. 1—77,066—8-6-37.

(1) Number of pages 12.

(2) Date of repair 25-2-38

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1080-4 (Spl. Copy) Press / Mis.

Dated 5-10- 1882.

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GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following letter from the Members of the Famine Code Committee, appointed by G.O., dated 13th August 1881, Nos. 1188-1189, to the Secretary to Government, Revenue Department, Fort St. George, dated Madras, 1st April 1882 :—

We, the undersigned Members of the Committee, appointed by G.O., dated 13th August 1881, Nos. 1188-1189, have the honour to submit, herewith, draft of a Code containing Rules for the guidance of Officers of all Departments in times of great scarcity or famine.

2. We have endeavoured to arrange that measures of relief in time of famine should be given effect to by an expansion of the ordinary administrative machinery, and the Code has accordingly been framed so as to centre in Collectors, as representatives of Government, all responsibility for the efficient administration of relief measures in their respective Districts. Their position has been strengthened, by the subordination of all Departments to them in every respect except as regards executive detail requiring technical or professional knowledge; and provision has been made for expanding each Department to the extent necessary, to enable it to meet the requirements which may be made on it by the Collector.

3. The general arrangement of the Code is as follows :—

CHAPTER I refers generally to the duties devolving on Government and local officers in connection with the administration of relief—prescribes the special staff to be provided for administrative purposes, and indicates the nature of the measures of relief to be adopted, these being divided into (1) Relief on Works, (2) Gratuitous relief, and (3) other measures of relief.

CHAPTER II contains rules for the guidance of Civil Officers—prescribes the duties of Collectors and the ordinary Revenue staff, and the extent of assistance to be given them, deals with relief on works executed under the supervision of Civil Officers, with gratutious relief in towns, villages, and poor-houses, and with other measures of relief not coming under either of the above heads.

CHAPTER III contains rules for accounting for famine expenditure by Civil Officers.

CHAPTER IV has reference to the duties of the Public Works Department in its administrative and executive branches, provides for the maintenance of a programme of works, the mode of execution, the system of work, rates of wages, and the nature of reports and returns to be rendered.

CHAPTER V deals with matters medical and sanitary—prescribes the administrative duties devolving on the Surgeon-General and the District Civil Surgeons; the duties of executive medical officers on works, and in charge of poor-houses, provides for measures of sanitation, and concludes with a carefully considered scale of rations suitable for all classes of persons in receipt of State relief.

APPENDIX A contains useful hints for the execution of relief works under Civil Supervision, and for the management of poor-houses and children's kitchens, with the necessary forms of account.

APPENDIX B contains the forms of account and returns required by the Code to which sectional reference is made, and

APPENDIX C the forms of account prescribed in the audit rules.

4. Relief in poor-houses is intended for homeless, wanderers and for persons who can, but will not work. In Section 59 we have proposed to send this latter

class of persons to the poor-house to be there detained, as provided in Section 78, until the famine is at an end. The measure may at first sight seem harsh, but experience has shown it to be a necessity. Poor-houses are not, and are not intended to be, attractive. A sufficiency of food is provided, but no luxuries, and, of course, a certain amount of discipline has to be maintained. The starving man accepts this thankfully for a time, but when his stomach is full and his strength begins to return, the desire to go abroad comes upon him with irresistible force, and if not restrained, he either dies or is brought back in a moribund condition. Moreover, unless residence is enforced, this form of relief is liable to abuse. In the vicinity of towns paupers will come to the poor-house meals, but may in the intervals obtain by begging quite sufficient to maintain them, and of this facility for eating the bread of idleness the professional beggar, who cannot be made to work, is the first to avail himself. Individual liberty in these circumstances was in the late famine found to be so incompatible with an efficient administration of relief that officers took the law into their own hands and enforced residence within poor-house limits. We have, therefore, laid down the procedure which experience has shown to be necessary, and if this is accepted, it follows that those who have to give effect to it must be protected by law. In the evidence taken before the Famine Commission, the necessity for legislation to meet the case was strongly insisted on, and we are advised that in other Provinces, officers competent to form an opinion on the subject are in favour of it.

5. We have had under consideration how the tenants in Zemindari Estates might be enabled to tide over the difficulties caused by an adverse season and to avoid the necessity of coming on the State for relief. At such times, it is evident, that the first duty of a good land-lord is temporarily to forego his claim upon his tenants for rent, in the same manner as the suspension of the demand for land revenue on the part of Government is provided for in Section 92 of the Code. But as the law (Act VIII of 1865) stands at present, it appears to us that a Zemindar, unless he is prepared to forego his claim altogether, is powerless to grant any temporary relief to his tenants. An arrear of rent is defined at Section XIV of the Act to be "rent which shall remain unpaid at the time when according to written agreement or the custom of the country it ought to have been paid," and Section II which prescribes the mode of enforcing payment of arrears provides that "process against a tenant under this Act *must* be taken *within one year from the time* when the rent became due." It is evident that the law itself operates against any temporary indulgence being shown by a land-lord to his tenants in time of distress, and until this is remedied it is impossible to impose any obligation on the former. We were at first disposed to submit draft sections in amendment of the Act, in view to meet this difficulty, but as it has long been admitted that the enactment is, in many respects, defective, that it operates injuriously as regards the interests of both land-lord and tenant and leaves the Curnam the master of the situation, we think it sufficient to indicate our view that, when its amendment comes under the consideration of the legislature, provision should be made for guarding the interests of tenants and imposing on land-lords an obligation to assist them in unfavourable seasons.

6. In regard to the storage of grain by the State, we have not thought it advisable to lay down any definite rules in the Code. The majority of the Famine Commissioners have recorded their opinion that it is unnecessary and inexpedient in all cases. The experience of the past precludes our accepting this view unreservedly, and we share the opinion of the minority that there are tracts, which, owing to their inaccessibility, the sparseness and poverty of their population, and other causes, are not at present reached by the ordinary operations of trade, and where in consequence the pressure of scarcity is felt in an extreme degree, when in time of famine the scanty reserves laid in by the people themselves are exhausted. In such places we are inclined to think that, as a temporary expedient, the supplementing of local stocks by the formation of State reserves, either in each village or at convenient centres, would afford facilities for the timely prevention of suffering, and on this ground we are of opinion that the suggestion, which is quite in consonance with oriental ideas on the subject, deserves careful consideration. We have,

Storage of grain by the State.

however, come to the conclusion that there is not at present sufficient information as to the extent to which State intervention in this direction would be necessary, nor as to how far it would be practicable, to enable us to lay down with any degree of precision the manner in which effect should be given to it. The measure is of a protective nature, the necessity for which must be determined by the enquiry into the economic condition of the people which it will be the duty of the Agricultural Department to institute, and if accepted, it will have to be carried out under ordinary administrative arrangements. It would, therefore, be out of place to lay down directions regarding it in a Code intended to meet the exigencies of an abnormal condition of affairs.

7. Nor do we consider it expedient to frame instructions in regard to the manner in which the Railways should be utilized in moving grain in time of famine. Arrangements of this nature must depend greatly on local circumstances and temporary exigencies, and to meet these, Government must issue instructions as they arise, based on the general principles which find expression at pages 172—174 of the Report of the Famine Commissioners regarding the control and management of the traffic.

Carriage of grain by Railways.

8. In connection with the movement of grain in season of extreme drought, we have not lost sight of the fact that in past times this was much impeded by the mortality amongst the draught and ploughing cattle, which also operated seriously against the recovery of the people from the effects of unfavourable seasons after the extreme pressure had passed. We quite recognize the importance of taking every measure for the protection of animal life amongst an agricultural population, and at paragraphs 104 and 105 we have briefly indicated the course to be followed; but the object can be effectually attained only by systematic preparation being made beforehand. To afford facilities for the migration of cattle from the places where fodder is no longer procurable to localities where pasture is to be found is the only practicable method, and where this is obtainable within reasonable distance, the owners of cattle are not slow to take advantage of it. There are, however, extensive tracts of country liable to periodical droughts, which are so remote from perennial pastures that the cattle are at such seasons reduced to the last extremity. To devise means for meeting this difficulty is a measure of protection which should receive early attention at the hands of the Agricultural Department who alone, after careful local enquiry, will be in a position to deal effectually with it.

Preservation of cattle in times of drought.

9. The employment on works of public utility of all able-bodied labour, which in a season of drought is deprived of its usual means of occupation, having been recognized as one of the main features of Famine relief administration, we have prescribed that a scheme of works, which in ordinary seasons would be spread over a period of four years or more, should be prepared and maintained, so that on an emergency arising, projects which investigation has shown to be of permanent utility, and sufficient to employ at least four times the amount of labour usually available, and as much more as may be possible, may be ready to be put in hand at once. In theory this would seem to answer all requirements, but we are not blind to the fact that in the existing position of affairs there are difficulties in the way of giving practical effect to the arrangement. We are given to understand, that in those parts of the Province most liable to periodical affections of drought, there is, according to present information, but a limited scope for the employment of the superabundant labour available in times of famine, on projects calculated to be of permanent benefit to the public. That reliable information on such an important subject should not be forthcoming is, it is believed, due to the numerical weakness of the Department of Public Works. It is a fact that for many years they have from this cause been unable to cope with the ordinary work of the Province. Whole districts have, until recently, been left without any professional supervision, and the duty of maintaining in repair the minor works of irrigation, on which the prosperity of a large proportion of the cultivating community

Preparation of programme of works for execution in time of famine.

and about one-fifth of the land revenue are dependent, has been imposed on the already over-worked Revenue officers. In these circumstances, it needs no argument to show that, whatever capabilities may exist for developing the resources of the country, the professional agency in its present condition, is impotent to determine how far they can be utilized, and to maintain in advance the programme of works which the Code lays down as an essential measure of famine relief. As the recent reorganization does not meet the case, inasmuch as the strength of the Department was determined irrespective of the additional duty now imposed on it, we feel bound to urge the necessity of so strengthening the Engineering staff as to enable the Department to meet the requirements of the Code.

10. It will be observed, that at paragraph 122, we have made provision for the occasional employment of the services of contractors, and as strong opinions have been recorded against such a measure, we think it right to offer a few words in explanation of our having gone counter to them. The object of relief on works is to afford employment to the able-bodied labour thrown out of work in time of scarcity by the contraction of the ordinary demand for it, so that it may be preserved in its vigour, and be available for its normal occupation when the pressure has passed away. In previous famines this idea was not sufficiently recognized, and it was almost a cardinal maxim that the able-bodied labourer was not to be employed on a relief work until starvation had rendered him nearly incapable of labour, and in this view of the case, it was probably wise to dispense with the services of middlemen. But in the state of affairs contemplated by the Code, the position is altered materially:— work is to be provided for all comers, and the main difficulty will be to provide the supervision necessary to prevent an abuse of this form of relief, and here the services of a contractor offer an economical and efficient arrangement. As he is paid by results, he will certainly employ able-bodied labour, and it is his interest to maintain his working gangs in good condition, and as a fact contractors were found of great assistance in employing able-bodied labour on the Buckingham Canal and other works in Madras—as also in the earlier stages of the Mysore famine. On these grounds we have made the use of his services permissible, but at the same time we have taken the fullest powers for the protection of the labourers employed by him, who, if dissatisfied with his treatment, can at any time find employment on work conducted under Departmental supervision. In providing for the execution of work under contractors, we have acted on the principle that in time of famine it is inexpedient to disturb to a greater extent than can be avoided the systems to which the people are habituated. Labourers will often work more contentedly and more efficiently under a contractor whom they know than under an officer who is a stranger to them and who cannot understand their requirements so well as one of their own nationality.

11. We have thought it advisable not to lay down any instructions regarding the treatment of subjects of Native States, who may wander into British territory during a famine, leaving it to be inferred that no distinction is to be made between them and British subjects. The reciprocity to be established in regard to this between Her Majesty's Government and that of Native States is, as pointed out at page 61, Part I of the Report of the Famine Commissioners, a matter for the consideration of Government in the Political Department.

We have the honor to be,
Sir,
Your most obedient servants.

H. E. SULLIVAN.
R. DAVIDSON.
W. R. CORNISH.
R. H. SANKEY.
E. FORSTER WEBSTER.
M. C. FURNELL, M.D.
C. D. BAYNES, Lieut.-Col.

MINUTE OF DISSENT BY COLONEL SANKEY, R.E., C.B.

SECTIONS 22 and 50 of this Code read together provide that for the execution of Class (b) works, officers and subordinates of the Public Works Department may, at the request of the Collector, be entirely removed from departmental control and placed solely under his orders. The first-named section, it is true, employs the word "*assist*" in speaking of the services to be rendered by the members of the Department thus transferred, but read with paragraph 50 there can be no question that in practice the transfer from all departmental control would be absolute.

2. Under Section 47, Class (b) are all minor works costing less than Rupees 2,500 and repairs under 10,000 each. Although the majority of such work may, and probably will, be suitable for execution by non-professionals, much of it may, and most of it would be, all the better for being carried out under professional officers when they can be spared.

3. In some Districts where it may be difficult to maintain a sufficient programme of Class (a) works, those under Class (b) would in all probability assume large proportions. It might thus very easily come about that a large number of Officers and subordinates of the Public Works Department would be transferred under the sections quoted.

4. I am quite aware that the Committee have been very desirous to prevent all unnecessary dislocations in the ordinary working of the several Departments in famine, as evinced by their ruling that all Class (a) works are to be carried out entirely by Public Works agency, and I was anxious by a simple, and as I still think, reasonable addition to Section 22, to extend these principles to the execution of Class (b) works.

5. In this view I would omit the words "whether supervised by Civil officers or Public Works officers" and add the following words at end of the section, viz., "but in case any work, or group of such works, may be considered of sufficient importance to require to be executed under the immediate supervision of any of the Public Works staff, it should be transferred to Class (a), and be dealt with by the Executive Engineer of the Division in ordinary course."

6. As the new Public Works Divisions are under Section 14 to cover the whole area in each famine district, this would provide in the most efficient manner for the execution of the works in question, remove all causes of friction, and prevent the dislocation of the Department which must otherwise certainly ensue.

7. That officers of the Engineer Establishment would be extremely useful to Collectors, as general *advisers* and *inspectors* of all petty works during famine, appears to admit of no doubt, and if the section be modified as proposed the word "*assist*" would have its true meaning. In that case, however, it might be better if a specific definition of the duties of officers transferred with the object of assisting the Collector were inserted in Chapter III.

8. As regards Clause 8, Section 50, it might stand as now if at the end were added the words "*see Section* 22" to get rid of any misapprehension.

9. Having unfortunately failed to convince the members of the Committee as to the reasonableness of my amendment, I would willingly have ended my dissent here were it not for the conviction that very important principles underlie my contention, and such I cannot, in justice to the professional Department which I have the honor to represent, allow to pass by default.

10. It has been argued with much force and truth that, there would be no desire on the part of Civil officers particularly at such time, to do anything which would be construed into an interference with professional matters, &c., and I am quite willing to admit that, as a rule, very cordial relations do, and doubtless would exist, between the two Departments; still, from the evidence which has come before me, I am compelled to state, that even with the best intentions, errors arise from insufficient knowledge on the part of non-professional Officers, which might very easily lead to the establishment of the most undesirable relations, and give rise to serious embarrassment.

11. In proof of my contention I am now reluctantly obliged to advert to the following quotation from rules framed by a Collector during the last Madras Famine, a printed copy of which has been laid before the Committee.

Clause (b), Section II of these Rules runs as follows, viz. :—

"The Professional Establishment will, as a rule, consist of one Overseer on about 150 Rupees a month for every 30,000 to 40,000 coolies, and a Sub-Overseer on about Rupees 60 for every 10,000 coolies, or ten miles of road."

12. The duties of the Sub-Overseer are described as having to allot task-work, check measurements, and see that the work is executed in a proper manner.

13. Now in actual practice it may be said that when work is very concentrated, the staff of an Executive Division of Public Works, as per margin, would certainly be required for supervising the work of from 15,000 to 20,000 coolies, while not half these numbers could be worked by the same staff where the works are scattered in the usual manner.

1 Executive Engineer.
3 Assistant Engineers.
12 Upper Subordinates.

14. To an Upper Subordinate should never be entrusted more than 1,200 or 1,500 coolies, or to a Sub-Overseer more than 500 or 600.

15. To all, therefore, in the least acquainted with the real requirements of work, the demand made by the rule above quoted will be recognized as nothing short of astounding, though there can be no question that it was framed with the best and fairest intentions. Honorable men will rather die than even appear to fall short of the demands made upon them, but it is nothing short of cruel wrong to such to expose them to risks of this character.

16. Lest it be urged that the above is an extreme case, I am compelled to draw attention to my remarks in the communication marginally quoted, in which I instanced the utter confusion, if nothing worse, as resulting from non-professional direction on the Mysore Railway works in 1877.

Memorandum from Col. Sankey, R.E., Secretary to Government, P. W. D., 27th July 1881, No. 320, embodied in let. O., 13th August 1881, No. 1188-1,189.

17. By the amendment of Sections 22 and 50, which I have proposed, the Civil officers would be at once relieved of any amount of trouble, the works themselves would of necessity be better carried out, and, what is even of more importance, the Public Works staff would be much more effective in dealing with famine than could otherwise be the case. I am, therefore, I confess, unable to understand why a reasonable and simple amendment such as I have proposed should be rejected.

R. H. SANKEY, Col., R.E.,
Secretary to Government,
P. W. Department.

ORDER—dated 5th October 1882, No. 1080A, Revenue.

Miscellaneous.

The Right Honorable the Governor in Council has perused the report of the Committee and the Draft Famine Code accompanying it, with much interest. They have his approval, and will be transmitted to the Government of India with the following remarks.

2. Paragraph 9. The Secretary to be newly appointed to the temporary Famine Department is proposed to be "the representative of Government" in their correspondence with the Government of India and the Home Government. It is presumed that all that is meant is, that he shall conduct the correspondence of the Department as the other Secretaries do in their respective branches. Correspondence with the Government of India is conducted by the Secretary, but with the Home Government, the Government correspond "by Despatch." There can

be no change in this respect, and the first sentence of paragraph 9 will therefore be altered as follows :—

As altered.	*As at present.*
The Government will also select an Officer, who, as Secretary in the Famine Department, will conduct the correspondence with the Government of India and with all officials in the Province, in matters relating to the administration of famine relief.	"The Government will also select an Officer, who, as Secretary in the Famine Department, will be their representative in correspondence with the Government of India and the Home Government, and also with all officials in the Province, in matters relating to famine relief administration."

3. Paragraph 22 provides that "Civil Agency" relief works shall be entirely under the control of the Civil Department, whether supervised by Civil Officers or Public Works Officers. Colonel Sankey dissents for reasons recorded by him and considers that where a Civil Agency work is of such importance as to require to be supervised by an officer of the Public Works Department, it should be transferred to the class of works (*a*), which is to be under that Department, the Executive Engineer of the Division assuming charge of it. The Committee in their covering letter do not state their reasons for maintaining the provision in the Code in spite of Colonel Sankey's protest. The Government will be glad to know the Committee's reasons in detail, and the point will accordingly be referred to them for the purpose. The Draft Code, however, will not be detained on this account.

4. Paragraphs 31 and 93 relate to loans to agricultural classes, to save them from having recourse to relief works, and to enable them to prepare the lands for cultivation. As the Code stands at present, the grant is so fettered with conditions, that the intention to assist the ryots in tiding over the disasters incidental to an adverse season is likely to be neutralized. The Government are, therefore, of opinion that the concluding portion of paragraph 93, after the words "within the limits specified in the margin" may advantageously be omitted.

5. Paragraph 40. At the end of this paragraph the following should be added :—

"Further the utmost publicity should be given to the fullest information available regarding local prices for the guidance and encouragement of traders."

6. Paragraph 57. It does not seem necessary that the preparation of the village-relief registers should be undertaken when seasons are favorable, and there is no reason to apprehend abnormal distress. The advent of famine is always heralded by unmistakable premonitory signs, and it will be sufficient, if the provisions of this paragraph are given effect to, when there is reason to suppose, that the distress consequent on scarcity will be of such proportions as to require State relief. The section will accordingly be altered as follows :—

As at present.	*As altered.*
57. "Collectors will accordingly at once direct the preparation of registers showing for each village in their districts, the names, sex, caste and age of all persons entitled to gratuitous relief in times of famine. These registers should be corrected annually by the Tahsildar of the taluk to which they relate, and should be carefully preserved for use when it has been determined to administer State relief in the District. Collectors will further at once divide all taluks," &c., &c.	When the state of the season and the prices of food grains indicate an approaching scarcity of a nature likely to result in widespread distress requiring State relief, Collectors will direct the preparation of registers* showing for each village in their districts, the names, sex, caste and age of all persons entitled to gratuitous relief. Collectors will further proceed to divide all taluks," &c., &c.

* Form to be retained.

7. To accord with the above alteration, the word "prepared" will be substituted for "retained" at the end of line 10, paragraph 58.

8. Paragraph 78. Compulsory retention of persons received into a relief house is doubtless, as observed by the Committee, an extreme measure, but the Right Honorable the Governor in Council recognizes it as an essential feature of relief administration, and in the interests of the famine-stricken wanderers themselves, supports the proposal that it should receive legislative sanction.

9. Paragraph 92. The Government would omit the last two sentences of this paragraph. The question of remissions of Land Revenue is not a matter which strictly appertains to a Famine Code.

10. In the views expressed by the Committee in their covering letter, the Government generally concur. The question adverted to in paragraph 5, will be referred for the consideration of the Committee appointed to amend the Madras Rent Recovery Act VIII of 1865. The special attention of the Government of India will be invited to paragraph 9, and they will be separately addressed on the subject in the Public Works Department.

11. The Right Honorable the Governor in Council desires the Members of the Committee to accept his thanks for their valuable labors. The thanks of Government are also due to Mr. V. Jagannadharow for the assistance rendered by him to the Committee.

(True Extract.)

(Signed) E. F. WEBSTER,
Secretary to Government.

To the Board of Revenue.
" Public Works Department.
" Financial Department.
" Hon. H. E. Sullivan.
" " R. Davidson, C.S.I.
To Surgeon-General Cornish, C.I.E.
" Colonel Saukey, C.B.
" " Hearn, C.I.E.
" E. F. Webster, Esq.
" Deputy Surgeon-General Furnell.
" Major C. D. Baynes.
To ~~the Committee appointed under G.O. No. 137, 1882~~
V. Jagannadharaw Pandulu

Exd. W. H. French,

200 Copies

Gobt. of {1882} Madras.

REVENUE.

Order, dated 5th October 1882, *No.* 1080A.

Draft Famine Code — for the Madras Presidency—framed by a Special Committee—Approved with certain remarks, and ordered to be forwarded to India Government with the Committee's report.