

Revenue (1897) Department.

PRESS SERIES.

G.O., No. 825.

Dated 29th Sept.

[Despatch Abstract.]

Test Works.

Desiring to have a further expression of opinion
from the Revenue Commissioner in regard to
the gratuitous relief of the dependants of workers
in —.

Revenue (1897) Department.

CURRENT No.

The Hon. Mr. Cress of
the Governor

has already been drawn to this
matter in G.O. 545, and the Govt.
notes with surprise that the Board
should be ~~for the matter~~ ~~at all~~
~~at all~~ should continue to
make such mistakes which have
been definitely declared to be
erroneous

From the Board of Revenue
Revenue Settlement, Land
Record and Squeal and
Madras

No. 6973 this

Order in

219/97

That be referred to the Rev. Sec. and the Govt. for the necessary instructions in this respect.

No. 448 of 28 Aug. 1907.

With reference to the remarks

in para 2 Mr. Jammie Commr

will be informed that the

provisions for dependants, referred

to by him, as forming the essence

of the Code applies only in

the case of laborers employed

after they have been shown

on regular relief works.

Dated 28th August 1897

Received

Registered

Enclosures

Spare copies may

be sent to the collector of

SUBJECT.

Communicating to the collectors
of Cuddapah and Kurnool
with remarks Government order
Revenue Department authorizing
the collector of Cuddapah to open
under certain conditions certain
works in Nayalpad and Rayachoti
and the collector of Kurnool
to open kitchens at certain
places.

17 of the Code to be regulated

according to the provisions

laid down for relief works

only in regard to wages and

the quantity of work to be

done. The attention of the Jammie Commr

2. In regard to the remarks

in para 3 Mr. Jammie Commr

will be invited to

be instructed by the Govt.

BACK PAPERS.

Consid with Ld 10
7-1-97 in which it
is directed that the conditions to be
enforced on dist works should
be more stringent than on regular
relief works. The Govt has therefore
advisedly adopted 75 p. c of the
A rate in the present case

G.O.	No.	Department.	Date.

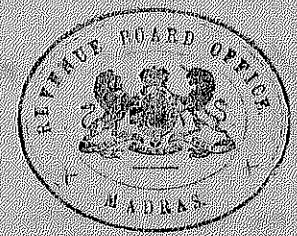
FURTHER PAPERS.

G.O.	No.	Department.	Date.

The Famine Commr

RS
4-8-97

(Sett. 24 2,000-29-10-06.)



Proceedings of the Board of Revenue

(Revenue Settlement, Land Records and Agriculture.)

Dated 28th August 1897.

No. 6973. Miscellaneous

Order from Government Revenue
Department No. 4440 Miscellaneous
dated 28th August 1897.

Resolution

Communicated to the Collectors
of Buddapah and Kurnool.
The rain which has recently
fallen in Buddapah may have
rendered these new works unnecessary.
The Famine Commissioner
is unable to understand that

perfor

portion of the order which directs
that no relief shall be given
to dependants of workers. Under
Section 17 Famine Code, test-
works are to be regulated
strictly according to the provisions
laid down for relief works.

Mr. in regard to
types & quantity
of work to be done
only.

Under Section 60. Famine Code
gratuitous relief may be
granted to relief workers
children who are too young
to work; this Section however

only describes the various
methods of granting gratuitous

relief. Under Section 66 Famine
Code: Kitchens ^{shall be} ~~should~~ provided
in connection with large works

Mr. in regard to
relief works.

for feeding non-working children.
The essence of the Code has
always been understood to be
that each worker will be paid
sufficient for himself and himself
alone, and separate provision
being made for his dependants.

This interpretation has several
times been insisted on by
the Famine Commissioner and
accepted by Government. Vide

Government orders nos 702 dated
9th December 1896, 201 A dated 25th March 1897
246 dated 13th April 1897 and 305 dated 7th May 1897

and the Famine Commissioner
earnestly deprecates any
departure from it, as being

Contrary

Contrary to the intention of the framers of the Code

3. The order of Government that the tasks levied should be ^{not} less than 75 per cent of the normal task of a professional worker applies to all workers. According to Section 100 of the Code it only applies to B. class labourers.

(True Extract)

Dudman 2/8
Famine Secretary

To The Collectors of Kurnool
and Cuddapah

The Secretary to Government
Revenue Department

H. E. Mr. Governor

This question is one on which officers who have the practical working of the Code, might be called. The G.O. might not put this question asked by the Govt. and the Famine Commission might be asked this view.

2.8.1947

Dept. Secy.

1/29/47

With reference to H.E.'s note on C.No.7487

my special authority for inserting the statement in question was this:-

2. The orders were that testworks were to be opened and that the conditions of the Code were to be strictly enforced on them; the most important of these conditions were specifically stated in the order as the Board had on previous occasions misinterpreted section 17 of the Code and abolished all distinction between testworks and regular relief works by arranging for the relief of dependants at the former.

3. The policy of the Code is to delay the opening of relief till its necessity is demonstrated. Hence it utilizes for preliminary purposes all possible existing agency before "relief" is to be acknowledged necessary. The policy is to

push on to Local Fund Board and the local resources as much as possible of the cost of relief in the earlier stages of distress. ^{and} section 17 declares that before "Relief" is admitted, it must be ~~examined~~ tested with ordinary D.P.W. works and with Local Fund works. It seems to me clear that test works belong to a phase of relief distinctly anterior antecedent to regular relief works. They are designed not to give relief but to test it.

4. That there is a distinction between "test works" and "relief works" is

vious from the Code definition of the latter, ^{(section 57) ~~cannot~~} while ordinary D.P.W. works may be utilized, test works they cannot be "relief works"; and the case is plainer in regard to Local Fund works, for relief to dependants is gratuitous relief (sec. 60) and gratuitous relief cannot be legally charged to Local Fund Funds. (sec. 33) ^{As I have} said above test works are not intended to give relief but to test it. There is nothing which goes further to defeat this object than the grant of relief to dependants on works. You lower wages ^{on} one hand and raise them with the other.

5. Section 17 which fully explains how testworks are to be carried out mentions only three points:-

- (1) Admission of all applicants
- (2) Task-work
- (3) Wages not exceeding Code wages.

The Famine Commissioner says that it was also the intention of the framers of the Code that on test works relief should be given to dependants; if so there will then be no difficulty difference between testworks and relief works, and section 17 may well have been omitted. The late Mr. Clogston who drew up the Code was of opinion that relief works as carried out under the old Code formed a good test of distress, and when it is remembered that works under the old Code were carried out without any provision for the relief of dependants, it will be seen that his idea of testworks did not include such relief.

Testworks will fulfil their ob-

The Code can be made a uniform system everywhere so far as relief works are concerned but it has been advised that test works be made specially determined. If test work do not differ from relief work, how is this to be shown?

ject generally in a ^{short time} ~~few days~~, and there would be no necessity under any circumstances for keeping them open for more than a week or ten days. If they are kept open longer and attempts made to work them for purposes of relief by enforcing the provisions prescribed for regular relief works, it is a misnomer to call them testworks. The Ouk work was opened in Kurnool on 11th Nov. 1896 and the numbers that flocked to it in the first few days showed that there was no doubted distress, but instructions were not issued by the Famine Commissioner to convert the work into a relief work till 5th December, and it is not known when it was actually so converted. So also in Ganjam the Kalyapalli quarry work opened on the 5th Feb. was declared a regular ^{relief} work in the course of the first fortnight in March. In both these cases relief was given to dependants and the works were really relief works though the Famine Commissioner called them testworks; this is not, however, the system of the Code.

7. I see that Section 17 was copied into our Code at the instance of the Govt. of India from the Bengal Code; and a perusal of section 11 of the latter will show that the intention was to prescribe a method by which district officers might ascertain the existence and extent of distress by utilizing District Board works as test works under the conditions fully and exhaust-

ively specified in the section; these conditions do not include relief of dependants. I however note that there is no legal impediment in that province to charging the cost of such relief to local funds, though I do not think it is intended that this relief should be given on District Board Test works. But the case is otherwise in Madras where as above mentioned local funds are not chargeable with the cost of any gratuitous relief, and as section 17 says that Local Fund works might be opened as test works, it cannot have been intended here that gratuitous relief should be given on them.

5. That test works are not relief works within the meaning of section 57 and that the Code provisions about the gratuitous relief of dependants do not apply to them have already been laid down in G.Os. 595 dated 2-2-97 and 57 dated 28-1-97. It is true that views to the contrary expressed in some P.Ps. issued since have been allowed to pass unchallenged, but this was because the Proceedings related to tracts the conditions of which were special (Bhadrachallam, Ganjam and Vizagapatam) and also the policy then accepted by Govt. In these tracts the Govt. took for granted on the reports of the Famine Commr. and of the Dt. officers that there was undoubted distress though works failed to fill, and its object was not to test distress but to make the people attend the works which though called testworks by the Famine Commr. were really relief works.

Section 33

Print
and print stamp
29/9/97

Section 33

J
28/9/97

Read no 7487/97.

Order (Press) N. 8250/29th Sept 1897

In regard to the remarks in para 3, the Famine Commissioner's attention will be invited to the instructions of the Government of India communicated with G.O. N. 10 of 7 January 1897 in which it is directed that the conditions to be enforced on test works should be more deterrent than on regular relief works. The Government has therefore advisedly adopted 75 p.c. of the A task in the present case.

2. With reference to the remarks in para 2, it appears to Govt that the separate provision for dependants, referred to by him as forming the essence of the Code, applies only in the case of labourers employed on regular relief works after test works have shown that relief works are necessary. That test works are not relief works within the meaning of section 57 and that the Code provisions about the gratuitous relief of dependants do not apply to them.

14/9/97

vely have already been laid down
tions in B.Os $\frac{575}{2.2.77}$ and $\frac{57}{28.1.77}$. It is
nts, I

l in true that views to the contrary
expressed in some B.Os issued
since have been allowed to pass
unchallenged, but this was
because the proceedings related
to tracts the conditions of which
were special (Bhadra Chalam,
Banjam and Vizagapatnam). In
these tracts the Govt took for
granted on the reports of the Fam.
Commr and of the District officers
that there was no doubt that
distress though relief works fail-
ed to attract labourers, and its
~~light~~ was not to test distress
but to make the people attend
the works which though called
test works by the Fam. Commr
were really relief works.

3. In view however of
its importance, the Govt is pre-
pared to regard the question as
one open to discussion and
wishes to have a further ex-
pression of opinion from the
Fam. Commr in the light of
the following remarks which
are what in the opinion of

Govt is the system contemplated
by the Code and how far that
system has been departed from
during the present distress.

4. The policy of the Code
is to delay the opening of relief till
its necessity is demonstrated
and to ~~hand~~ ^{devolve} on to Local Fund
Boards and the local resources
as much as possible of the cost
of relief in the earlier stages of
distress. Hence it utilizes for preli-
minary purposes all possible ~~ex-
isting~~ existing agency before "relief"
is to be acknowledged necessary
and section 17 declares that before
distress is admitted, it must
be tested with ordinary D.P. W.
works and with Local Fund works.
Thus test works belong to a phase
of relief distinctly antecedent to
regular relief works and are design-
ed not to give relief, but to test
it. There is nothing which goes
further to defeat this object than
the grant of relief to dependants
which is practically lowering on
with one hand ^{while} ~~and~~ raising them
with the other.

2. That there is a

distinction between "test works" and "relief works" is obvious from the Code definition of the latter (Sec. 57) which ordinary D. S. V. works may be utilized as test works (Sec. 17) they cannot be relief works, and the case is stronger in regard to local fund works, for relief to dependants is gratuitous relief (Sec. 60) and gratuitous relief cannot be legally charged to local funds (Sec. 33).

6. Section 17 which fully explains how test works are to be carried out mentions only three points:-

- (i) Admission of all applicants
- (ii) Task work.
- (iii) Wages not exceeding Code wages.

The Famine Commr. says that it was also the intention of the framers of the Code that on test works relief should be given to dependants, if so there will then be no difference between test works and relief works and section 17 may well have been omitted. The Code contemplates a uniform system everywhere for so relief works are concerned, but it has been ordered that test works should be made

specially determined. This cannot be done if test works do not differ from relief works.

7. Section 17 was copied into the Madras Code at the instance of the Govt of India from the Bengal Code, and a perusal of section 11 of the latter will show that the intention was to prescribe a method by which District Officers might ascertain the existence and extent of distress by utilizing District Board works as test works under ^{the} conditions fully and exhaustively specified in the section; these conditions do not include relief of dependants, though there is no legal impediment in that Province to charging the cost of such relief to local funds. The case is otherwise in Madras where as above mentioned local funds are not chargeable with the cost of any gratuitous relief, and as section 17 says that local fund works might be opened as test works, it cannot have been intended ~~there~~ ^{in this Province} that gratuitous relief should be given

them. The late Mr. Clogston who
brought up the Code was of opinion
that relief works as carried out
under the old Code formed a good
test of distress, and when it is
remembered that works under
the old Code were carried out
without any provision ^(the relief of) for dependants,
it will be seen that his idea
of test works did not include
such relief.

8. Test works will fulfil
their object generally in a short
time, and there would be no
necessity under any circumstances
for keeping them open for more
than a week or ten days. If they
are kept open longer and attempts
made to work them for purposes
of relief by enforcing the provisions
prescribed for regular relief
works, it is a misnomer to call
them test works. The Brook work
was opened in Kinnaird on 11 Nov 1896
and the numbers that flooded
it in the first few days showed
that there was undoubted distress.
As instructions were not issued
to the Fam. Commr. to convert
works into regular relief works

17.9.97

5th December, and it is not
known when it was actually
so converted. So also in Banjam,
the Kalyapalli quarry work
opened on the 5th February was
declared a regular relief work
in the course of the first fortnight
in March. In both these
cases relief was given to depend-
ants and the works were
really relief works though the
Fam. Commr. called them
test works; this does not
however appear to be the system
contemplated by the Code.

RS
27-4-97

The Famine Commr

checked
29/4/97

checked
18/10/97

Government {1897} of Madras.
REVENUE.

Recd.

Regd.

} 1897.

Enclosures

Spare copies

G.O., No. 825, 29th September 1897.

SEPTEMBER.

Test Works.

Desiring to have a farther expression of opinion from the Famine Commissioner in regard to the gratuitous relief of the dependants of workers on —.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—again the following G.O., Mis. No. 4440, Revenue, dated 25th August 1897 :—

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), Mis. No. 6456, dated 14th August 1897 :—

Read—the following letter from the Collector of Cuddapah, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated 1st August 1897, No. 1312-F. :—

I have the honour to state that, in the fortnightly narrative for the period ending 15th July 1897, I reported "that it is possible that relief-works would be required in parts of Ráyachóti and near Gurramkonda of Vayalpad taluk, if there be no rain within a fortnight."

2. I have since inspected a portion of the Ráyachóti taluk in company with the Sub-Collector. I am also getting daily reports from the Tahsildar of Ráyachóti regarding the state of the season and condition of the people, from which I find that some people are willing to work for famine wages, while in others they are still unwilling. Up to date there has not been much rainfall in parts of Ráyachóti and Vayalpad so as to allow people to resume their usual agricultural operations, though some dry land has been ploughed and sown.

3. I think that the time has now arrived for starting some test-works in the two taluks. I have therefore instructed the Executive Engineer to start in the second week of August the Chittur-Kurnool road at Chittur in Ráyachóti taluk and the Ráyachóti-Vayalpad road at Gurramkonda in Vayalpad taluk to test the reality and extent of distress. I request that the Board will approve of my action. I am asking the Engineer to set high tasks and enforce them strictly.

Read—also the following letter from the Collector of Kurnool, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated 6th August 1897, R.C. No. 497-F. :—

I have the honour to request that the Commissioner will be pleased to accord his sanction for the opening of kitchens at the places given below :—

Markapur taluk—
Markapur,
Tokapalli.

Nandikotkur taluk—
Nandikotkur, Atmakur,
Kokkadancha, Miduttur.

Markapur taluk.—There are over 700 able-bodied labourers working on the Local Fund road near Markapur, and it is anticipated that there will be quite as many applying for employment on another road that is shortly to be repaired near Tokapalli. The Deputy Collector, Cumbum Division, and myself consider that a kitchen should be opened at each of the two places for the benefit of the dependants of the labourers.

Nandikotkur taluk.—The Head-quarter Deputy Collector reported in a letter, dated 25th ultimo, written after two or three excellent falls of rain, that his fears regarding the state of the labouring classes of the taluk had been dispelled and that no form of relief was necessary. There are, however, about 1,000 persons attending the

ordinary Local Fund works at Nandikotkur and Atmakur, which number seems likely to increase, and I was struck during my recent visit to those places with the poverty-stricken appearance of the children and old people who had accompanied the labourers from different villages to the works and with the number of beggars everywhere. I am of opinion that the opening of kitchens at the places indicated at the beginning of this letter is a necessity. The Deputy Collector's attention has been drawn to the provisions in G.O., No. 409, dated 31st May 1897, read in Board's Proceedings, No. 420, dated 8th June 1897, in case any really destitute persons are found in other localities.

Resolution—Mis. No. 6456, dated 14th August 1897.

Submitted for the orders of Government.

2. It is suggested that ordinary Local Fund and Minor Irrigation works may be carried out under the intermediate works system described in G.O., No. 430, dated 3rd June 1897.

3. The following telegram will be despatched to the Collector of Cuddapah :—
Open no relief works in Vayalpad and Ráyachóti pending further orders.

(True Copies and Extract.)

(Signed) L. E. BUCKLEY,
Famine Secretary.

To the Secretary to Government, Revenue Department.
Copy to the Collectors of Kurnool and Cuddapah.

Order—Mis. No. 4440, Revenue, dated 25th August 1897.

The Collector of Cuddapah is authorized to open the two works referred to in his letter wherever he considers them necessary for relieving distress. The works should be carried out as test-works, and the conditions prescribed in the Famine Code should be strictly enforced, i.e., no relief should be provided for dependants, and tasks which should be strictly enforced should be not less than 75 per cent. of the normal task of a professional worker, the wages paid being those allowed under the Code.

2. The Collector of Kurnool is also authorized to open kitchens at the places mentioned in his letter.

(True Extract.)

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

To the Famine Commissioner.

Read—also the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), Mis. No. 6973, dated 28th August 1897 :—

Read—G.O., Mis. No. 4440, Revenue, dated 25th August 1897.

Resolution—Mis. No. 6973, dated 28th August 1897.

Communicated to the Collectors of Cuddapah and Kurnool. The rain which has recently fallen in Cuddapah may have rendered these new works unnecessary.

2. The Famine Commissioner is unable to understand that portion of the order which directs that no relief shall be given to dependants of workers. Under section 17, Famine Code, test-works are to be regulated strictly according to the provisions laid down for relief-works. Under section 60, Famine Code, gratuitous relief may be granted to relief-workers' children who are too young to work; this section, however, only describes the various methods of granting gratuitous relief. Under section 66, Famine Code, kitchens shall be provided in connection with large works for