8321

Revenue (1897) Department.

PRESS SERIES.

G.O., No. 259

DATED 22nd April.

[Despatch Abstract.]

Tasks and fines.

Board's Progs. communicating the orders of Government regarding the regulation of — on relief works, and issuing correction slips of section 106 of the Famine Code, as now revised recorded with reference to G.O. No. 216, dated 30th March 1897.

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (1897) Department.

CURRENT No. 1460

Settled the draft Order before sending to Secy
RS 14-4-97

DS 22/4/97

From The Bd. of Rev. Revenue

Order (Press) - No 259 dt 22nd April 1897.

No. 98

Recorded with reference

Do Ltr No 216 dt 30-3-97 / 22 May 97.

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Enclosures

Spare copies

BD (Left)
Ltr from orders back 5/97

RS 14-4-97

50/2

SUBJECT.

Forwg. to Govt. the order passed by the Board of Revenue regulating the rates and fines on village works.

BACK

BACK PAPER.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PROCEEDINGS OF THE BOARD OF REVENUE

(Revenue Settlement, Land Records and Agriculture.)

Read—the following G.O., No. 43, Revenue, dated 26th January 1897:—

Read—Proceedings of the Board of Revenue (R.S., L.R. and Agri.), dated 15th December 1896, No. 436.

Abstract.—Addressing Government regarding the effect of fining to lower the wage below the minimum wage on relief works.

Order—No. 43, Revenue, dated 26th January 1897.

The position taken up by the Board of Revenue in the Proceedings read above indicates that the Board has failed to apprehend the system of relief works as laid down in the Famine Code. Before noticing in detail the Board's assertions and arguments, the Government therefore proceeds to point out the nature of this misapprehension.

On relief works, a check which is simple and a system which is elastic are requisite. The calculation of wages, tasks and fines is more or less intricate, and though each item admits of check, that check is not of very easy application, and becomes impossible with much elasticity in the application of the rules. Rigidity is therefore aimed at in this part of the system, but that rigidity is safeguarded, in the case of tasks, for example, by the rule that they can be altered *with the consent of the Collector* (section 107 of the Famine Code). The rules in regard to wages, tasks and fines being thus rigid, the necessary elasticity in the system is obtained by section 97 of the code which empowers the officer in charge of a work to alter the class of the gang at his discretion. If he finds from the daily work sheet that a gang turns out short work for several days running, and that this is also the case with many other gangs engaged on the same kind of work, the inference would be that the task was too high and that application should be made to the Collector for sanction to modify it. If, on the other hand, the failure to turn out the full task were noticed in one gang only, the officer in charge would conclude that the failure was due on the part of the workers either to contumacy, that they would not, or weakness, that they could not, turn out as much work as others on the work. In the former case, it would be his duty to continue fining, and in the latter, to reduce the class of the gang; it is within his discretion to take such action and he alone is responsible for judgment in this matter.

The advantage of the system adopted in section 97 of the Code lies in the fact that while manipulation of tasks is difficult to check, an improper classification of the gangs must at once attract the attention of supervising officers. The Code, while thus practically giving the officer in charge absolute power to reduce the amount of labour to be exacted, compels him to exercise that power in such a manner that he cannot abuse it with impunity.

2. That the system described above is that laid down in the Famine Code will be made clear to the Board by a perusal of sections 97, 106 and 115, rules 28, 29, 38 and 44 of Appendix VI, and the Famine Commissioner's memorandum printed at page 22 of G.O., No. 839, dated 11th August 1892. In this connection it is, however, necessary to refer shortly to section 106. When this section was drawn up, it was intended that the rigidity of the rules in the matter of fining should be safeguarded by empowering the Collector to issue an order that fines should not reduce the wage below the minimum wage, but the exercise of this power was placed under control by requiring the Collector, when he thus suspended the system of fining, in every case to report his action to Government. This provision was, however, improperly eliminated

13. *Paragraph* 14 *of Board's Proceedings.*—The Board's arguments in this paragraph may afford excellent reasons for revising the rules in regard to the Sunday wage; but do not affect the question directly under consideration, a remark which applies to some extent also to the two preceding paragraphs.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

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

READ—also the following G.O., Mis. No. 483, Revenue, dated 26th January 1897:—

Read—the following Proceedings of the Board of Revenue (R.S., L.R. and Agri.), dated 28th December 1896, No. 465:—

Read—the following letter from K. C. MANAVEDAN RAJA, Esq., Acting Collector of Anantapur, to the Secretary to the Commissioner of Revenue Settlement, Land Records and Agriculture, dated 21st December 1896, Ref. on Cur. No. 3842:—

In paragraph 4 of B.P., No. 379, dated the 1st current, it is stated that the treatment of B class labourers as of C class is not authorized by the Code. The last sentence of section 97 allows a single relief worker or a whole gang to be transferred from one class to another. This, I presume, is permissible only when the original classification is found to be wrong and not otherwise, *i.e.*, a worker classed as able-bodied and accustomed to labour must remain always under class B, unless it is proved that he is not accustomed to labour. Short work, I suppose, is not to be taken under any circumstances as a criterion for a change from higher to lower class. I request to be informed whether my presumption is correct.

Resolution—dated 28th December 1896, No. 465.

Submitted for the orders of Government.

2. In its recent orders Government has directed that, in cases of "weakness," the task of a gang should be reduced. This remark, which appears to be based on section 97 of the Famine Code, may be intended to apply to either B class or C class gangs. It is, however, not clear whether, in cases of proved weakness of a B class gang, the task should be reduced to that of a C class gang as appears to be contemplated by the closing sentence of section 97 of the Code or whether an intermediate task might be prescribed. Similarly, in the case of a C class gang, which, owing to weakness, is unable to turn out the task prescribed for it in Form F, Appendix III, the question is whether a task intermediate between that task and such task as would be suitable to class D might be fixed. The fixing of such intermediate tasks does not appear to be contemplated by section 100 of the Code; but is possible under sections 97 and 107, which say that the task allotted to a gang shall be "apportioned to its capabilities," and that "modifications" in the task may be made "to suit particular circumstances."

3. The Board would observe in this connection that the tasks set forth in Form F of Appendix III to the Famine Code should be regarded only as "standard tasks" for the guidance of local officers. These tasks are rough approximations, prepared in the Board's office, to the tasks which it was found possible, under the original code, to enforce. There is nothing on record as to the physique of the gangs, which were supposed to have executed those tasks, and that it was possible to enforce them in any case was due to the fact that the Collector could then, practically at will, as occurred in the Salem district—G.Os., Nos. 424 and 734, Revenue, dated 28th April and 18th July 1892—raise or lower the task according to the condition of relief workers. In fact, no hard-and-fast task was enforced. It is impossible for the Board

or the Code or for any authority to lay down a set of tasks which should be invariably enforced as the tasks must vary with local conditions; with the varying nature of the lead and material to be worked in and with the composition of the gangs as to age and sex and physical condition. It is apparently for this reason that the Code specially provides for altering the tasks.

4. The Board would also observe that it is only in cases in which tasks have been correctly assigned with reference to the capabilities of the gangs that deductions can be made, without causing undue hardship, in accordance with the scale laid down in Rule 28 of Appendix VI. In the vast majority of cases, however, it is impossible to be sure, as pointed out in B.P., No. 436, dated 15th December 1896, that the tasks have been correctly assigned; and this is presumably one reason why, in passing orders on the revised Famine Code submitted by the Board, the Government of India directed that there should be a general rule that fines should not be such as to reduce the wage below the minimum wage (*vide* paragraph 21 of the Memorandum forwarded by the Government of India with its letter, No. 1142—6-2, dated 5th August 1895, communicated to the Board with G.O., No. 244, Revenue, dated 9th June 1896). In view of this distinct order of the Government of India the Board begs to repeat the request, contained in the Proceedings, No. 436, dated 15th December 1896, that the Government will be pleased to reconsider its order regarding the enforcement of Rule 28 of Appendix VI, which, though it is in accordance with the system generally followed in this Presidency during the scarcity of 1891–92, and with the view taken by the Board in its Memorandum No. 6076, dated 15th July 1892, printed with G.O., No. 839, Revenue, dated 11th August 1892, is at variance with the Code (section 106) as amended with reference to the directions of the Government of India. As already pointed out in paragraph 2 of B.P., No. 436, dated 15th December 1896, this provision regarding the limitation of fines is embodied in the Famine Codes of other provinces also.

5. In thus soliciting a reconsideration of the G.O. on the question of enforcing Rule 28 of Appendix VI, the Board begs leave to state, that though the works opened in the several affected tracts were originally started as test works when the rise of prices above scarcity rates indicated the necessity for the immediate introduction of relief measures, they have been found by the Commissioner in all parts of the affected districts inspected by him to be necessary for the relief of distress. Even if they were test works, the Board would draw attention to section 17 of the Famine Code, which embodies the rule contained in paragraph 7 of the Government of India Memorandum above referred to, and lays down that test works should be regulated strictly according to the provisions contained in the Code as to relief works.

(True Copy and Extract.)

(Signed) R. V. SRINIVASIAR,
Secretary.

To the Secretary to Government, Revenue Department.
" Collector of Anantapur.
Copy to all other Collectors.
" to the Sanitary Commissioner.

Order thereon, Mis. No. 483, Revenue, dated 26th January 1897.

Recorded with reference to G.O., No. 43, dated 26th January 1897.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Under Secy. to Govt.

To the Board of Revenue (R.S., L.R. and Agri.).

Read—also the following G.O., Mis. No. 485, Revenue, dated 26th January 1897 :—

Read—the following papers :—

G.O., Mis. No. 5163, Revenue, dated 14th December 1896.

Abstract.—Remarking on the high wages paid on the test relief work at Goriganur and stating that the task, if too severe, should have been modified.

Resolution thereon, Mis. No. 6751, dated 18th December 1896.

Recorded.

2. The Board begs to draw the attention of the Government to the fact that the table given at paragraph 2 of the Collector's letter quoted relates to the amount of work done on the day during which the gangs were being formed, for which day, under section 105 of the Code, relief-workers are entitled to the minimum wage and no work need be exacted. The Commissioner's remarks made in B.P., dated 24th November 1896, No. 5952, referred to the state of the work at a later date.

3. Regarding the question of modifying the task according to circumstances, the procedure laid down requires that the Engineer officer, in this case the Local Fund Engineer, should suggest the necessary charges, and obtain the sanction of the Collector thereto. The Local Fund Engineer had, as the Collector shows at paragraph 4 of his report, to leave Goriganur the day the work was started and there was therefore some delay in obtaining a revised and suitable task table. As the Board has pointed out in its Proceedings, dated 15th December 1896, No. 436, the Famine Code only permits the reduction of the famine wage below the minimum in cases of contumacy amongst the relief-workers, and then only subject to the most careful safeguards.

(True Extract.)

(Signed) R. V. SRINIVASIAR,
Secretary.

To the Secretary to Government, Revenue Department.

Order thereon, No. 745, Revenue, dated 23rd December 1896.

Recorded with the remark that, when a gang fails to turn out the allotted task except owing to weakness, the wage should be reduced under the Famine Code proportionately to the short fall of work even below the minimum wage. There is no work at present on which the workers are weak or unable to do the usual tasks.

(True Extract.)

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

To the Board of Revenue (R.S., L.R. and Agri.).

Resolution thereon, Mis. No. 6866, dated 31st December 1896.

The Board respectfully begs to draw the attention of Government to the third and fourth sentences of section 106 of the Famine Code, under which no reduction of the wage below the minimum wage, save in cases of contumacy, is permitted, and to point out that these sentences, as well as the second, were introduced under the express orders of the Government of India—G.O., No. 244, dated 9th June 1896. It therefore requests that the order read above may be reconsidered.

2. There is no work which the Commissioner has seen on which there are no weak coolies. In fact in all gangs there are some more or less. The G.O. proceeds on the supposition that the "allotted task" or the "usual task" is a task within the competency of all coolies and all gangs. This is most distinctly not the case ; hence tasks have to be altered, and as enjoined by Government—G.O., No. 668, Revenue, dated 25th November 1896—reduced. It often happens that the Engineer and the Collector are not present and there is no one authorized to modify a task which may subsequently be found to be too severe. Meanwhile the cooly is fined for not doing what it is not within his competence to do.

(True Copy and Extract.)

(Signed) R. V. SRINIVASIAR,
Secretary.

To the Secretary to Government, Revenue Department.

Order thereon, Mis. No. 485, Revenue, dated 26th January 1897.

Recorded, with reference to G.O., No. 43, dated 26th January 1897.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Under Secy. to Govt.

To the Board of Revenue (R.S., L.R. and Agri.).

Resolution—dated 4th February 1897, No. 98.

The Board will not, on this occasion, discuss the order first read above, further than to note that the "elasticity" referred to in paragraph 1, is an elasticity which operates to the disadvantage of the cooly; for, an "alteration of the class" of the gang means a reduction in the wages paid to it, and, by so much makes it more difficult for the workers to keep themselves in working condition. The Board would, however, respectfully call attention to the remarks of Mr. Clogstoun, the late Famine Commissioner, embodied in the memorandum quoted in paragraph 2 of the G.O., above referred to, on the subject of fining—

> The wages earned at Markapur were clearly, at the time, insufficient, and it is necessary, when fining is to be enforced, that class III wage should be well above the amount absolutely necessary to sustain a labourer in condition; otherwise fining would be impossible.

Mr. Clogstoun's intention was that the class III wage, which was higher than the present C class wage, should contain a margin for fining. In accepting the standard wages then proposed, Government observed that "there is a consensus of opinion amongst the District officials that a ration of that amount (to include the cost of condiments) would be only just sufficient to keep the people in their ordinary state of health," and allowed of fining "within certain limits," adding that "in no case should fining be carried so far as to reduce the wage below a certain limit," which limit Government fixed at $1\frac{3}{4}$ lb. for a man and $1\frac{1}{2}$ lb. for a woman, which is practically the D class wage of the present Famine Code. This, the Madras Government considered, to be "a penal wage" and "too low to be suitable for a subsistence allowance for days on which work is suspended." When revising wages in 1894 in accordance with the orders of the Government of India, Mr. Clogstoun asked for a minimum subsistence allowance for a man of 2 lb. observing that "it is useless to fix a minimum wage unless the minimum wage is a sufficiency." The wages fixed by the Government of India, however, are—

Class.	Men. LB.	Women. LB.
B	2·375	2·25
C	2·	1·875
D and minimum	1·75	1·625

Now, when, as directed by Government, the "elasticity" factor is to come into play to lower the class of the gangs, the Board would respectfully draw attention to the opinion recorded by Dr. Cornish, the Sanitary Commissioner, in 1881, when, referring to the inaccurate opinion generally entertained that "labourers in lower classes necessarily require less sustenance than those in higher" classes, he stated that "their enfeebled condition and inability to do a full day's work might be due to previous privation, the only effective remedy for which would be rest and judicious feeding."

2. The Order will be communicated to all Collectors for information and guidance, with the following instructions, in the preparation of which, however, the Board labours under grave disadvantage owing to the absence of orders on the points raised in its Proceedings, No. 465, dated 28th December 1896.

3. Under the orders now issued, Collectors will observe that, although the initial classification of applicants for relief on works is to follow the ordinary occupations of the relief-workers, under section 96 of the Code, that classification is to be adjusted and amended according to the discretion of the local officers according to the individual capacity of each gang. So far as the Board is at present able to determine, this can only be done by placing a gang in A, B, C or D class, and tasking it accordingly under section 100 of the Code. The Government has not passed any order on this point, which was raised in B.P., No. 465 of 1896, above quoted.

4. In determining the capacity of a gang for the performance of any task, regard must be had, in many cases, to its composition; this, in metal-breaking, does not matter greatly, although at this, as at most other works, the presence of a large proportion of nursing mothers or of immature boys and girls—not children—will lessen the capacity of a gang; but, where diggers and carriers are required, it is necessary, in order to secure efficiency, that they should be present in proper proportion, while here again boys of 12—15 years of age cannot be regarded as equal to able-bodied men as diggers. The composition of each gang will vary, and so will its capacity for the work taken in hand, irrespective of the number of "child units" it may be calculated to contain. The officer in charge must adjust the classification accordingly.

5. He must further, in determining the classification, bear in mind the definition of "weakness" now laid down. "Weakness is physical disability. It is immaterial whether such disability arises from hunger, from weariness, from overwork, from sickness, or from any cause, not directly or indirectly due to the workers themselves." All these several drawbacks to efficiency must be borne in mind, while, as the distances the workers may have to travel to and from work must, if at all considerable, impose "physical disability" on them, this factor must also be taken into consideration in classifying the coolies or in correcting their classification. In order, however, to reduce this latter drawback to efficiency, the workers should, if they come from a distance, be hutted on the works, and thus the conditions under which the relief will be offered will be rendered easier. Collectors should, however, remember that the "Distance Test," which slew its tens of thousands in 1877, has been formally abandoned, and that the distressed should be employed as near to their homes as possible. More work centres should be opened when necessary. This remark applies specially to Kurnool and Cuddapah.

6. In other cases, the tasks must be modified according to the provisions of section 107. These cases will be reduced to a minimum if the instructions given in B.P., Nos. 23 and 84 of 1897 be carried out, as has already been done in Bellary. The Board is not in possession of the information regarding the extent to which the task-table given in the Code was "worked out in the Ceded districts" in 1891, (presumably 1892 is meant), on which the remarks made in paragraphs 8 and 10 of the order first read above are based; but, as has been shown in Bellary, the Code task-table is incomplete, and in Kurnool and Cuddapah it has been found to be excessive in one or another respect. It is not, however, clear, from the remarks made in paragraph 7 of the order, who should be looked upon as "the Engineer officer in charge of the work," who is, under section 107, to make the necessary modifications, subject to the sanction of the Collector; but, from the statement that references to secure that sanction would be a matter of a day or two at most, it would appear either that this duty and power lies, not in the hands of the Executive Engineer of the division, or

his Assistants, or if the works are carried out by the District Board staff, in those of the Local Fund Engineer, but is to be placed in the hands of the Overseers in charge of the works, whose recommendations are to be made direct to the Collector, and disposed of by him without reference to his Engineering advisers, or that in this section the term "Collector" is to be taken to mean the Collector and his Assistants or Deputies. Instructions will be sought on these points, but meanwhile the orders of the Board given in its Proceedings, Nos. 23 and 84 of 1897 should be carried out, and modifications of the tasks so arrived at should only be made on the advice of the superior officers mentioned above.

The Board would, however, point out that, if modifications are to be suggested by the Overseers in charge of works to their superior Engineer officers, and by them reported for sanction to the Collector, it must frequently happen that the time taken in securing such sanction will be nearer two weeks than to "a day or two at the most."

7. The attention of all Collectors will be drawn to the power and duty imposed on them, as expressed in paragraph 2 of the G.O. first read above, of suspending fining in proportion to the work turned out, so that it may not reduce the wage below the minimum. The further views of Government on this subject, as expressed in the paragraph above quoted, will be impressed upon all Collectors, as well as the responsibility that lies on them and their Divisional Officers to watch most closely the operation of the rules regarding fining, in order that they may act at once, as laid down in paragraph 1 of the order, if they find reason to believe that the classification has not been properly carried out, or that the tasks have not been properly adjusted to the capacity of the gangs. When the Collector has satisfied himself that the classification of the relief-workers has been properly adjusted to the capacity of the gangs, and the tasks demanded of them have been modified, when necessary, to suit local conditions and circumstances, then only will it be safe for him to depart from the general rule laid down by the Government of India, and reiterated by the Government of Madras, that fining shall not be carried on to reduce the wage offered below the minimum wage.

8. The responsibility in these respects that lies on all officers in immediate charge of works must also be clearly impressed on them, but it lies primarily with the Divisional Officers, who are responsible to the Collector, to make sure that the relief offered to all in their divisions who need it is a reality, and to see that the offer is not rendered nugatory by incorrect classification and inappropriate tasks, which would lead to fining when no fining should have been allowed. To this end the Divisional Officers must be required to carefully scrutinise the daily reports of the wages paid to gangs (Rule 38 of Appendix VI), and, when they notice that there is any remarkable disproportion in the number of gangs paid the minimum wage or less, the matter should have their immediate attention, for, as shown in paragraph 1 of the order read above, this can be due either to—

(1) excessive tasks;
(2) improper classification; or
(3) the presence of contumacious characters.

The likelihood of the latter contingency being the cause will be within their cognizance if they have taken care to acquaint themselves at all with the condition of the people of their divisions; but, as regards the other causes, they can only settle the matter by personal investigation on the spot, so as to determine whether the officer in charge of the work has been using his discretionary powers as to classification, properly. Should, therefore, Divisional Officers fail to promptly investigate on the spot circumstances such as those described above, they will be incurring the very grave and serious responsibility of being the means of withholding from those needing it some portion of the wage, which, as the Government of India puts it (G.O., No. 39, Revenue, dated 20th January 1897) "has designedly been reduced to what was believed to be the lowest safe point," while the experience of 1892 demonstrated it to be insufficient to enable the relief-workers in Kurnool to purchase a ration on which they could maintain themselves without visible signs of deterioration.

9. On the vigilance and prompt action of his Divisional Officers and other subordinates must the Collector depend in order that he may be in a position to secure the people of the district committed to his charge "against the danger of falling into an

enfeebled condition through want." If the people are not offered employment adapted to their capacity at the time, the relief offered will not be genuine. And if the relief-workers, from any cause, fall into an enfeebled condition, they will, in the first place, go to swell the numbers requiring gratuitous aid, involving the State in great and unnecessary expenditure as pointed out in paragraph 4 of B.P., No. 436, dated 15th December 1896, and will probably also undergo permanent deterioration, thus reducing their value as units of the body politic.

10. The Board must impress on all Collectors the fact that, under section 106 of the Famine Code as now revised, a very great responsibility is placed upon them, and on all officers who may be authorised by them, in that behalf, in regard to the exercise of their discretion in the question of limiting fining to the minimum wage, but it looks to them to make such arrangements as will ensure that the interests of the people in their charge are fully and adequately safe-guarded. This cannot be done if the Collector, as was recently the case in Kurnool, sticks at Head Quarters. In times of distress the Collector should be in evidence, and his influence directly felt all over his district.

11. The Board takes this opportunity of calling the attention of all officers engaged in relief to paragraph 131 of the report of the Indian Famine Commission, 1880, which runs as follows :—

> It has been proved by experience that, when there is little to do in the fields, large numbers of people are apt to flock to get employment on Government works although there is not any such general need as to justify the offer of work to all comers. This is particularly the case if the task is light and discipline slack; and too easy terms may even have the effect of drawing labour from its legitimate sphere and discouraging the continuance or resumption of ordinary agricultural operations. It is therefore necessary that proper discipline should be maintained, and that, though all applicants should be received, certain self-acting tests of wage and labour should be enforced to prevent the relief work from being so light or unduly attractive as to induce any to remain who are not really in want. The wage should be adjusted from time to time so as to provide sufficient food for the labourer's support, allowing him one day's rest in the week, and separate rates should be prescribed, suitable for the various classes of persons as well as for different ages and sexes. A margin should be left with the view of giving security against accidental error on the side of deficiency, not with the view of providing the labourer with the power of saving, and care should be taken that penalties for wilful idleness, in the form of deductions from the wage, should not be so large or so often repeated as to have the effect of reducing the food of the labourer below what is necessary for subsistence. The wage should be paid if possible daily, otherwise at intervals of not more than three or four days and the payment should be superintended by a thoroughly trustworthy officer. The labour would be a task fixed according to the capabilities of the labourers, who should be divided into suitable classes for this purpose, and care should be taken to classify and employ them so as not to break up families, which should, as far as practicable, be enabled to work together. In apportioning the task, the fact that a large proportion of the labourers are doing unaccustomed work, that many may be physically and morally depressed, and that the disruption of their ordinary life, and the novelty of their position on relief works probably act injuriously on their bodily powers, should be borne in mind. The full task demanded from such persons should not be more than 75 per cent. of that commonly performed by labourers in ordinary times, and from the less capable labourers a still smaller task should be required.

12. Correction slips of section 106 as now revised are being printed for distribution for insertion in copies of the Code.

(True Copies and Extract.)

R. V. Srinivasan
Secretary.

To all Collectors.
To the Secretary to Government, Revenue Department.
Copy to the Sanitary Commissioner.

Exd. Shaik Karim.

1897.

Board of Revenue

(Revenue Settlement, Land Records and Agriculture),

MADRAS.

Printed February 17th.

Proceedings, 4*th Feb.* 1897, *No.* 98.

Tasks and fines.—Communicating the orders of Government regarding the regulation of — on relief works.

Government {1897} of Madras.

REVENUE.

Recd. } 1897. *Enclosures*

Regd. } *Spare copies*

G.O., No. 259, 22nd April 1897.

APRIL.

Tasks and Fines.

Board's Proceedings communicating the orders of Government regarding the regulation of — on relief works, and issuing correction slips of section 106 of the Famine Code, as now revised, recorded with reference to G.O., No. 216, dated 30th March 1897.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 4th February 1897, No. 98 :—

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On relief works, a check which is simple and a system which is elastic are requisite. The calculation of wages, tasks and fines is more or less intricate, and though each item admits of check, that check is not of very easy application, and becomes impossible with much elasticity in the application of the rules. Rigidity is therefore aimed at in this part of the system, but that rigidity is safeguarded, in the case of tasks, for example, by the rule that they can be altered *with the consent of the Collector* (section 107 of the Famine Code). The rules in regard to wages, tasks and fines being thus rigid, the necessary elasticity in the system is obtained by section 97 of the code which empowers the officer in charge of a work to alter the class of the gang at his discretion. If he finds from the daily work sheet that a gang turns out short work for several days running, and that this is also the case with many other gangs engaged on the same kind of work, the inference would be that the task was too high and that application should be made to the Collector for sanction to modify it. If, on the other hand, the failure to turn out the full task were noticed in one gang only, the officer in charge would conclude that the failure was due on the part of the workers either to contumacy, that they would not, or weakness, that they could not, turn out as much work as others on the work. In the former case, it would be his duty to continue fining, and in the latter, to reduce the class of the gang; it is within his discretion to take such action and he alone is responsible for judgment in this matter.

The advantage of the system adopted in section 97 of the Code lies in the fact that while manipulation of tasks is difficult to check, an improper classification of the gangs must at once attract the attention of supervising officers. The Code, while thus practically giving the officer in charge absolute power to reduce the amount of labour to be exacted, compels him to exercise that power in such a manner that he cannot abuse it with impunity.

2. That the system described above is that laid down in the Famine Code will be made clear to the Board by a perusal of sections 97, 106 and 115, rules 28, 29, 38 and 44 of Appendix VI, and the Famine Commissioner's memorandum printed at page 22 of G.O., No. 839, dated 11th August 1892. In this connection it is, however, necessary to refer shortly to section 106. When this section was drawn up, it was intended that the rigidity of the rules in the matter of fining should be safeguarded by empowering the Collector to issue an order that fines should not reduce the wage below the minimum wage, but the exercise of this power was placed under control by

requiring the Collector, when he thus suspended the system of fining, in every case to report his action to Government. This provision was, however, improperly eliminated by the Board from section 106, when that section was revised with reference to the instructions of the Government of India that, as a general rule, fines should not be such as to reduce wages below the minimum. The alteration, which was made without due authority, has had the effect of radically changing the meaning of the section in a manner which was never contemplated by the Government of India and does not meet the approval of His Excellency the Governor in Council. For, whereas the Collector's report to Government was intended as a safeguard against the suspension of fining, in the section as revised by the Board it is now made to serve an exactly opposite purpose. The Board presumably considered the amendment directed by the Government of India to be inconsistent with the section as it stood. This, however, is not the case. It is no doubt desirable to point out that, as a general rule, fines should not be inflicted so as to reduce the wage below the minimum, but from the adoption of this principle it does not follow that the power of suspending fines should be transferred from the Collectors to the officers in charge of the works or that the Collector should be permitted to exercise this power without report to Government. Such a deviation from the rule originally laid down in section 106 would lead practically, and has in many instances led, to the general payment of the minimum wage without regard to the work turned out, that is, to unnecessary and wasteful expenditure. The power of suspending fining should, therefore, vest solely in the Collector, whose attention is drawn to cases of excessive or persistent fining, and whose duty it is to exercise his power in cases where he finds after inquiry that fining is inadvisable.

The wording of section 106 of the code will accordingly now be altered, as shown below, and the Board will be requested forthwith to issue the necessary correction slips :—

"The pay of each gang shall ordinarily, as prescribed in section 97, bear such proportion to the full pay of the class as the work turned out bears to the sanctioned task, but no deduction of pay shall be made where the officer in charge of the work is satisfied that the failure to work was due to weakness or was not due to any neglect on the part of the labourers. Fines are meant to meet short work due to wilfulness and not to weakness. It shall be open to the Collector to direct or to authorise any subordinate officer to direct, that the effect of the fine on any work should not be to reduce wages below the minimum wage prescribed in section 120. Any action taken under the last preceding sentence of this section shall be reported to Government in the fortnightly report. As a general rule the effect of fines must not be to reduce the wage below the minimum wage prescribed in section 120. Contumacious characters, however, will be liable either to have their wages reduced below the minimum or to be sent to the poor house.

"The wage of a nursing mother shall in no case be reduced below the value of 2 lb. of grain a day."

3. The Government proceeds to notice the principal arguments advanced by the Board in its Proceedings read above.

4. *Paragraph 2 of Board's Proceedings.*—The statement that Government desires to carry out a system of unrestricted fining on relief works is incorrect. What the Government wishes is, to prevent relief works from becoming demoralising, wasteful and chaotic. To this end, fining subject to the limits and safeguards laid down above, is absolutely necessary as experience has shown (*vide* paragraphs 34 and 35 of the Commissioner's report in G.O., No. 685, Revenue, dated 24th September 1894, and the memorandum printed at page 22 of G.O., No. 839, Revenue, dated 11th August 1892). The Board's comparison of the Madras Code with the Codes of the North-Western Provinces and Punjab is misleading. In the former province there is much less difference between the A, B and C tasks than in this Presidency, and in addition to task, residence in a camp is a fundamental condition of relief. In the latter the task work system is only employed with special sanction and in exceptional circumstances; the backbone of the system in force is piece work. The systems in both the provinces are much more severe and deterrent than in Madras.

5. *Paragraph* 3 *of Board's Proceedings.*—The statement in this paragraph that the provisions of the code have been departed from is also incorrect. The confusion has arisen, because a very important provision of the draft code has been unnecessarily deleted by the Board.

6. *Paragraph* 4 *of Board's Proceedings.*—The question of the sufficiency of the minimum wage does not arise in this connection. It was fully considered and decided by the Government of India and cannot be raised again, at all events till experience has shown that the decision arrived at is erroneous.

7. *Paragraph* 5 *of Board's Proceedings.*—In this and the following paragraphs, the Board contends that there are many causes, other than weakness, which prevent relief workers from performing the task allotted in the standard table. The Government cannot accept the Board's arguments. From the point of view of the Code, weakness is physical disability. It is immaterial whether such disability arises from hunger, from weariness, from overwork, from sickness or from any cause, not directly or indirectly due to the workers themselves. In the cases cited by the Board, the gangs are weak and the general rules of the Code entirely meet the case. As regards the distance test to which reference is first made, the obvious remedy of the hardship pointed out is to reduce the task after communication with the Collector if the majority of the gangs come from a distance—a matter of a day or two at most, or to reduce the class of the gang, if there be only few from a distance on the work. In this connection the attention of the Board is drawn to rule 7 of Appendix VI to the Famine Code, directing that shelter should be provided for persons who have to come a long distance to the work.

8. *Paragraphs* 6 *and* 7 *of Board's Proceedings.*—The next causes of short work mentioned are want of skill and training and lack of suitable tools. For these very causes a deduction of 25 per cent. is made on the standard task, while, since the task table is based on the average of the tasks worked up to in 1891, the standard task itself is lower in many instances than what might fairly be exacted from the workers. The remedy in this case lies in a reduction of the class of the gang, but owing to the reason first referred to above, resort to this expedient should not be necessary at an early stage, or in any case, upon test works.

9. *Paragraph* 8 *of Board's Proceedings.*—This paragraph goes to show the inexpediency of hastily changing tasks, which is already forbidden. It is true that tasks must at first be fixed arbitrarily with regard only to the apparent physical condition of the gangs and that the individual capacity of a gang cannot be gauged except by actual trial. But there is no objection to the classification being modified after trial if necessary.

10. *Paragraph* 9 *of Board's Proceedings.*—It is not necessary that the composition of the gangs should be continually varying. If there are absentees, their places should not be filled up except at considerable intervals. And in any case, since the total task of the gang is calculated on the unit, variations should make no difference. Again, the Board's statement that the code tasks refer solely to granite or gneiss is incorrect. The tasks fixed in the code are those actually worked out in the Ceded Districts as well as elsewhere in tracts where the metal consists of stone other than granite or gneiss.

11. *Paragraph* 10 *of Board's Proceedings.*—In making the statement that in certain cases referred to "the standard tasks must not be too severely pressed," the Board overlooks the discretion given to local officers to determine and therefore to change the class of a gang. In fact, as pointed out in paragraph 1 above, the Board has not grasped where the elasticity of the system lies and why rigidity is essential so far as concerns the task.

12. *Paragraphs* 12 *and* 13 *of Board's Proceedings.*—The Board's complaint that the percentage calculations are intricate may be true and it may be found that a better class of men is required to deal with them. But the necessity for this course has not yet been shown.

13. *Paragraph* 14 *of Board's Proceedings.*—The Board's arguments in this paragraph may afford excellent reasons for revising the rules in regard to the Sunday wage; but do not affect the question directly under consideration, a remark which applies to some extent also to the two preceding paragraphs.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

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

Read—also the following G.O., Mis. No. 483, Revenue, dated 26th January 1897:—

Read—the following Proceedings of the Board of Revenue (R.S., L.R. and Agri.), dated 28th December 1896, No. 465:—

Read—the following letter from K. C. MANAVEDAN RAJA, Esq., Acting Collector of Anantapur, to the Secretary to the Commissioner of Revenue Settlement, Land Records and Agriculture, dated 21st December 1896, Ref. on Cur. No. 3842:—

In paragraph 4 of B.P., No. 379, dated the 1st current, it is stated that the treatment of B class labourers as of C class is not authorized by the Code. The last sentence of section 97 allows a single relief worker or a whole gang to be transferred from one class to another. This, I presume, is permissible only when the original classification is found to be wrong and not otherwise, *i.e.*, a worker classed as able-bodied and accustomed to labour must remain always under class B, unless it is proved that he is not accustomed to labour. Short work, I suppose, is not to be taken under any circumstances as a criterion for a change from higher to lower class. I request to be informed whether my presumption is correct.

Resolution—dated 28th December 1896, No. 465.

Submitted for the orders of Government.

2. In its recent orders Government has directed that, in cases of "weakness," the task of a gang should be reduced. This remark, which appears to be based on section 97 of the Famine Code, may be intended to apply to either B class or C class gangs. It is, however, not clear whether, in cases of proved weakness of a B class gang, the task should be reduced to that of a C class gang as appears to be contemplated by the closing sentence of section 97 of the Code or whether an intermediate task might be prescribed. Similarly, in the case of a C class gang, which, owing to weakness, is unable to turn out the task prescribed for it in Form F, Appendix III, the question is whether a task intermediate between that task and such task as would be suitable to class D might be fixed. The fixing of such intermediate tasks does not appear to be contemplated by section 100 of the Code; but is possible under sections 97 and 107, which say that the task allotted to a gang shall be "apportioned to its capabilities," and that "modifications" in the task may be made "to suit particular circumstances."

3. The Board would observe in this connection that the tasks set forth in Form F of Appendix III to the Famine Code should be regarded only as "standard tasks" for the guidance of local officers. These tasks are rough approximations, prepared in the Board's office, to the tasks which it was found possible, under the original code, to enforce. There is nothing on record as to the physique of the gangs, which were supposed to have executed those tasks, and that it was possible to enforce them in any case was due to the fact that the Collector could then, practically at will, as occurred in the Salem district—G.Os., Nos. 424 and 734, Revenue, dated 28th April and 18th July 1892—raise or lower the task according to the condition of relief workers. In fact, no hard-and-fast task was enforced. It is impossible for the Board

or the Code or for any authority to lay down a set of tasks which should be invariably enforced as the tasks must vary with local conditions; with the varying nature of the lead and material to be worked in and with the composition of the gangs as to age and sex and physical condition. It is apparently for this reason that the Code specially provides for altering the tasks.

4. The Board would also observe that it is only in cases in which tasks have been correctly assigned with reference to the capabilities of the gangs that deductions can be made, without causing undue hardship, in accordance with the scale laid down in Rule 28 of Appendix VI. In the vast majority of cases, however, it is impossible to be sure, as pointed out in B.P., No. 436, dated 15th December 1896, that the tasks have been correctly assigned; and this is presumably one reason why, in passing orders on the revised Famine Code submitted by the Board, the Government of India directed that there should be a general rule that fines should not be such as to reduce the wage below the minimum wage (*vide* paragraph 21 of the Memorandum forwarded by the Government of India with its letter, No. 1142—6–2, dated 5th August 1895, communicated to the Board with G.O., No. 244, Revenue, dated 9th June 1896). In view of this distinct order of the Government of India the Board begs to repeat the request, contained in the Proceedings, No. 436, dated 15th December 1896, that the Government will be pleased to reconsider its order regarding the enforcement of Rule 28 of Appendix VI, which, though it is in accordance with the system generally followed in this Presidency during the scarcity of 1891–92, and with the view taken by the Board in its Memorandum No. 6076, dated 15th July 1892, printed with G.O., No. 839, Revenue, dated 11th August 1892, is at variance with the Code (section 106) as amended with reference to the directions of the Government of India. As already pointed out in paragraph 2 of B.P., No. 436, dated 15th December 1896, this provision regarding the limitation of fines is embodied in the Famine Codes of other provinces also.

5. In thus soliciting a reconsideration of the G.O. on the question of enforcing Rule 28 of Appendix VI, the Board begs leave to state, that though the works opened in the several affected tracts were originally started as test works when the rise of prices above scarcity rates indicated the necessity for the immediate introduction of relief measures, they have been found by the Commissioner in all parts of the affected districts inspected by him to be necessary for the relief of distress. Even if they were test works, the Board would draw attention to section 17 of the Famine Code, which embodies the rule contained in paragraph 7 of the Government of India Memorandum above referred to, and lays down that test works should be regulated strictly according to the provisions contained in the Code as to relief works.

(True Copy and Extract.)

(Signed) R. V. SRINIVASIAR,
Secretary.

To the Secretary to Government, Revenue Department.
" Collector of Anantapur.
Copy to all other Collectors.
" to the Sanitary Commissioner.

Order thereon, Mis. No. 483, Revenue, dated 26th January 1897.

Recorded with reference to G.O., No. 43, dated 26th January 1897.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Under Secy. to Govt.

To the Board of Revenue (R.S., L.R. and Agri.).

Read—also the following G.O., Mis. No. 485, Revenue, dated 26th January 1897:—

Read—the following papers:—

G.O., Mis. No. 5163, Revenue, dated 14th December 1896.

Abstract.—Remarking on the high wages paid on the test relief work at Goriganur and stating that the task, if too severe, should have been modified.

Resolution thereon, Mis. No. 6751, dated 18th December 1896.

Recorded.

2. The Board begs to draw the attention of the Government to the fact that the table given at paragraph 2 of the Collector's letter quoted relates to the amount of work done on the day during which the gangs were being formed, for which day, under section 105 of the Code, relief-workers are entitled to the minimum wage and no work need be exacted. The Commissioner's remarks made in B.P., dated 24th November 1896, No. 5952, referred to the state of the work at a later date.

3. Regarding the question of modifying the task according to circumstances, the procedure laid down requires that the Engineer officer, in this case the Local Fund Engineer, should suggest the necessary charges, and obtain the sanction of the Collector thereto. The Local Fund Engineer had, as the Collector shows at paragraph 4 of his report, to leave Goriganur the day the work was started and there was therefore some delay in obtaining a revised and suitable task table. As the Board has pointed out in its Proceedings, dated 15th December 1896, No. 436, the Famine Code only permits the reduction of the famine wage below the minimum in cases of contumacy amongst the relief-workers, and then only subject to the most careful safeguards.

(True Extract.)

(Signed) R. V. SRINIVASIAR,
Secretary.

To the Secretary to Government, Revenue Department.

Order thereon, No. 745, Revenue, dated 23rd December 1896.

Recorded with the remark that, when a gang fails to turn out the allotted task except owing to weakness, the wage should be reduced under the Famine Code proportionately to the short fall of work even below the minimum wage. There is no work at present on which the workers are weak or unable to do the usual tasks.

(True Extract.)

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

To the Board of Revenue (R.S., L.R. and Agri.).

Resolution thereon, Mis. No. 6866, dated 31st December 1896.

The Board respectfully begs to draw the attention of Government to the third and fourth sentences of section 106 of the Famine Code, under which no reduction of the wage below the minimum wage, save in cases of contumacy, is permitted, and to point out that these sentences, as well as the second, were introduced under the express orders of the Government of India—G.O., No. 244, dated 9th June 1896. It therefore requests that the order read above may be reconsidered.

2. There is no work which the Commissioner has seen on which there are no weak coolies. In fact in all gangs there are some more or less. The G.O. proceeds on the supposition that the "allotted task" or the "usual task" is a task within the competency of all coolies and all gangs. This is most distinctly not the case; hence tasks have to be altered, and as enjoined by Government—G.O., No. 668, Revenue, dated 25th November 1896—reduced. It often happens that the Engineer and the Collector are not present and there is no one authorized to modify a task which may subsequently be found to be too severe. Meanwhile the cooly is fined for not doing what it is not within his competence to do.

(True Copy and Extract.)

(Signed) R. V. SRINIVASIAR,
Secretary.

To the Secretary to Government, Revenue Department.

Order thereon, Mis. No. 485, Revenue, dated 26th January 1897.

Recorded, with reference to G.O., No. 43, dated 26th January 1897.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Under Secy. to Govt.

To the Board of Revenue (R.S., L.R. and Agri.).

Resolution—dated 4th February 1897, No. 98.

The Board will not, on this occasion, discuss the order first read above, further than to note that the "elasticity" referred to in paragraph 1, is an elasticity which operates to the disadvantage of the cooly; for, an "alteration of the class" of the gang means a reduction in the wages paid to it, and, by so much makes it more difficult for the workers to keep themselves in working condition. The Board would, however, respectfully call attention to the remarks of Mr. Clogstoun, the late Famine Commissioner, embodied in the memorandum quoted in paragraph 2 of the G.O., above referred to, on the subject of fining—

> The wages earned at Markapur were clearly, at the time, insufficient, and it is necessary, when fining is to be enforced, that class III wage should be well above the amount absolutely necessary to sustain a labourer in condition; otherwise fining would be impossible.

Mr. Clogstoun's intention was that the class III wage, which was higher than the present C class wage, should contain a margin for fining. In accepting the standard wages then proposed, Government observed that "there is a consensus of opinion amongst the District officials that a ration of that amount (to include the cost of condiments) would be only just sufficient to keep the people in their ordinary state of health," and allowed of fining "within certain limits," adding that "in no case should fining be carried so far as to reduce the wage below a certain limit," which limit Government fixed at $1\frac{3}{4}$ lb. for a man and $1\frac{1}{2}$ lb. for a woman, which is practically the D class wage of the present Famine Code. This, the Madras Government considered, to be "a penal wage" and "too low to be suitable for a subsistence allowance for days on which work is suspended." When revising wages in 1894 in accordance with the orders of the Government of India, Mr. Clogstoun asked for a minimum subsistence allowance for a man of 2 lb. observing that "it is useless to fix a minimum wage unless the minimum wage is a sufficiency." The wages fixed by the Government of India, however, are—

Class.	Men. LB.	Women. LB.
B	2·375	2·25
C	2·	1·875
D and minimum	1·75	1·625

Now, when, as directed by Government, the "elasticity" factor is to come into play to lower the class of the gangs, the Board would respectfully draw attention to the opinion recorded by Dr. Cornish, the Sanitary Commissioner, in 1881, when, referring to the inaccurate opinion generally entertained that "labourers in lower classes necessarily require less sustenance than those in higher" classes, he stated that "their enfeebled condition and inability to do a full day's work might be due to previous privation, the only effective remedy for which would be rest and judicious feeding."

2. The Order will be communicated to all Collectors for information and guidance, with the following instructions, in the preparation of which, however, the Board labours under grave disadvantage owing to the absence of orders on the points raised in its Proceedings, No. 465, dated 28th December 1896.

3. Under the orders now issued, Collectors will observe that, although the initial classification of applicants for relief on works is to follow the ordinary occupations of the relief-workers, under section 96 of the Code, that classification is to be adjusted and amended according to the discretion of the local officers according to the individual capacity of each gang. So far as the Board is at present able to determine, this can only be done by placing a gang in A, B, C or D class, and tasking it accordingly under section 100 of the Code. The Government has not passed any order on this point, which was raised in B.P., No. 465 of 1896, above quoted.

4. In determining the capacity of a gang for the performance of any task, regard must be had, in many cases, to its composition; this, in metal-breaking, does not matter greatly, although at this, as at most other works, the presence of a large proportion of nursing mothers or of immature boys and girls—not children—will lessen the capacity of a gang; but, where diggers and carriers are required, it is necessary, in order to secure efficiency, that they should be present in proper proportion, while here again boys of 12—15 years of age cannot be regarded as equal to able-bodied men as diggers. The composition of each gang will vary, and so will its capacity for the work taken in hand, irrespective of the number of "child units" it may be calculated to contain. The officer in charge must adjust the classification accordingly.

5. He must further, in determining the classification, bear in mind the definition of "weakness" now laid down. "Weakness is physical disability. It is immaterial whether such disability arises from hunger, from weariness, from overwork, from sickness, or from any cause, not directly or indirectly due to the workers themselves." All these several drawbacks to efficiency must be borne in mind, while, as the distances the workers may have to travel to and from work must, if at all considerable, impose "physical disability" on them, this factor must also be taken into consideration in classifying the coolies or in correcting their classification. In order, however, to reduce this latter drawback to efficiency, the workers should, if they come from a distance, be hutted on the works, and thus the conditions under which the relief will be offered will be rendered easier. Collectors should, however, remember that the "Distance Test," which slew its tens of thousands in 1877, has been formally abandoned, and that the distressed should be employed as near to their homes as possible. More work centres should be opened when necessary. This remark applies specially to Kurnool and Cuddapah.

6. In other cases, the tasks must be modified according to the provisions of section 107. These cases will be reduced to a minimum if the instructions given in B.P., Nos. 23 and 84 of 1897 be carried out, as has already been done in Bellary. The Board is not in possession of the information regarding the extent to which the task-table given in the Code was "worked out in the Ceded districts" in 1891, (presumably 1892 is meant), on which the remarks made in paragraphs 8 and 10 of the order first read above are based; but, as has been shown in Bellary, the Code task-table is incomplete, and in Kurnool and Cuddapah it has been found to be excessive in one or another respect. It is not, however, clear, from the remarks made in paragraph 7 of the order, who should be looked upon as "the Engineer officer in charge of the work," who is, under section 107, to make the necessary modifications, subject to the sanction of the Collector; but, from the statement that references to secure that sanction would be a matter of a day or two at most, it would appear either that this

duty and power lies, not in the hands of the Executive Engineer of the division, or his Assistants, or if the works are carried out by the District Board staff, in those of the Local Fund Engineer, but is to be placed in the hands of the Overseers in charge of the works, whose recommendations are to be made direct to the Collector, and disposed of by him without reference to his Engineering advisers, or that in this section the term "Collector" is to be taken to mean the Collector and his Assistants or Deputies. Instructions will be sought on these points, but meanwhile the orders of the Board given in its Proceedings, Nos. 23 and 84 of 1897 should be carried out, and modifications of the tasks so arrived at should only be made on the advice of the superior officers mentioned above.

The Board would, however, point out that, if modifications are to be suggested by the Overseers in charge of works to their superior Engineer officers, and by them reported for sanction to the Collector, it must frequently happen that the time taken in securing such sanction will be nearer two weeks than to "a day or two at the most."

7. The attention of all Collectors will be drawn to the power and duty imposed on them, as expressed in paragraph 2 of the G.O. first read above, of suspending fining in proportion to the work turned out, so that it may not reduce the wage below the minimum. The further views of Government on this subject, as expressed in the paragraph above quoted, will be impressed upon all Collectors, as well as the responsibility that lies on them and their Divisional Officers to watch most closely the operation of the rules regarding fining, in order that they may act at once, as laid down in paragraph 1 of the order, if they find reason to believe that the classification has not been properly carried out, or that the tasks have not been properly adjusted to the capacity of the gangs. When the Collector has satisfied himself that the classification of the relief-workers has been properly adjusted to the capacity of the gangs, and the tasks demanded of them have been modified, when necessary, to suit local conditions and circumstances, then only will it be safe for him to depart from the general rule laid down by the Government of India, and reiterated by the Government of Madras, that fining shall not be carried on to reduce the wage offered below the minimum wage.

8. The responsibility in these respects that lies on all officers in immediate charge of works must also be clearly impressed on them, but it lies primarily with the Divisional Officers, who are responsible to the Collector, to make sure that the relief offered to all in their divisions who need it is a reality, and to see that the offer is not rendered nugatory by incorrect classification and inappropriate tasks, which would lead to fining when no fining should have been allowed. To this end the Divisional Officers must be required to carefully scrutinise the daily reports of the wages paid to gangs (Rule 38 of Appendix VI), and, when they notice that there is any remarkable disproportion in the number of gangs paid the minimum wage or less, the matter should have their immediate attention, for, as shown in paragraph 1 of the order read above, this can be due either to—

(1) excessive tasks;
(2) improper classification; or
(3) the presence of contumacious characters.

The likelihood of the latter contingency being the cause will be within their cognizance if they have taken care to acquaint themselves at all with the condition of the people of their divisions; but, as regards the other causes, they can only settle the matter by personal investigation on the spot, so as to determine whether the officer in charge of the work has been using his discretionary powers as to classification, properly. Should, therefore, Divisional Officers fail to promptly investigate on the spot circumstances such as those described above, they will be incurring the very grave and serious responsibility of being the means of withholding from those needing it some portion of the wage, which, as the Government of India puts it (G.O., No. 39, Revenue, dated 20th January 1897) "has designedly been reduced to what was believed to be the lowest safe point," while the experience of 1892 demonstrated it to be insufficient to enable the relief-workers in Kurnool to purchase a ration on which they could maintain themselves without visible signs of deterioration.

9. On the vigilance and prompt action of his Divisional Officers and other subordinates must the Collector depend in order that he may be in a position to secure the people of the district committed to his charge "against the danger of falling into an enfeebled condition through want." If the people are not offered employment adapted to their capacity at the time, the relief offered will not be genuine. And if the relief-workers, from any cause, fall into an enfeebled condition, they will, in the first place, go to swell the numbers requiring gratuitous aid, involving the State in great and unnecessary expenditure as pointed out in paragraph 4 of B.P., No. 436, dated 15th December 1896, and will probably also undergo permanent deterioration, thus reducing their value as units of the body politic.

10. The Board must impress on all Collectors the fact that, under section 106 of the Famine Code as now revised, a very great responsibility is placed upon them, and on all officers who may be authorised by them, in that behalf, in regard to the exercise of their discretion in the question of limiting fining to the minimum wage, but it looks to them to make such arrangements as will ensure that the interests of the people in their charge are fully and adequately safe-guarded. This cannot be done if the Collector, as was recently the case in Kurnool, sticks at Head Quarters. In times of distress the Collector should be in evidence, and his influence directly felt all over his district.

11. The Board takes this opportunity of calling the attention of all officers engaged in relief to paragraph 131 of the report of the Indian Famine Commission, 1880, which runs as follows:—

It has been proved by experience that, when there is little to do in the fields, large numbers of people are apt to flock to get employment on Government works although there is not any such general need as to justify the offer of work to all comers. This is particularly the case if the task is light and discipline slack; and too easy terms may even have the effect of drawing labour from its legitimate sphere and discouraging the continuance or resumption of ordinary agricultural operations. It is therefore necessary that proper discipline should be maintained, and that, though all applicants should be received, certain self-acting tests of wage and labour should be enforced to prevent the relief work from being so light or unduly attractive as to induce any to remain who are not really in want. The wage should be adjusted from time to time so as to provide sufficient food for the labourer's support, allowing him one day's rest in the week, and separate rates should be prescribed, suitable for the various classes of persons as well as for different ages and sexes. A margin should be left with the view of giving security against accidental error on the side of deficiency, not with the view of providing the labourer with the power of saving, and care should be taken that penalties for wilful idleness, in the form of deductions from the wage, should not be so large or so often repeated as to have the effect of reducing the food of the labourer below what is necessary for subsistence. The wage should be paid if possible daily, otherwise at intervals of not more than three or four days and the payment should be superintended by a thoroughly trustworthy officer. The labour would be a task fixed according to the capabilities of the labourers, who should be divided into suitable classes for this purpose, and care should be taken to classify and employ them so as not to break up families, which should, as far as practicable, be enabled to work together. In apportioning the task, the fact that a large proportion of the labourers are doing unaccustomed work, that many may be physically and morally depressed, and that the disruption of their ordinary life, and the novelty of their position on relief works probably act injuriously on their bodily powers, should be borne in mind. The full task demanded from such persons should not be more than 75 per cent. of that commonly performed by labourers in ordinary times, and from the less capable labourers a still smaller task should be required.

12. Correction slips of section 106 as now revised are being printed for distribution for insertion in copies of the Code.

(True Copies and Extract.)

(Signed) R. V. SRINIVASIAR,
Secretary.

To all Collectors.
" the Secretary to Government, Revenue Department.
Copy to the Sanitary Commissioner.

Order—No. 259, Revenue, dated 22nd April 1897.

Miscellaneous.

Recorded, with reference to G.O., No. 216, dated 30th March 1897.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

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

Exd. Md. Pahilvan.

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