

REPORT  
OF  
THE EXECUTIVE OF  
THE GENERAL LABOUR COMMITTEE,  
BRITISH MALAYA,  
ON  
INDIAN LABOUR AND LABOURERS.

KUALA LUMPUR

1926

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**1920**

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APPENDIX.

Statistics of comparison between a Ceylon Estate Cooly's cost of living and his earnings in cash.

RUBBER ESTATES.

Daily minimum wage.						Average No. of days worked per mensem.			Average monthly pay.						Average monthly extra earnings in addition to pay by overtime work on contract, etc., and from bonuses.						Total average monthly earnings.					
M.		W.		Ch.		M.	W.	Ch.	M.		W.		Ch.		M.		W.		Ch.		M.		W.		Ch.	
R.	C.	R.	C.	R.	C.				R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.
0	47	0	35	0	28	25	24	22	11	75	8	40	6	16	3	82	2	31	1	30	15	37	10	74	7	46

Statistics of comparison between a Ceylon Estate Cooly's cost of living and his earnings in cash.

TEA ESTATES.

Daily minimum wage.						Average No. of days worked per month.			Average monthly pay.						Average monthly extra earnings in addition to pay by overtime work on contracts, etc., and from bonuses.						Total average monthly earnings.						Cost of living per month.			
M.		W.		Ch.		M.	W.	Ch.	M.		W.		Ch.		M.		W.		Ch.		M.		W.		Ch.		For single adult.	For a family father, mother and 2 non-working children.		
R.	C.	R.	C.	R.	C.				R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.				
0	51	0	29	0	22	28	23	22	9	48	6	88	4	84	2	87	2	42	1	27	12	30	8	80	6	11	8	25	17	50

Statistics of concessions over and above actual cash payments granted by Ceylon Estates to their Labour Force.

The Estate Labourer receives in addition to his Cash Earnings numerous allowances which appreciably lowers his cost of living. The following figures indicate approximately the cash value of the concessions granted by Estates to their Labour Force.

RICE.														Capitalised value of lines divided by No. of inhabitants.	RENT.						Medical aid cost of Medicine.						Total of columns 5, 7 and 8.						
Cost per Bushel.		Issue price per Bushel.		Loss per Bushel.		Consumption in bushels per mensem.			Amount under charged to coolies.			Uncharged value at 5 per cent. per annum.						Medical aid cost of Medicine.						Total of columns 5, 7 and 8.									
												M.			W.		Ch.		M.		W.		Ch.		M.		W.		Ch.				
R.	C.	R.	C.	R.	C.	M.	C.	Ch.	R.	C.	R.	C.	R.		C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.	R.	C.		
7	23	6	05	1	18	1	1	1	1	18	0	89	0	59	90	0	38	0	38	0	38	0	50	0	50	0	50	2	06	1	77	1	47

It has been found impracticable to collect accurate statistics as to the cash value of the concessions which coolies almost invariably obtain in the form of free fuel, free issue of food to non-working children and a free cumbly or cloth. Such information as is available shows that it would be a distinctly conservative Estimate if the pecuniary equivalent of these were reckoned as Rs. 2 (Fuel 25 cts. Rs. 1.50, cumbly or cloth 25 cts. per head per month).

In addition gardening plots, pasture lands and cash payments on ceremonial occasions, such as births, marriages, coming of age, deaths, and festivals are granted, free of charge to the labourers on practically all Estates.

Ceylon Bushel—19½ Madras Measures.  
100 Ceylon cents=Rs. 1.

## MEMORANDA PREPARED BY GOVERNMENT OF CEYLON.

## (A) MEMORANDUM REGARDING THE RECRUITMENT OF LABOURERS IN INDIA AND THE WELFARE OF INDIAN LABOURERS IN CEYLON.

*I.—Arrangements made for the recruitment of labourers in India.*

1. *Recruiting Agents.*—The recruitment of fresh labour from South India for the tea and rubber estates of Ceylon is primarily carried out by the agents of the estates concerned, for the most part under the supervision of the Ceylon Labour Commission. The agent is in the majority of cases an employé of the estate, himself an Indian immigrant, usually a “kangany” or supervisor of labour. When additional labourers are needed, a recruiting kangany is supplied with funds or with an order on the Ceylon Labour Commission, and proceeds to South India, where he recruits, generally from his own district, the number required. In some cases the recruiter remains on the estate and remits money to his relations in India who do the recruiting for him. A third alternative—one which does not in general give satisfactory results—is the employment of professional recruiters. The Ceylon Labour Commission acting on the instructions of the Ceylon Planters’ Association have, however, consistently discouraged the employment of professional recruiters.

2. *The Ceylon Labour Commission.*—The Ceylon Labour Commission was instituted in 1904. It has its headquarters at Trichinopoly and maintains Agencies in all the districts from which labour is recruited for Ceylon. It does not undertake direct recruiting. Its functions are to popularise emigration to Ceylon by making the conditions of life on Ceylon estates generally known, to supervise the recruiters sent from Ceylon, and generally to safeguard the interests of estates in the recruiting areas, and in particular to protect them from recruitment by misrepresentation. The Commission also makes payments to recruiters, by arrangement with the estates, to defray the initial cost of recruiting. The great majority of estates in Ceylon subscribe to the upkeep of the Commission and conduct their recruiting with its assistance. Between 85 and 90 per cent. of the Indian labourers who migrate to Ceylon for work on the estates are passed through the depôts of the Commission, where they are registered. The conditions on Ceylon estates are explained to all recruits, and only those who are suitable for estate work or their dependents are accepted. The Commission guards against kidnapping by insisting on proof of legitimate recruitment of minors by the personal attendance at the Agency of the parent or guardian, or by the production of a certificate from the Village Munsif that the consent of the parent or guardian has been obtained. In addition to supervising the recruitment of labourers the Commission assists in regulating and facilitating the return of emigrants to their homes. It is also enabled by means of its registers to answer enquiries made by relations of emigrants and to assist them to communicate with persons employed on estates in Ceylon.

3. *The Ceylon Government Camps.*—The final stage of the arrangements made in India for the recruitment of labour for Ceylon is under the direct control of the Ceylon Government. All immigrant labourers pass through one of the two quarantine camps maintained at Mandapam for the Dhanushkodi-Talaimanner route and at Tataparai for the Tuticorin-Colombo route.

4. *The cost of recruitment and the Tin-ticket System.*—The initial cost of recruitment generally takes the form of an advance to the intending emigrant. The advance is made by the recruiting kangany from funds supplied to him before leaving Ceylon by the estate, or drawn by him from an agency of the Ceylon Labour Commission. Subsequent expenses are reduced as far as possible by the co-operation of the Ceylon Government with the estates in the working of the “Tin-ticket system”. Under this system each intending emigrant is provided by the recruiter with a tin disc serially numbered and also marked with the registered number of the estate to which he is proceeding. The ticket entitles the emigrant to subsistence and transport without any payment in cash from the time of his arrival at Mandapam or Tataparai up to the time of his arrival at the estate. The Ceylon Government bears half the cost

of maintenance during this period and the other half together with the transport charges are recovered by the Government from the estate concerned.

## *II. The Welfare of Indian Emigrants in Ceylon.*

The following particulars are arranged under the headings contained in the Memorandum forwarded by His Excellency the Viceroy as indicating the points on which the Indian Legislature is likely to require information.

*1. Political and Municipal rights of Emigrants in Ceylon.*—So far as Municipal rights are concerned Indians are in the same position as Ceylonese, both as regards the right to vote and as regards the right to be elected or nominated as members of Municipal or other local bodies.

The position with regard to representation in the Legislature is as follows :—

Under the provisions of the Ceylon (Legislative Council) Order in Council, 1920, provision is made for the nomination of an Indian Member. No Indian can be registered as a Voter so long as the Indian Member is nominated, a disqualification which applies to Kandyans and Muhammadans so long as members are nominated to represent these latter communities.

If under section 19 of the Order in Council the Governor decides that the Indian Member is to be elected instead of being nominated then the rights of Indians become identical with those of other communities specially represented. If they register as communal voters, they can only vote for their communal representative and are ineligible as candidates for any other Electorate than their own. On the other hand, if they wish to do so they will be able to register on the list of voters for a territorial constituency and become eligible as candidates for any such constituency.

The Indian Member was provided for in the Order in Council with a view to ensuring that the Indian community in Ceylon should be represented in the Legislative Council by a member of their own nationality.

As far as this Government is concerned there would be no objection to abolishing this special representative and allowing Indians to fall into the General Electorate. But it is doubtful whether this change would be acceptable to the Indian community in Ceylon.

*2. Any restrictions by means of passport regulations or by law on the immigration of other classes of Indians, e.g., traders, tourists, professional gentlemen, etc.*—Passports are not required for the journey between India and Ceylon. There are no restrictions on the immigration of the classes mentioned or of any Indians as such. There are legal restrictions on the immigration of destitute and vicious persons and stowaways irrespective of nationality.

*3. Arrangements for providing land for colonisation by the emigrants or for residence after certain time in the Colony.*—The Ceylon Government has offered in the past, and is prepared to offer in the future, favourable terms to Indian emigrants who wish to settle on the tracts of fertile lands which are available for cultivation in the neighbourhood of large irrigation works. The difficulty hitherto has been to find emigrants of the cultivator class who are prepared to face the initial difficulties of preparing the land for cultivation. If this difficulty could be surmounted it would be greatly to the benefit not only of the emigrants, but also of this Colony.

*4. The relations between employers and employed with special reference to the limitations in the power of the emigrant to enter into long-term contracts.*—The employment of Indian immigrant labourers is almost invariably on the basis of a monthly contract of service, renewable from month to month, and taken to be so renewed unless one month's notice is given by either party of the intention to determine the contract [see section 3 of Ordinance No. 11 of 1865, and (for Estate Labourers) section 5 of Ordinance No. 13 of 1889]. The law also provides (see section 7 of Ordinance No. 11 of 1865) that contracts for service for periods in excess of one month and up to a limit of 3 years must, in

order to be valid, be expressed in writing and signed and acknowledged in the presence of a Police Magistrate, Justice of the Peace, or other persons specially authorised for the purpose. It is the duty of this official to see that the contract is fully explained to both parties and to certify that they fully understand its terms. The only exception to the limit of 3 years mentioned above is in the case of contracts for service in Government Departments. Such contracts, if formally executed, may extend to a period of five years (*see* section 8 of Ordinance No. 11 of 1865).

5. *The cancellation of outstanding indentures.*—There is no system of indentured labour in Ceylon.

6. *The scale of wages in relation to the cost of living, the minimum wage, and the arrangements for its periodical revision.*—There is no minimum wage, fixed by law. The rates of wages have increased steadily in recent years.

In the case of estate labourers the rise in cost of living is to a great extent directly borne by the employer, inasmuch as the labourer is provided with free fuel, free housing accommodation, free medicine and medical attendance, food at a fixed price well below cost price, in some cases free clothing or clothing at reduced prices, freedom from rates and taxes, and free garden plots. It may be mentioned in addition that in many cases women receive a present in cash and free rice for 4 weeks at confinement. Children of estate labourers are educated free of charge and are very generally allowed a considerable amount of free food.

7. *Housing arrangements for cooly immigrants.*—Indian immigrant coolies are housed in lines which are provided by the employer, and which vary in construction according to climate and situation.

A family of 4 persons will usually occupy a room 10 feet by 12 feet with a verandah 10 feet by 6 feet. The lines are inspected by the sanitary authorities, and provision has been made that in future all new cooly lines are to be constructed in accordance with type plans provided by the Medical Department.

It was noted in the report of Messrs. Marjoribanks and Marakkayar (part I, paragraph 45) that the housing accommodation and the cleanliness of the surroundings of Ceylon estate cooly lines compare favourably with the quarters in a Madras village occupied by persons of the classes comprising the estate labour population.

8. *Provision of garden plots for the use of emigrants working as agricultural labourers.*—Garden plots are provided free of charge by the estates for the use of the labourers.

9. *Medical arrangements on the estates on which cooly emigrants are employed.*—There are 54 Government District Hospitals in the planting areas, with accommodation for 4,500 patients. These hospitals are staffed with qualified medical officers, nurses and attendants. In addition to the out-door department attached to each hospital there are 81 Government out-door dispensaries. Every estate is scheduled to the nearest Government hospital and dispensary for its medical wants. There are, besides these, 63 hospitals built, staffed and maintained by the estate proprietors as well as 471 estate dispensaries similarly maintained by the estate proprietors. The provision of medical facilities by the estates is encouraged by the payment of a rebate of the export duties on produce in proportion to the adequacy of the provision. The estate hospitals and dispensaries are periodically inspected by officers of the Medical Department. The organisation of estate Medical Districts, the duties of Government Medical Officers in relation to the estates in their districts, and the duties of Superintendents of Estates with regard to the maintenance of sanitary conditions and the medical needs of the labourers on the estate are laid down by law (*see* annexed copies of Ordinances 9 of 1912 and 10 of 1912).

As stated in paragraph 6 above the labourer is not charged for medicines or medical attendance.

10. *Conditions of repatriation*—There is no legal provision for repatriation, but coolies who wish to return to their homes permanently are in many cases assisted by their employers and by the Ceylon Labour Commission in South India.

Experience, however, has shown that few coolies leave Ceylon with the intention of returning permanently to India. In most cases they are desirous merely of paying a short visit to their villages in India with the intention of returning to estates on which they have been employed in Ceylon.

11. *Validation of marriages regularly contracted by Indians in the Colony.*—Marriages contracted by Indians according to the provisions of their personal law are recognised as valid in Ceylon. Indians, who are not Mahomedans, can marry under the General Marriage Law No. 19 of 1907. Marriage of Mahomedans comes under Ordinance No. 8 of 1886.

12. *Educational facilities*—Special provision for the education of children of Indian estate labourers is made by law. It is the duty of the Superintendent of every estate to provide for the education of the children of the labourers employed on the estate between the ages of six and ten, and to set apart and keep in repair a suitable schoolroom.

13. *Regular service of steamers between India and the Colony.*—There is a regular daily service of steamers between Dhanushkodi and Talaimannar. There is also a bi-weekly service between Tuticorin and Colombo.

14. *Percentage of males to females recruited from India.*—The percentage of males to females among Indian labourers and their families on the estates is approximately 107.

Indian immigrant labourers usually arrive with their families or send for them after they have settled down.

15. *Arrangements for quarantine in the Colony and for the maintenance of emigrant so long as they are detained in quarantine.*—Quarantine does not take place in the Colony, but in India, at the Mandapam and Tataparai camps. The arrangements for the maintenance of immigrant estate labourers during the period of quarantine and the subsequent journey are referred to above in the description of the "Tin-ticket" system. Other persons occupying the camps pay at cost price for the food supplied to them. No other charge is made.

16. *Attitude of the Indian community resident in the Colony towards fresh emigration from India.*—There is no opposition on the part of the Indian community in Ceylon to fresh emigration from India. Practically all the recruiting of fresh labour is done by Indians resident in Ceylon, who proceed to India for the purpose. The use of professional recruiters is discouraged as far as possible by the Ceylon Labour Commission, since it has been found that the best and most reliable recruiter is an emissary from the estate to which the coolies are to be sent.

17. *A summary of labour laws in force with special reference to penal clauses in those laws and to necessity for retention of these clauses.*—Copies of Ordinances Nos. 11 of 1865, 13 of 1889 and 41 of 1916 are annexed.

It is the intention of the Government to introduce at an early date a Bill to abolish the following penal provisions:—

	<i>Extent of repeal.</i>
Ordinance No. 11 of 1865.	Sections 11, 12, 14, 21, 23 and 24.
Ordinance No. 13 of 1889.	Sections 4-A and sub-section 7 of section 6.
Ordinance No. 41 of 1916.	The whole Ordinance.

The following is the Statement of Objects and Reasons to be published with the Bill:—

"Under Ordinance No. 11 of 1865 and Ordinance No. 13 of 1889 provision is made for criminal proceedings being taken against both employers and employed in respect of certain breaches of contracts of hire and service. It is thought that a penal sanction should no longer be attached to such breaches, but that aggrieved parties should be left to their civil remedies. This object is sought to be attained by this Bill."



## (B) MEMORANDUM ON THE TUNDU.

The "*tundu*" is a document containing a contract to pay off a certain number of labourers upon receipt of their debts, and was originated to facilitate the transfer of labourers from one estate of employer to another, and strictly as such it was a perfectly harmless and most useful instrument.

The amount of debt appearing on the "*tundu*" is the amount of advances due by the kangany and his coolies to the estate. These advances were originally confined to the expenses incurred by the estate in recruiting the coolies from India, and were composed of the travelling expenses of the coolies to Ceylon and sundry amounts paid in settlement of their debts in their villages to enable them to emigrate. Later, all travelling expenses were paid by the estate, but in advances were included various payments for marriages, funerals, etc., and for the settlement of debts incurred by the kangany and his coolies in the local native shops.

The demand for coolies increased in keeping with the large extensions which were undertaken first to the area under tea and later rubber, and advances were correspondingly higher.

The "*tundu*" then became the means of exacting higher advances, Superintendents of Estates being offered the alternative of paying out more advances, or of giving a "*tundu*". This may be regarded as the first abuse of the "*tundu*" in that it encouraged the kanganies and coolies to run up extravagant debts. The common cause of the demand for advances was the Boutique-keepers or local native shop-keepers with whom the kanganies had contracted debts to the limit of their credit; the kangany had accordingly to move himself and his coolies to a more confiding locality unless his employer was prepared to settle these debts.

Thus the second abuse crept in, *viz.*, Sillari debts, or debts, over and above the amount on the "*tundu*" which latter was the amount of advances due to the paying off estate.

The kangany then proceeded to hawk his "*tundu*" round the country until he founded Superintendent whose needs for labour was such that he could afford to pay the amount named on the "*tundu*", *plus* Sillari or extra money. Now it is a fact that the better kanganies with old established connections have not taken advantage of the facilities the "*tundu*" offered to extract money from their employers, but have remained on their old estate and kept their coolies together, while their less scrupulous brethren have moved from estate to estate piling up debts and have forced their coolies often against their wishes to accompany them; the former class of kangany is the "solvent" kangany whose coolies own him more than he has asked from the estate as advances, and the latter are the insolvent kanganies who are in the opposite position.

It is the custom of these kanganies to ask as "Sillari" not merely the "*tundu*" debt *plus* the amount due to local tradesmen, but a further and additional sum for their own requirements wherewith to settle the bribes offered by them to their coolies for consenting to move, and to leave something over for themselves; the coolies seldom receive the amounts promised, and the kanganies thus pile up a big debt on their own account.

The Superintendent's position is not an enviable one; he has, if he is the paying off Superintendent, to decide whether he will give way and pay the kangany more advances (which his Proprietor may not be able to afford) and thus encourage other kanganies on the estate to demand like advances, or whether he will lose his coolies by refusing the advances, and further whether he will refuse the "*tundu*" and risk the coolies giving him "notice," which means leaving without paying their debts. The on-taking Superintendent requires labour to harvest his crop, or to put through a big extension, or to bring a young estate into bearing and considers the experienced labour worth the money. Less harm would be done did the cooly receive the extra amounts paid, but unfortunately this money generally finds its way into the kangany's pocket.

Thus the "tundu" has developed into an instrument for the extraction of money from estates to the detriment of the cooly who, not only does not benefit by the cash extracted by his kangany, but actually loses many days' pay and has to quit his home on a healthy estate for a new abode which may not be so healthy and where his pay is at any rate no better. The estates in the meanwhile are losing not only large sums of money paid out as advances, for which no interest is charged, but also the work of the thousands of coolies who are continually moving from one estate to another.

It is thought that were the "tundu" suppressed, coolies would be in a better position to exercise their individual wishes as to whether they accompany their kangany or not while the kangany would be deprived of the only security he has to offer the on-taking Superintendent for the money demanded.

(C) A SHORT SUMMARY OF THE HISTORY OF THE "COAST ADVANCE."

There are no records, so far as the Committee is aware, of the arrival of the first emigrants from India for agricultural works, but there is little doubt that Tamil agricultural labourers have worked in Ceylon from very early times.

In the early days of coffee, the pioneers of that industry went over to South India to obtain Tamil labour for the opening up and working of their estates. In the course of time, regular "connections" with the Tamil districts in South India were established. Labourers came over to Ceylon to take in the spring crop of coffee, and either returned to their own country later on in the year, or remained in Ceylon for two or three years before re-visiting their homes. As the number of labourers required after the crop had been gathered was fairly constant, the system resulted in a stable connection between the estates and certain villages in South India. In course of time certain favourite estate or popular Superintendents accumulated larger labour forces than they actually required, whereupon it was decided to lend or place the labour on estates which were short. To enable him to do this, the Superintendents let it be known among his neighbours that he had more labourers than he wanted, and that if any estate paid him the cost of bringing them over from South India, including any advances made to the kangany, he would be prepared to pass them on. The arrangement was that the on-taking Superintendent should take over the actual amount of these advances, to be recovered from the individual labourers later, the maximum advances per head being limited to 10 shillings.

Later on it became the custom on a great majority of estates to recover, at the end of the financial year, all advances given out earlier in the season. Then early in the new season fresh advances were given out to the kanganies for recruiting labour (from the Coast only) this amount being again recovered by or before the end of the season. With the rapid increase in the demand for labour, however, during the last 20 years, this custom had perforce to cease. Such was the origin of the so-called "tundu system".

This system worked quite satisfactorily through the coffee-cinchona periods and in the early days of tea, but when the tea boom came in 1894-95 large tracts of land owned by Companies were opened, and to get labour monetary inducement were offered to kanganies on old-established estates to move their labour to these new lands. Thus began the abuse of the Tundu system, and from that time to the present, with a few intervals when times were bad and money scarce, this abuse has grown until it is a millstone round the neck of the estate, the Superintendent, the kangany, and the labourer.

## Appendix I.

No. 329-R. A., dated Simla, the 1st July 1922.

To—The Hon'ble the Colonial Secretary to the Government of Ceylon, Colombo.

I am directed to refer to the correspondence ending with my letter No. 54-R. A., dated the 31st January 1922 (page 4 of correspondence), regarding the legalisation of the future emigration of Indian labourers to Ceylon.

2. The Government of India have placed copies of the memoranda, forwarded by you, regarding the tundu and the recruitment of labourers in India and the welfare of Indian labourers in Ceylon, together with the connected papers, before the Emigration Committee. As a result of their consideration they have recommended to the Government of India that the following terms and conditions should be specified under section 10 of the Indian Emigration Act of 1922 :—

- (1) All Kanganies and other recruiters of labour shall be licensed by an independent Emigration Commissioner appointed by the Government of Ceylon and be responsible to him.
- (2) No emigrant within the meaning of the Act shall proceed to Ceylon unless recruited through an officially licensed agent.
- (3) Contracts, whether oral or written, executed either in Ceylon or in India for a period exceeding one month shall be prohibited by law.
- (4) The entire cost of recruitment, subsistence and transport to the estate of destination shall be borne by a common fund managed by the Colonial Government. No part of such cost shall be recoverable from the emigrants.
- (5) The Ceylon Government should agree to accept an Emigration Agent of the Government of India in Ceylon, appointed under section 7 of the Act if so desired.
- (6) The Ceylon Government or the Planter's Association shall, on the recommendation of the Agent of the Government of India, repatriate, free of cost, any assisted emigrant who may, on reasonable grounds such as ill-health, unsuitability of work or ill-treatment, demand repatriation within one year of his arrival in the island. Pending the appointment of the Agent an officer of the Ceylon Government should exercise this power.
- (7) Payments made by recruiters to emigrants recruited in India to enable them to pay off their debts shall not be recoverable from such emigrants either in Ceylon or in India.
- (8) The Ceylon Government shall furnish such periodical reports and returns as may be required from time to time by the Government of India regarding the recruitment in India and the welfare of the Indian emigrants in the Colony.

Before proceeding further with these proposals, the Government of India invite an expression of the views of the Colonial Government regarding them.

3. Apart from the conditions which will be embodied in a formal notification under section 10 of the Act, I am to suggest that steps may be taken by the Ceylon Government to satisfy themselves that no estate makes any profit on the supply of rice to its labourers. I am also to enquire whether the Colonial Government would have any objection to fixing the minimum age below which children should not be employed as labourers at 10 years. In this connection, I am to invite a reference to clause 36 of the Draft Immigrant Labourers Ordinance, 1920 (A. Emig., November 1920, Nos. 132—143).

4. With reference to paragraph II (1) of the memorandum prepared by the Ceylon Government, dealing with the political and municipal rights of emigrants in Ceylon, the Government of India would be glad to be informed what are the views of the Indian community on the question of the election of a representative on the Legislative Council, and, if election is conceded, what are the qualifications required of a voter, and what is the approximate number of Indians who would become enfranchised. I am also to ask whether the Colonial Government consider that it would be possible to secure adequate and effective representation for Indians on an electoral basis. The Emigration Committee expressed the opinion that on general grounds it was desirable that the Indian population should register on the list of voters for territorial constituency. The Government of India would be glad to be supplied with a copy of the Ceylon (Legislative Council) Order in Council, 1920.

5. The Government of India would be obliged if information on the following points could also be furnished :—

- (a) The steps taken or proposed to be taken either for encouraging or making compulsory education among the children of Indian emigrants ;
- (b) What are now the average wages payable on tea and rubber estates in Ceylon and what are the views of the Colonial Government regarding the fixation of a minimum wage ;
- (c) What is the present cost of living for an Indian labourer in Ceylon.

6. I am to add that the Standing Emigration Committee will meet again on the 29th August. It would be convenient therefore if the reply of the Ceylon Government reaches the Government of India by the beginning of August. The Government of India will welcome any deputation which the Colonial Government may desire to send to represent their views before the next meeting of the Committee.

## Appendix II.

Letter, dated Colombo, the 27th July 1922.

From—The Colonial Secretary, Ceylon,

To—The Secretary to the Government of India, Department of Revenue and Agriculture.

I am directed to acknowledge receipt of your letter No. 329-R. A of the <sup>1st</sup>/<sub>3rd</sub> July 1922, inviting an expression of the views of this Government regarding the proposals submitted to the Government of India by the Emigration Committee.

2. I may at once state that this Government sees little difficulty in the practical application of conditions 3 to 8 referred to in paragraph 2 of your letter in so far as the estate labour force is concerned. The application of condition 4 with regard to a general fund would, however, lead to difficulties and possibly harshness in the case of emigrants other than those recruited for work on estates.

3. As you are aware, it was originally the intention of this Government, on representations received, to endeavour by administrative and legislative methods to protect and secure the well-being of Indian immigrants into Ceylon. A scheme was prepared in 1918 which would have secured the complete official control of all immigrant labour and an Ordinance was prepared to give it legal effect. The difficulties inherent to the establishment of such a system applicable to the large number of individuals forming the bulk of the passenger traffic between Ceylon and India were, however, so great that inevitable delay ensued. Meanwhile the political developments both in the Indian Peninsula and in this Island progressed apace and after full consideration of the milder liberalising tendencies amongst all classes in both countries it appeared to this Government that any action tending to increase bureaucratic control of the individual must be reactionary in its effect.

4. The policy which has therefore been adopted is to free the immigrant labourer from any penalising or restrictive legislative bonds and to endeavour to increase his self-respect and independence, while safeguarding his welfare by means of a Government inspection before embarkation and in Ceylon—to be precise, instead of adopting a system of official licensed recruiters it has been the policy of this Government to stand between the recruiting agency or the employer and the immigrant. Circumstances governing immigration have rendered this easy. Both at Mandapam and at Tataparai emigrants of the labouring classes are detained for purposes of quarantine. Once in the Camp, they are entirely free from the control and out of the power of the recruiting agency. They are examined and constantly visited by medical officers—members of the Ceylon Government Medical Department—who personally inquire into their circumstances. Not only are they at liberty to leave the Camp when they please but they actually do so. I enclose two returns—one the last received and the other taken at random some years ago—from which it will be seen that the mere change of mind on the part of the emigrant is sufficient to secure his discharge from the Camp.

5. In Ceylon, as you are aware from Mr. Marjoribanks' report and other communications, the life of the coolie on the estates is one to which exception, except on economic grounds has never been taken; but in order to make sure that the favourable conditions with regard to housing, sanitary accommodation, hospital facilities, etc., are equally provided on all estates, an inspectorate has been established consisting of a body of senior Medical Officers who visit all the estates in the Island and make the necessary recommendations on all matters which are necessary to secure the health and good treatment of the coolie.

6. Apart from the indigenous Tamil and the estate population, however, amongst 'emigrants' as defined in the Indian Emigration Act are included a large proportion of the 109,000 Indian Tamils and 33,000 Indian Mohammedans now resident in Ceylon outside estates. Many of these would be subject to the regulations proposed whether as skilled labourers, shop assistants, domestic servants, etc., or as forming part of the body of 7,000 or 8,000 labourers employed in the Colombo Harbour and about 11,000 employed in the Public Works Department: these men come over to Ceylon as ordinary passengers and are usually recruited not by any organisation but by relatives or employers direct.

7. From a practical administrative point of view this portion of the immigrant population is much more important than these totals would indicate. The returns of daily traffic between India and Ceylon *via* Dhanushkodi and of the bi-weekly traffic *via* Tuticorin show that the number of these classes travelling exceeds the traffic among estate coolies coming to or leaving the Island. The third class passenger traffic during the last year was, *via* Dhanushkodi 52,132 and *via* Tuticorin 30,635, a total of 82,767 or a daily average of over 225, while the total number of estate coolies during the same period was only 25,496.

The return traffic during 1921 *via* Dhanushkodi was 23,500 estate coolies and 76,000 miscellaneous and *via* Tuticorin 27,591 or a gross daily average of 318 inclusive of estate coolies.

8. A large proportion of these travellers are "assisted" but it would be difficult, if not impossible, without a dilatory inquiry, to prove which of them in reality come under the definition of "emigrant" in the Act and which do not. A further difficulty which is common to estate labourers as well as to this class of traveller is the fact that persons who have resided five years in Ceylon and their wives and children will be exempt from the regulations. In order to enforce the regulations it would therefore be necessary to hold a local inquiry to establish in each case the fact that the traveller was or was not being "assisted" and that the person by whom he was "assisted" was or was not a relative and further that he had or had not resided in Ceylon for five years. It is thus clearly apparent that the rules are not suitable for dealing with a constant stream of traffic such as exists between South India and Ceylon.

I would further submit that the rules are likely to prove harassing and detrimental to the interests of the population of South India. They are in effect opposed to the policy adopted by the Government of India when it sanctioned the inauguration of the Dhanushkodi route in order to promote intercourse with Ceylon, and are in no way calculated to effect any improvement on the present system.

9. As stated by Mr. Marjoribanks in paragraph 16 *et seq.* of his report the system of recruitment still in force is in origin patriarchal and is still based on ties of family and relationships and local association, and although in the course of time certain abuses of an economic nature have developed no criticism has ever been made of the system itself.

The present proposal that all recruiters of labour should be licensed by a Government Immigration Commissioner and that *no emigrant should proceed to Ceylon unless recruited through an officially licensed agent* would in effect bring into existence professional recruiters—a system the evils of which the Government of India itself has in public utterances previously stigmatised.

10. Although not mentioned in the terms of your letter, I am informed that it is further proposed that, "every intending emigrant should be produced before a Magistrate prior to despatch to the port of embarkation" (draft rule 27). The wording of this rule contemplates a state of affairs totally different to the real nature of the intercourse between the South of India and Ceylon. Were the system of recruiting in existence one in which professional recruiters collect gangs for despatch like slaves to a port of embarkation such a rule might be a necessary safeguard. But the facts are otherwise. The only recruiting agency in existence as regards Ceylon is little more than an agency for providing the funds to cover the necessary expenses to enable the intending emigrant to travel to Ceylon. His freedom is at no time in danger. While therefore these rules appear unnecessary in the case of so-called domestic recruiting by kanganies for estates, they would also be harassing and inevitably lead to abuse in the case of the large numbers who are "assisted" by individual employers to cross to Ceylon for employment other than estate labour.

11. By Ordinance No. 43 of 1921—the enactment of which was owing to various difficulties unfortunately delayed till the month of December last, the 'tundu' has been abolished and since then estates have taken over the liabilities of their coolies to kanganies—the complete economic freedom of the estate labourer has thereby been secured. At the same time the penal provisions of the Labour Ordinance have been repealed and the cooly has fully realised his changed position. During the last months there has been much movement on estates amongst the coolies testing their new-found freedom, but now that they are satisfied that they are free to leave the estate when they will they have settled down again and have in almost every case returned to their original employers.

The improvement in their status has been fully realised in South India and coolies are coming over freely to work on estates. The officers of this Government in charge of the Quarantine Camp at Mandapam inform me that the cheerful demeanour of the emigrants is noticeable and this feature has also been remarked upon by Indian visitors to the Camp—copies of whose entries in the Visitors' Book are hereto annexed. These are signs that the policy adopted is right.

12. I am therefore directed to state that His Excellency the Governor trusts that the Government of India will abandon or at least defer the enforcement of these rules with regard to Ceylon until the matter has been further considered. His Excellency is convinced that it is in the interests both of South India and of Ceylon that all checks to the free intercourse between the two countries should be reduced to a minimum, and he is satisfied that the well-being of the cooly is more likely to be secured by an independent check exercised by this Government at Mandapam and on estates than by any bureaucratic methods of a restrictive nature.

13. This Government would, however, gladly agree to accept an Emigration Agent of the Government of India in Ceylon, if they so desire, or the presence of a Magistrate or other supervising officer at Mandapam, but would deprecate the enforcement of the rules referred to with regard to the licensing of recruiters, the prohibition of emigration unless the emigrant be recruited by an officially licensed agent, and the requirement as to the production before a Magistrate in the emigrant's place of origin, and trusts that the Government of India will be willing either to abandon these proposals or in any case to continue the exemption of Ceylon from the provisions of the Act for another year so as to allow full time for discussion and consideration of the various interests involved.

14. With regard to the other points raised in your letter I am to inform you with reference to paragraph 3 that this Government is entirely satisfied that no estate makes any profit on the sale of rice—so far from this being the case most estates if not all have incurred heavy loss for some years past in continuing to supply rice to their labourers at rates which are far below the current prices.

15. With regard to the question of minimum age this Government also sees no objection to prohibiting the employment of children under 10 years of age.

16. As regards paragraph 4 dealing with the political and municipal rights of immigrants in Ceylon, I am to inform you that the Ceylon Indian Association in December 1921 asked for four elected members. This number is excessive as compared with the numbers allowed to other communities. It is besides difficult, if not impossible, to follow the electoral principle in dealing with a community scattered as is the Indian community, the majority of whom necessarily lack either literary or property qualification for the franchise. The Indian community is therefore represented in the present Council on a communal basis by a nominated Member and, although it is possible that in the approaching re-allotment of seats this representation may be increased, it does not appear possible to devise any method by which this or any other community will be able to share the privileges of territorial representation as well as communal. I enclose a copy of the Order in Council of 1920.

As regards the municipal franchise members of the resident Indian community enjoy equally all the privileges of the indigenous population and they are entitled, if elected, to hold seats on local municipal bodies.

17. With regard to paragraph 5 of your letter under reply, the education of children of Indian immigrants on estates is the subject of Part V of Ordinance No. 8 of 1907 and Part V of Ordinance No. 1 of 1920 which will shortly be brought into force—copies of these

See Appendix IV.

Ordinances are enclosed. As you will see, provision is made for the inspection of estate schools and the use of a common school by two or more estates, and power is given to Government to deal with cases in which no provision is made by making such provision at the expense of the estate. I may state, however, that there has not been a single case in which the Department of Education has had to take action to provide a school at the expense of the estate because the Estate Superintendent had failed to do so.

18. The average monthly earning including piece-work and overtime are approximately as follows:—

	Rubber.	Tea.
	Rs.	Rs.
Man . . . . .	16 to 20	12 to 16
Woman . . . . .	10 to 12	10 to 12
Working child . . . . .	6 to 8	6 to 8

In addition, estate labourers are given free fuel, housing, gardens, medicine and medical attention, education, while they are exempt from poll tax and are allowed reduced railway fares. Coolies employed in the Colombo Harbour earn Rs. 1/25 on an average per diem

19. As regards a minimum wage this Government is not in favour of introducing such a principle as there is no doubt that it would tend to deprive the cooly of the benefit of the higher wages which he earns at times of good crops or scarcity of labour. The cost of living of a family consisting of a man, wife and two children is approximately Rs. 17 a month for bazar stuffs and rice. This, of course, excludes cost of cloths, expenditure on festivals, etc.

20. This Government greatly appreciates the opportunity given for the discussion of the proposed provisions but is unfortunately unable to send an officer of Government to Simla at so short notice. It has, however, authorised a deputation, consisting of Messrs. F. A. Hayley, E. C. Villiers and Major H. Scoble Nicholson and possibly one other, to represent their views before the next meeting of the Emigration Committee as suggested and trusts that before any interference with the existing state of affairs is approved full opportunity may be given to this Government of representing matters further to the Government of India.

*Statement of Refused Coolies for the month of December 1915.*

Date.	Names of Recruiters.	Village.	Estate No.	No. RECRUITED.					Total.	No. REFUSED.					Total.	REMARKS.
				M.	W.	B.	G.	Inf.		M.	W.	B.	G.	Inf.		
2nd December 1915	Balaji Singh	Kuppan	Y 103	1	...	...	...	...	1	1	...	...	...	...	1	Kangany said he was going with him to the Estate and did not, so he was afraid to go alone (C. L. C.).
2nd December 1915	Manikkam	Tanjore	D 89	2	...	...	...	...	2	1	...	...	...	...	1	Suffering badly from ulcers and said he would return to his village for treatment (C. L. C.).
7th December 1915	Gurusamy	Pudukottai	W 226	2	...	...	...	...	2	2	...	...	...	...	2	Bolted from their parents and now feel they have done wrong (C. L. C.).
5th December 1915	Valos	Palghat	Y 95	8	...	...	...	...	8	1	...	...	...	...	1	Refused on feeling more sickly than usual (C. L. C.).
5th December 1915	Periasamy	Madura	C 496	2	...	...	...	...	2	1	...	...	...	...	1	Had a row with his wife and now thinks she will be repentant (C. L. C.).
5th December 1915	Abdulkany	Palghat	W 207	5	...	...	...	...	5	2	...	...	...	...	2	Understood they were going to Colombo (C. L. C.).
4th December 1915	Pasannan	Erode	W 207	5	2	...	...	...	7	1	...	...	...	...	1	Afraid to cross the sea (C. L. C.).
8th December 1915	Doraisamy	Gudiatham	C 448	17	4	1	...	...	22	1	...	...	...	...	1	Usual row at home (C. L. C.).
9th December 1915	Suppan	Tiruvayar	W 197	6	3	...	2	...	11	6	3	...	...	2	11	Understood they were going to estate Z 28 and find out here it is W 197.

Statement of Refused Coolies for the month of December 1915.

Date.	Names of Recruiters.	Village.	Estate No.	NO. RECRUITED.					Total.	NO. REFUSED.					Total.	REMARKS.
				M.	W.	B.	G.	Inf.		M.	W.	B.	G.	Inf.		
21st December 1915	S. Pappoo reddy	Ramaripertai	D 106	2	...	...	...	...	2	2	...	...	...	...	2	No reason could be elicited (C. L. C.).
25th December 1915	Sinnathevan	Tirumangalam	B 6	2	...	..	...	...	2	1	...	...	...	...	1	The other cooly of the gang was claimed and this man refused to proceed alone (C. L. C.).
30th December 1915	Ramaamy	Dharapuram	W 99	2	1	..	...	1	4	1	1	...	...	...	2	The infant of the woman was rejected by the M. O., and they both therefore refused (C. L. C.).
28th December 1915	Kalingam	Tirumangalam	E 40	1	1	...	...	...	2	1	1	...	...	...	2	Homesick.
20th December 1915	Valayntham	Kuriachipady	W 88	2	3	..	...	...	5	1	2	...	...	...	3	Promised to be taken to Colombo (C. L. C.).
24th December 1915	Veeran	Ramnad	C 450	1	1	...	...	...	2	...	1	...	...	...	1	Refused on Kangany not accompanying her to the estate.
30th December 1915	Sinniah	Karur	Z 20	2	3	...	1	3	9	2	2	...	1	3	8	Had been promised R10 per head, which was not forthcoming (C. L. C.).
25th December 1915	Kannan	Palghat	Y 23	11	...	...	...	...	11	10	..	...	...	...	10	Told they were going to Colombo (C. L. C.).
25th December 1915	Owanthan	Trichy	E 126	2	...	...	...	...	2	1	...	...	...	...	1	Afraid to cross the sea (C. L. C.).
25th December 1915	Marimuthu	Trichy	B 60	3	...	...	...	...	3	2	...	...	...	...	2	Afraid to cross the sea (C. L. C.).
30th December 1915	Udayannan	Palani	C 426	1	1	...	...	...	2	...	1	...	...	...	1	Her husband died in the camp hospital and she returned to her own people (C. L. C.).
		Total	...	...	...	...	...	...	...	...	...	...	...	...	85	



5th December 1915	Muthugodu	Bellary	B 87	3	...	...	...	...	3	2	...	...	...	...	2	Were under hospital treatment here and on discharge refused to proceed (C. L. C.).
10th December 1915	Vellaisamy	Araankudaj	Z 158	4	2	...	...	...	6	1	...	...	...	...	1	Was told he was going to Estate on which his lost daughter was, but doubted this on arrival here (C. L. C.).
11th December 1915	Andy	Madras	W 92	8	2	...	...	...	10	2	1	...	...	1	4	Thought they were going to Colombo (C. L. C.).
11th December 1915	Vyapury	Chinglepet	C 214	8	1	...	...	...	9	4	1	...	...	...	5	Afraid to cross the sea (C. L. C.).
11th December 1915	Arunasalam	Aranthanky	W 202	15	3	...	...	...	18	1	1	...	...	...	2	Came willingly but afraid to proceed further (C. L. C.).
12th December 1915	Thangavole	North Arcot	D 230	8	2	...	...	...	10	3	2	...	...	1	6	Afraid to cross the sea (C. L. C.).
15th December 1915	Rengan	Annavillay	D 250	4	2	...	1	1	8	1	...	...	1	1	3	The girl was rejected by the Medical Officer and other two consequently refused (C. L. C.).
15th December 1915	Samy Ayah	Pudukotti	C 102	3	...	...	...	...	3	1	...	...	...	...	1	Refused to cross the sea (C. L. C.).
17th December 1915	Muthusamy	Ramnad	C 174	3	...	1	...	...	4	...	...	1	...	...	1	He refused as his father, who was also in the gang, was sent back at request of the Estate Superintendent (C. L. C.).
20th December 1915	Naloo	Musiri	W 106	2	...	...	...	...	2	2	...	...	...	...	2	They seemed to be insane and did not give sensible replies (C. L. C.).
21st December 1915	Raman	Bellary	C 868	6	...	...	...	...	6	1	...	...	...	...	1	Too unwell to do Estate work (C. L. C.).
22nd December 1915	Nadasan	Arkonam	E 80	7	3	...	1	...	11	...	1	...	1	...	2	Mother and daughter had bolted, husband of former in village (C. L. C.).
19th December 1915	Raman	Kallakudy	D 241	1	1	...	...	...	2	...	1	...	...	...	1	No reason forthcoming (C. L. C.).

Statement of Coolies sent back to their Villages during June 1922.

Date of arrival.	Recruiters' Name.	Taluk.	Estate letter and No.	C. L. C., N. C. L. C., T. T. or N. T. T.	NO. RECRUITED.						Refused for reasons independent of recruiting.	Rejected or refused for reasons showing improper recruiting.	REMARKS.
					M.	W.	B.	G.	Inf.	Total.			
1st June 1922	Velan	Arantangi	W 116	C. T. T.	1	1	...	...	...	2	Pitohan and Podisal Mutti.	...	Pitohan refused at his father's request. His wife accompanied him, 4th June 1922. Taken by the Police for enquiry at Trichinopoly, 7th June 1922.
4th June 1922	Muttiah	Kulitalai	C 971	Do.	2	2	...	...	1	5	Muttiah (m)	...	
7th June 1922	Sinniah	Patukotai	W 175	Do.	2	1	...	...	...	3	Angamma (f)	Kannusamy (m).	Rejected by M. O. for anaesthetic leprosy. Consequently his wife Angamma accompanied him, 8th June 1922. Returned for further recruiting, 8th June 1922.
4th June 1922	Perumal	Arantangi.	W 128	Do.	2	2	2	3	2	11	Sinniah (m)	Sellammah (f)	
4th June 1922	Ponnambalam	Athur	B 95	Do.	1	...	...	...	...	1	Kuppasamy (child)	...	Rejected by M. O. for anaemia due to Anchylostomiasis, 18th June 1922. So her son accompanied her.
9th June 1922	S. Kathirvale	Kumbakonam	W 129	Do.	4	...	...	1	...	5	Ponnambalem	...	Sent back at the request of A. C. L. C., 9th June 1922.
6th June 1922	Christian	Trivandrum	D 186	Do.	23	...	1	...	...	24	Velupillai	Sinniah (m)	Rejected by M. O. for anaemia due to Anchylostomiasis, 10th June 1922.
11th June 1922	Kamatchy	Lalgudi	Y 92	Do.	3	4	...	...	1	8	Papathy (f)	...	Sent back at the request of A. C. L. C., 10th June 1922.
10th June 1922	Palaniandy	Negapatam	W 220	Do.	7	...	...	...	...	7	Mariaie (f) and Sinnamma (Inf.)	Mariaie	Refused to proceed at her father's request 13th June 1922.
14th June 1922	Parameswaran	Travancore	W 4	Do.	1	...	...	...	...	1	Ratnam	...	Refused at her mother's request and her infant accompanied her, 13th June 1922.
11th June 1922	Periasamy	Dindigul	B 95	Do.	1	...	...	...	...	1	Parameswaran	...	Refused to proceed to the estate and desired to return home, 13th June 1922.
14th June 1922	Thilacanno	Tanjore	C 265	N. C. T. T.	1	...	...	...	...	1	Periasamy	...	Refused to proceed and desired to return home, 14th June 1922.
15th June 1922	Valayutham	Aranthangi	C 340	C. T. T.	2	1	...	...	...	3	Thilacannu	...	Sent back at the request of Estate Superintendent, 20th June 1922.
17th June 1922	Perumal	Do.	W 224	Do.	4	1	1	...	2	8	Muttiah (m)	...	Refused to proceed at his uncle's request, 20th June 1922.
20th June 1922	Suplah	Pudukottai	D 258	Do.	4	...	1	...	...	5	Iyavoo (Boy)	Karupiah (m)	Rejected by M. O. for leprosy and his nephew accompanied him, 21st June 1922.
22nd June 1922	Angamuthu	Kallakurichy	W 208	Do.	9	2	...	1	1	13	Doraisamy (m)	...	Refused to proceed at his uncle's request, 22nd June 1922.
											Kandagamy and Vadivel (m).	...	Refused to proceed to estate and desired to return home, 23rd June 1922.

Date of arrival.	Recruiters' Name.	Taluk.	Estate letter and No.	C. L. C., N. C. L. C., T. T. or N. T. T.	NO. RECRUITED.						Refused for reasons independent of recruiting.	Rejected or refused for reasons showing improper recruiting.	REMARKS.
					M.	W.	B.	G.	Inf.	Total.			
21st June 1922	Mariappan	Tanjore	A 226	C. T. T.	3	...	...	...	...	3	Doraimanikam	...	Refused to proceed at his father's request, 23rd June 1922.
22nd June 1922	Vyapuri	Patukotai	C 823	"	2	...	1	...	...	3	.....	Vyapuri (m)	Rejected by M. O. for leprosy, 24th June 1922.
18th June 1922	Veerasam	Tirunamalai	W 207	"	5	3	...	...	...	8	Gopal (m)	...	Refused to proceed to Estate and desired to return home, 24th June 1922.
23rd June 1922	Veeriah	Madura	Z 10	"	4	2	1	...	2	9	Veeriah (m)	...	Refused to proceed at his uncle's request, 25th June 1922.
22nd June 1922	Sheik Ibrahim	Dindigul	C 117	"	4	...	...	...	...	4	Kuppan	...	Refused to proceed at his brother's request, 28th June 1922.
24th June 1922	Perumal	Kulitalai	C 108	"	3	...	...	...	...	3	Palany	...	Refused to proceed to Estate and desired to return home, 27th June 1922.
24th June 1922	Cheriyar	Manelikara	W 4	"	3	3	1	...	...	7	Karupan	...	Refused to proceed at his father's request, 28th June 1922.
27th June 1922	Muniyan	Arkonam	Y 20	"	2	...	...	...	...	2	Cheriyar (m)	Sayed Noor (m)	Sent back at the request of A. C. L. C., 30th June 1922.
11th June 1922	Sayed Noor	Madura	C 489	"	1	...	...	...	...	1	Krishnan (m)	...	Refused to proceed at his uncle's request, 30th June 1922.
22nd June 1922	Angamuthu	Tirunamalai	W 203	"	9	2	...	1	1	13	.....	...	Rejected by M. O. for general debility and pain in the groin, 30th June 1922.
27th June 1922	Ponnusamy	Udayarpalayam	C 95	"	4	1	...	...	...	5	.....	Annamalai (m)	Unfit to proceed and sent back to his village to recruit, 2nd July 1922.
30th June 1922	Kalian	Kulithlai	D 269	"	4	...	...	...	...	4	Maruthamuthu n.)	...	Refused to proceed at his father's request, 2nd July 1922.
30th June 1922	Valliammal	Namakal	D 145	"	2	2	2	1	1	8	Veersongen	...	Refused to proceed at his brother's request, 2nd July 1922.
28th June 1922	Muthu	Naganery	D 178	"	2	1	1	...	...	4	Krishnasamy (m)	...	Refused to proceed at his father's request, 2nd July 1922.
29th June 1922	Sinna Carupen	Karur	C 122	"	4	1	1	...	...	6	Muthu (m)	...	Sent back at the request of Estate Superintendent, 4th July 1922.
	Sellan	Papanasam	C 371	"	2	...	...	...	...	2	.....	Veliappan (m)	Rejected by M. O. for heart disease, 4th July 1922.
	Thavasy	Tirumangala	Z 83	"	2	3	3	1	1	10	.....	Kalimuthu	Rejected by M. O. as unfit for Estate work, 6th July 1922.
												Ponnusamy (Inf.)	Infant unfit to proceed to Estate; mother takes it home to recruit, 7th July 1922.
											Total	33	Total 10

V. VANLANGENBERG, Superintendent,  
Mandapam Camp.

*Extracts from Visitors' Book referred to.*

On my way back from Ceylon to India I stopped here for two days just to have an idea of the arrangements that are made here for passengers and coolies going over to Ceylon and quarantined here to save Ceylon from infection. Conversation with local officials showed that on account of these measures taken by Government, Ceylon is now free from those frequent visitations of cholera and small-pox which before 1897 would accompany the ingress of pilgrims to the island. These measures are taken on scientific grounds to save the population of the island from infection. A commercial Chetty who only thinks of himself and his convenience cannot appreciate the reasons for an institution like this. The coolies whom I saw coming here seemed to be quite happy and pleased. Though they are not able to put it in so many words *their faces and cheerful replies to questions* put to them showed that nearly six days' stay in a dry place like this with ideal sanitary arrangements and meals neatly prepared and regularly served accompanied by complete rest to the body decidedly improved the tone of their bodies and increased the power of resistance.

Having had occasion to pass up and down to Dhanushkodi two or three times I watched silently the way in which Doctors Naidu and Samarasinghe treat Indians and Europeans and was pleased to find them dealing with all with equal firmness and courtesy. There is no trouble to passengers travelling even third class who are educated, of cleanly habits and have sense of their responsibility to others. They are passed off after the few necessary questions and satisfaction about their being vaccinated and coming from unaffected areas. The inspection at Mandapam Camp is no doubt a matter for uneasiness to travellers, Indian and European, but if one takes the altruistic standpoint, the reasonableness of it becomes soon evident. Rules are rules, but so long as Ceylon Government takes care to appoint considerate and tactful officers like the present staff there need be no ground for complaint. In my opinion, the Camp is far better for Indians as situated on this side of the sea than on the other, for the Ceylonese are so different in their food and habits from Indians and on their side they would not care so much for the scruples of the Indian passengers as they do on this side.

(Sd.) R. K. KULKARNI,

*Professor of History, Victoria College, Gwalior,  
and Honorary Secretary of the League of  
Parents and Teachers.*

*The 11th June 1922.*

On my way to Madras from Ceylon where I was on a holiday, I stayed a few days at Mandapam. I was taken round and visited the Camp and with the request to record my impressions in the Visitors' Book I most gladly comply. Mandapam Camp is in truth a city on a small scale with its well kept roads, attractive buildings, electric street lighting, its adoption of modern methods in regard to sanitation and medical relief and installation for water-supply. The place is scrupulously clean and is in consequence healthy. Colonel Van Langenberg, the Superintendent, Dr. P. K. K. Naidu, the Quarantine Medical Officer, and Dr. Samarasinghe, the Assistant Medical Officer and the Subordinate staff, appear to make it a point to be kind and courteous. *Amidst the perfection of the arrangements, I was deeply struck with the look of happy contentedness on the face of the passenger and coolie alike—* despite his compulsory sojourn—a result which reflects the greatest credit on the administration and of which it may justly be very proud.

(Sd.) M. VENKATASUBHA RAO,

*Judge of the High Court, Madras.*

*The 5th July 1922.*

### Appendix III.

No. 524-Emig., dated Simla, the 11th October 1922.

To—The Honourable the Colonial Secretary to the Government of Ceylon, Colombo.

**SUBJECT:—***Proposals of the Standing Emigration Committee regarding emigration of Indian labour to Ceylon.*

I am directed to refer to your letter dated the 27th July 1922, setting forth the views of the Government of Ceylon on the proposals made by the Standing Emigration Committee at their meeting in June last relating to emigration of Indian labour to the Colony.

2. At their recent meeting the Committee considered your letter and its enclosures, and had the advantage of hearing the deputation authorised by the Colonial Government to represent their views. After giving their careful attention to the arguments advanced by the deputation, the Committee were not convinced that complete official control of emigration to Ceylon under the Indian Emigration Act was impracticable or likely to operate otherwise than beneficially for Indian labour. They recommended that conditions (1) and (2) mentioned in paragraph 2 of my letter No. 329-R. A., dated the 1st July 1922, should be adhered to with the omission of the word "independent" in condition (1), and the addition in condition (2) after the words "the Act" of the words, "other than non-recruited emigrants falling under section 29 of the draft rules". They also recommended that condition (4) should be confirmed, subject to the proviso that the common fund suggested in it might be raised and managed in such manner and by such agency as might appear suitable to the Colonial Government. A reason which greatly influenced the Committee in their decision is that in Malaya these arrangements have already been adopted with very satisfactory results by the Colonial Governments concerned.

3. The deputation laid great stress on the necessity for exempting Ceylon from several of the proposed draft rules relating to the recruitment of unskilled labour under the Indian Emigration Act. The Committee recognised the force of the objections urged against some of the draft rules, but were unwilling to recommend their relaxation without first securing certain additional guarantees that Indian labourers would be protected against exploitation by employers after arrival in Ceylon, and would be free to return if unable to maintain themselves there. The first safeguard suggested relates to the fixation of a basic wage subject to a minimum. Some members of the Committee urged that so far as they were informed, until recently there had been no increase in wages for many years, although the cost of living had been steadily rising. The Deputation explained that wages had certainly been raised substantially three or four years ago, but could give no definite information regarding changes in wage rates prior to that rise. After a lengthy discussion with the deputation, the Committee resolved that the Ceylon Government should be asked to institute, at an early date, an enquiry into the question of fixing a basic wage subject to a minimum for Indian labour employed on estates, and into the question of the cost of living in relation to the rate of wages now paid. The Committee asked that the report of the enquiry suggested should be communicated to them, and that they should be given an opportunity of considering the findings and of deciding whether to ask for a joint committee comprising one or more representatives of the Indian Government, to settle what should be the rate of the wage, the machinery for fixing and varying it and other details. The Committee further suggested that, in the consideration of the basic wage the following factors should be taken into account:—

- (a) It should allow a margin for savings, for sickness and for old age.
- (b) It should be sufficient to maintain a labourer in tolerable comfort, according to his standard of living, and regard should be had to the fact that a male may have to provide for a family.
- (c) The recommendation of the Inter-Departmental Committee (copy attached) as to the method of fixing a minimum wage should be taken into account.

The deputation from Ceylon were agreeable to enquiry on the lines suggested by the Committee.

4. The Committee also recommended that, pending the enquiry suggested, the Government of India should make every endeavour to secure an improvement in the present rate of wages. They felt that the information furnished in paragraphs 18 and 19 of your letter and on page 7 and in the appendices of the printed statement (*vide* unprinted K Ws.), placed before them by the Ceylon deputation were insufficient to enable them to arrive at any definite conclusion as to the adequacy of the rates paid at present, but the impression prevailed that they did not amount to a reasonable living wage. If any improvement could be effected at once, it would undoubtedly facilitate the settlement of other outstanding questions.

5. The second safeguard proposed by the Committee is that the Colonial Government should make provision to meet the cost of returning emigrants to India in the case of (a) sick men, and (b) men thrown out of employment owing to retrenchment in times of industrial depression, in addition to those repatriated under the condition contained in paragraph 2 (6) of my letter of 1st July. The deputation did not raise any strong objection to this proposal.

6. I am to explain that it is not proposed that the points mentioned in paragraphs 3, 4 and 5 above should be embodied as conditions in the notification issued under section 10 of the Act. The statutory conditions will only be those mentioned in paragraph 2. I am to request that the Government of India may be favoured with the views of the Ceylon Government on these recommendations of the Standing Emigration Committee. The Colonial Government will no doubt appreciate the fact, however, that their acceptance so far as possible of the recommendations of the Committee will be of material assistance to the Government of India when they have to move the resolutions in the Chambers of the Indian Legislature in accordance with the provisions of the Act.

## Appendix IV.

Letter No. 26141, dated Colombo, the 28th October 1922.

From—The Colonial Secretary, Ceylon.

In reply to your letter No. 524-Emi., dated the 11th October 1922, I am directed to state that the Ceylon Deputation returned on September 17th and made their report. His Excellency the Officer Administering the Government desires me to convey his thanks to your Government for their courtesy in receiving the Deputation and in arranging for their case to be heard by the Standing Committee on Emigration.

2. As regards the recommendations made by the Committee, the Ceylon Government is willing to agree to the proposals referred to in paragraph 2 of your letter quoted above that conditions 1 and 2 amended as suggested in the paragraph under consideration be adhered to.

3. The Government of Ceylon also agrees to the confirmation of condition 4, subject to the proviso that the common fund be raised and managed in such manner and by such agency as may appear suitable to this Government. The necessary steps to raise and manage the fund will be undertaken as soon as the final decision of the Government of India in regard to this matter is known.

4. As regards the question of safeguards to be established to guarantee that Indian labourers should be protected against exploitation by employers after arrival in Ceylon, I am to state that this Government is ready to make provision to meet the cost of returning emigrants to India in the case of (a) sick men, and (b) men thrown out of employment owing to retrenchment in times of industrial depression in addition to those repatriated under the condition contained in paragraph 2 (6) of your letter of 1st July, as suggested in paragraph 5 of your letter under reply, and will at once institute an enquiry with a view to establishing the cost of living and ascertaining the rate of wages paid on estates in relation thereto taking into account the considerations as regards a margin for savings, sickness and old age as detailed at the end of paragraph 3 of your letter.

5. It must be noted, however, that the question is complex and that no satisfactory solution can be ascertained without very careful enquiry and consideration. There are several important factors tending to raise the rate of wages in general which are now in course of operation, the chief of them being the abolition of the fundu and of the penal clauses in the Labour Ordinance. The full effects of these factors have not yet had time to develop, and cannot be ascertained without careful analysis. Conditions in Ceylon vary greatly in the different districts. Such operations as plucking tea and tapping rubber are generally performed as piece work and the unit rates of payment vary according to conditions.

6. Again, it will also be necessary to investigate the cost of living in Southern India on a standard basis of comfort in order to compute the allowance for provision for old age which is asked for.

7. It will therefore be no simple task to analyse the statistics collected and ascertain whether they can be reduced with any degree of accuracy to a uniform datum scale for the whole Island. Unless this can be done, the probable margin of error in calculating any basic wage might well be such that the establishment of such a uniform wage might operate to the disadvantage and not to the advantage of a large proportion of the labour on estates.

8. This Government, however, is fully alive to the desirability of ensuring that the wages of Indian emigrant labour on estates adequately satisfy the conditions laid down in your letter. If after full enquiry, it finds that this is not the case, and that under the present conditions where labour is free to move from place to place, the natural laws of supply and demand and of competition for labour between estates, do not sufficiently safeguard Indian labourers against exploitation by employers, it will endeavour by any practical means at its disposal to ensure that conditions are amended. But as stated above, there are already indications that the abolition of the fundu and of the penal clauses have had the effect of materially benefiting the economic condition of labour and that there has been an actual and general increase of wages. This is supported by the fact that the number of immigrants has latterly largely increased and is confirmed by statements made to Government officers by their leaders that their reason for coming over in such large numbers is the improvement in the conditions of employment in Ceylon.

9. In conclusion, I annex a memorandum detailing the exemptions and amendments to the drafts rules under Notification of 28th July which seem to this Government to be desirable with a view to preventing undue interference with the friendly intercourse between the people of Southern India and Ceylon which is so greatly to the advantage of both countries. In view of the undertakings given in this letter, this Government trusts that the Government of India will see its way to meet its wishes as regards this matter of procedure.

*Minutes of the Standing Emigration Committee held at Simla in June, August and September 1922.*

The Standing Emigration Committee assembled in Gorton Castle at 11 A.M. on June 19th. The following members were present :—

1. The Hon'ble Rao Bahadur B. N. SARMA (*Chairman*).
2. J. HULLAH, Esq., I.C.S., M.L.A.
3. The Hon'ble Sir ARMDTHAMBY MARICAIR, Kt.
4. The Hon'ble Mr. LALUBHAI SAMALDAS, C.I.E.
5. The Hon'ble Sir EDGAR HOLBERTON, Kt., C.B.E.
6. Rao Bahadur TIRUVENKATA RANGACHARIAR, M.L.A.
7. WALI MAHOMED HUSSANALLY, Esq., M.L.A.
8. Bhai MAN SINGH, M.L.A.
9. N. M. JOSHI, Esq., M.L.A.
10. Maulvi ABUL KASIM, M.L.A.
11. Munshi ISHWAR SARAN, M.L.A.
12. Rai GIRISCHANDRA NAG BAHADUR, M.L.A.
13. R. B. EWBANK, Esq., I.C.S. (*Secretary*).

The Hon'ble Member in opening the proceedings made the following observations :—

“ It is a very pleasant duty to welcome you all to Simla such of you especially as have come here exclusively for this purpose.

I think we should be deeply grateful to the official members for their having cheerfully accepted the shouldering of the additional burden of preparing materials for the Committee and assisting in its deliberations.

I think the less said about Emigration generally the better, and there is not much to be said either on this specific occasion. The deputations to British Guiana and Fiji have not yet reported to us about the state of things there, nor have they made any recommendations. From all I hear it does not look probable that there will be much demand for immigrants in these places just at present. There is, however, a very keen desire on the part of Ceylon, the Straits and Mauritius to secure labour from India, and I think it is desirable that we should take up the question as to the conditions under which we should permit emigration to these three British Possessions. It might have been convenient to have taken up the rules to be framed under the Act first, but inasmuch as we requested Mr. Marjoribanks from Madras to be present here and give us the benefit of his advice in framing the rules on the subject (and he will be here to-morrow), I think it would be convenient to postpone the consideration of this subject till Wednesday. The three Governments that I mentioned, Ceylon, the Straits and Mauritius, have expressed to us their desire to send a deputation to us to clear up any points and to solve any difficulties and doubts that we may have on the subject of emigration to these places. Members will have noticed that the Government of Ceylon and the Straits have undertaken legislation to liberalise their regulations relating to labour and have practically expunged from their laws all provisions dealing with the penal clauses inflicting penalty upon labour. I think it will be convenient if we take up Ceylon first. There is a member of the Ceylon Labour Commission who is willing to give information on the subject; and then if we feel any difficulty we might ask that Government to send a representative or secure information in other ways.”

In conclusion the Hon'ble Member emphasised that as the questions under discussion intimately concerned the relations of the Government of India with other Governments within the British Empire, it was important that the members of the Committee should treat all that passed in the course of the proceedings as strictly confidential.

It was decided not to press for the establishment of a minimum wage in Ceylon provided that the condition regarding repatriation stated below was accepted. The reasons for this decision were—

- (a) proximity of India to Ceylon ;
- (b) the danger of a minimum wage becoming also the maximum wage ;
- (c) adverse effect on emigrants of law which might exclude old or sickly dependents from earning anything ;
- (d) the limitation of engagements to one month.

As one of the conditions under section 10 of the Act the Ceylon Government should agree that either they or the Planters' Association should grant repatriation free of cost to any assisted emigrant on demand within one year of his arrival in the island.

It was decided that the Committee should ascertain from Major Scoble Nicholson what are the average current rates of wages on estates in Ceylon.

The Committee resolved to impose the following conditions :—

“If a licensed recruiter or authorized agent for recruiting pays off the debts of any labourer recruited by him in India on recruitment then there should be no contract either here or in Ceylon in respect of which payment could be civilly enforceable against the labourer in either country.”

It was unanimously agreed that no civil claim in respect of such payment should lie in Ceylon, but some doubt was expressed as to the advisability of barring a suit in India, and it was decided to consult Major Scoble Nicholson on this point.

The following conditions were accepted :—

- (a) All kanganis and other recruiters of labour shall be licensed by an independent Controller appointed by the Government of Ceylon and be responsible to him.
- (b) No emigrant under the Act may proceed to Ceylon unless recruited through an officially licensed agent.
- (c) Contracts whether oral or written executed either in Ceylon or in India for a period exceeding one month should be prohibited by law.
- (d) The entire cost of recruitment and of subsistence and transport to the estate of destination shall be borne by a common fund managed by the Colonial Government. No part of such cost shall be recoverable from the emigrants.

With regard to the steps that should be taken for the extinction of existing debts due from labourers to kanganis or employers the Committee desired to consult Major Scoble Nicholson and Mr. Marjoribanks before coming to any conclusion.

The Ceylon Government should agree to accept an Indian Emigrant Agent in Ceylon if so desired, as a condition on which emigration was permitted.

The Ceylon Government should be requested to furnish such periodical reports and returns as may be required from time to time by the Government of India regarding the recruitment in India and the welfare of the Indian emigrants to the colony.

It should be put to the Ceylon Government though not included as a condition of emigration, that they should take steps to ensure that no estate should make any profit on the supply of rice to its labourers.

With regard to the political rights of emigrants in Ceylon dealt with in the memorandum from the Colonial Government the Committee desired that enquiries should be instituted regarding the views of the Indian community on the question of election of a representative. In the event of election being conceded, they desired to know what are the qualifications in Ceylon for a voter and what number of Indians approximately would become enfranchised. They suggested that the Colonial Government should be asked whether it would be possible to secure adequate and effective representation for Indians on an electoral basis and expressed their own preference in favour of the registration of Indians on the list of voters for a general territorial constituency.

The Standing Emigration Committee assembled at Gorton Castle at 11 A.M. on June 20th. The following members were present :—

1. The Hon'ble Rao Bahadur B. N. SARMA (*Chairman*).
2. J. HULLAH, Esq., I.C.S., M.L.A.
3. The Hon'ble Sir AHMETHAMBY MARICAIR, Kt.
4. The Hon'ble Mr. LALUBHAI SAMALDAS, C.I.E.
5. The Hon'ble Sir EDGAR HOLBERTON, Kt., C.B.E.
6. Rao Bahadur TIRUVENKATA RANGACHARIAR, M.L.A.
7. WALI MAHOMED HUSSANALLY, Esq., M.L.A.
8. Rai GIRISCHANDRA NAG BAHADUR, M.L.A.
9. Maulvi ABUL KASEM, M.L.A.
10. Munshi ISHWAR SARAN, M.L.A.
11. Bhai MAN SINGH, M.L.A.
12. R. B. EWBANK, Esq., I.C.S. (*Secretary*).

The Hon'ble Member raised the question of health conditions in the Straits and Federated Malay States, and re-opened the question of the minimum wage. After some discussion the Committee desired that further investigation should be made as to the health conditions of estates in the Straits Settlements and Federated Malay States, comparing mortality among the adult population in South India with mortality among the Indian population on the estates according to the recent census of 1921.

Reverting to the question of Ceylon, it was decided to enquire whether the Colonial Government would have any objection to fixing a minimum age below which children should



not be employed as labour. The age suggested was 10. Enquiries were also suggested as to the steps which they proposed either for encouraging or making compulsory education among the children of Indian emigrants.

With regard to the fixation of a minimum wage and the provision of the right of free repatriation from Malaya and Ceylon, the Committee decided to arrive at no conclusion until they had had an opportunity of consulting Messrs. Marjoribanks and Nicholson. They would also consider whether the period of free repatriation should be extended beyond one year, as already decided in the case of Ceylon.

It was decided to ask the Straits Settlements Government to explain why there were no Indians on the Legislative Council and on what principle the un-official members of the Council were appointed.

It was also decided to put it to the Colonial Government that they should assure themselves that the estates made no profit on the supply of rice to labourers.

On the question of the rates of wages paid in Malaya, it was considered whether it was justifiable to press for a higher scale of wages than that now in force. Although there were considerable savings, this was partly due to the Indian starving and stinting themselves. It was decided that enquiries should be made as to the average length of the period during which Indian labour remained in Malaya; also how many chinamen were employed on estates in Malaya, and how many Singhalese from Ceylon. If possible, the average wages paid to chinamen and Singhalese should also be ascertained.

It was decided that Malaya should agree, as a condition of the opening of emigration, to the appointment of an Indian Emigration Agent in Malaya, if so desired. Sir Ahmedthamby Maricaïr dissented.

A further condition should be that no emigrant under the Act should proceed to Malaya unless recruited through an officially licensed agent, and the Colonial Government should be asked to co-operate in securing that emigration only took place through British ports.

Contracts, whether oral or written, executed either in Malaya or in India for a period exceeding one month should be prohibited by law.

Malaya should be requested to furnish such periodical reports and returns as may be required from time to time by the Government of India regarding the recruitment in India and the welfare of the Indian emigrants in the colony.

Provided the above conditions were accepted, emigration might be allowed to the Straits Settlements, the Federated Malay States and the Unfederated Malay States.

It should be put to the Colonial Government as a suggestion that an Indian should be placed on the emigration committee to represent Indian interests.

With regard to the Federated Malay States Labour Code and corresponding sections in the Straits Labour Code, the Colonial Government should be pressed to repeal section 233. The word "insolence" should be omitted in section 229 (c).

With regard to section 229 (b) the Colonial Government should be asked to make provision to prevent this clause being used so as to stultify the system of one month's notice on which the Indian Government desire to insist.

As in Ceylon, the Malaya Government should be asked what steps they are taking to encourage or make compulsory education among the children of the Indian labourers.

The Standing Emigration Committee assembled at Gorton Castle at 2-30 P.M. on June 21st. The following members were present:—

1. The Hon'ble Rao Bahadur B. N. SARMA (*Chairman*).
2. J. HULLAH, Esq., I.C.S., M.L.A.
3. The Hon'ble Sir-AHMEDTHAMBY MARICAÏR, Kt.
4. The Hon'ble Mr. LALUBHAI SAMALLAS, C.I.E.
5. Rao Bahadur TIRUVENKATA RANGACHARIAR, M.L.A.
6. WALI MOHAMED HASSANALLY, Esq., M.L.A.
7. Rai GIRISCHANDRA NAG BAHADUR, M.L.A.
8. Maulvi ABUL KASEM, M.L.A.
9. Munshi ISHWAR SARAN, M.L.A.
10. Bhai MAN SINGH, M.L.A.
11. R. B. EWBANK, Esq., I.C.S. (*Secretary*).

The Committee began by examining Major Scoble Nicholson. In reply to a question as to the current rates of wages he furnished the following statistics of the wages paid to recruits on first joining before they become efficient:—

	Rubber.				Tea.			
	Cts.	Rs.	A.	P.	Cts.	Rs.	A.	P.
Men . . . . .	38	= 0	6	1	36	= 0	5	9
Women . . . . .	26	= 0	4	2	25	= 0	4	0
Children . . . . .	19	= 0	3	0	18	= 0	2	11

He pointed out that to these rates must be added the value of rice supplied, as a rule, considerably under cost price, and in comparing the rates with those prevailing in the agricultural districts of South India continuity of work on Ceylon estates (normally 24 days per month) should be taken into account. Overtime wages are given during the busy season and on Sundays and piece work sufficient for the coolies to earn more and add to their wages if they prefer that system. Nearly all the estates give a monthly bonus for regular work. Privileges such as free housing, fuel, medical attendance, etc., etc., must also be taken into consideration. He was unable to quote the money value of these privileges. Major Nicholson mentioned that there was no legal obligation on the employer to supply rice, while it was an old custom greatly appreciated. In 1920, for instance, rice was issued by the estates at Rs. 6 in lieu of Rs. 12 which was the cost price owing to control by the Indian Government.

A certain number of Singhalese coolies are employed on estates. These represent casual workers coming in by day from neighbouring villages and are always paid by piece work.

Factory labourers now get from 40 to 70 cents. per day.

Major Nicholson furnished the following figures of coolies despatched to Ceylon and returning from Ceylon:—

*Number of coolies despatched to Ceylon.*

	Adults.	Minors.	Total.
1913	...	...	94,091
1914	...	...	68,704
1915	...	...	80,383
1916	...	...	97,868
1917	...	...	42,371
1918	29,890	11,269	41,159
1919	74,970	25,933	100,903
1920	29,362	8,486	37,848
1921	17,052	5,027	22,079

*Departure of Estate coolies from Ceylon.*

1913	90,374
1914	105,391
1915	38,298
1916	47,588
1917	32,119
1918	23,161
1919	34,268
1920	27,581

The latter figures should not be regarded as reliable since they are based on incomplete railway returns. In 1921, 95 per cent. of all the coolies going to Ceylon were recruited through the agency of the Commission.

The number of Tamils on estates shows a steady growth. In 1911 there were 459,767 Tamils, and in 1921 there were 497,119 Tamils.

Many of these were born and bred on the estates. The percentage returning to India annually amounts roughly to 10 per cent. of the total Tamil population. The influx of Indian labour to an estate has never in his experience operated to reduce the scale of wages. Ceylon cannot do without Tamil labour, since there was no other source of labour supply. Wages have risen since pre-war approximately in proportion to the increase in the cost of living. Without a recruiting agency the labour supply of Ceylon would suffer seriously. Children are employed from the age of 7 onwards and generally work for a full day.

Plenty of work is available on estates to give everybody 24 days' work per month. Many also work on Sundays.

A recruiter now gets a bonus of about Rs. 15 for each recruit obtained by him. Coolies cannot settle down on the land as colonists in Ceylon, but they can rise to be kanganis and occasionally become petty traders. Figures of the average savings of coolies are not available. They are not paid for the days on which they do not work.

Major Nicholson undertook to ascertain the money value of medicine, fuel, housing, etc., granted to coolies and the present cost of living in the island.

According to the census of 1921 the Indian population on estates in Ceylon consisted of—

Males	257,808
Females	239,300

This is partly the result of recruiting by family gangs.

Coolies set great store on the supply of rice by estates. During the war, when owing to control there were difficulties in obtaining the full allotment, coolies refused to proceed to the island.

Major Nicholson advocated the prohibition by law of the recovery of advances made in India by kanganis to coolies since such recoveries might be used for evading the abolition of the tundu.

With regard to the extinction of debts due from the labourers to the kanganis or employers, he pointed out that coolies cannot be imprisoned for civil debt in Ceylon. They can now leave an estate at one month's notice, and possess so little property that no one would consider it worth while to sue them. The question resolves itself into one between the estate and the kangani. If you are to be fair to the solvent kangani some provision must be made for gradually, repaying to him the balance due to him at the end of their stay.

With regard to repatriation, he thought that the cost of a passage back, with food, third class, might be anything up to Rs. 10. Most coolies are now assisted back to India on the ground that they are going home to recruit their relatives. He feared that the financial effect of granting free repatriation within one year would be serious, since already the cost of recruitment was appreciable, and there was no security that a cooly will stay on an estate.

Mr. Marjoribanks was then asked to advise regarding the fixation of a minimum wage and the grant of repatriation in the case of the Straits Settlements. Considering that the minimum wage would be difficult to enforce as there are no labour unions to guard the interests of coolies the minimum wage tends to become a maximum wage. It is not particularly necessary in Malaya, where there is considerable competition between the estates and coolies move freely from one to another. The minimum wage is only necessary where the amount of labour is greater than the demand. This is not the case in the Straits. The Indians there were better housed and had a much higher scale of living and clothing than in India. He thought that the safeguard suggested would be illusory and would not benefit the labourer.

With regard to repatriation, he thought that the open privilege of repatriation at will would be too much to the human nature of coolies, and that they would take the opportunity of enjoying a holiday at their employers' expense too frequently. They could offer themselves as recruits again in India, and could not be rejected because if that principle were followed, the whole labour supply of the Straits would gradually be disqualified for recruitment. He suggested that repatriation should not be granted free on demand except when the Agent of the Government of India in Malaya considered that sufficient justification existed for ordering repatriation at the expense of the Fund.

He did not advocate the fixing of the proportion of males and females, since it would tend to bring undesirable women into the colony. As in Ceylon the numbers of the two sexes would tend gradually to approximate, especially if recruiting is carried on by families. As a rule the male member of the family went first, and then after staying for a year or two, returned to bring back his family. This suited the people and should not be altered. There would be no objection to granting free passage to persons returning to bring their families, but on the whole, he did not think it necessary that there was any reason for advocating permanent Indian colonisation in the Straits.

The Standing Emigration Committee met at the "Gorton Castle" Secretariat at 11 a.m. on August 29th. The following members were present:—

The Honourable Rao Bahadur B. N. SARMA (*Chairman*).

J. HULLAH, Esq., I.C.S., M.L.A.

The Honourable Sir AHMEDTHAMBY MARICAIK, Kt.

The Honourable SAYED RAZA ALI.

The Honourable Mr. LALUBHAI SAMALDAS, C.I.E.

Rao Bahadur TIRUVENKATA RANGACHARIAR, M.L.A.

WALI MAHOMED HUSSANALLY, Esq., M.L.A.

Rai GIRISCHANDRA NAG BAHADUR, M.L.A.

N. M. JOSHI, Esq., M.L.A.

Munshi ISWAR SARAN, M.L.A.

Bhai MAN SINGH, M.L.A.

BHUPATIRAJU VENKATAPATIRAJU GARU, Esq., M.L.A.

R. B. EWBANK, Esq., I.C.S. (*Secretary*).

The Secretary read out a telegram from the Madras Government deprecating the imposition of any unavoidable restrictions on Indian emigration to Ceylon.

The Honourable Member then explained to the Committee that a deputation from the Ceylon Government had arrived, and summarised the main points that remained for discussion between them and the Committee.

Mr. Joshi requested that for purposes of comparison the average rates of wages paid on plantations in the Madras Presidency should be obtained.

Mr. Hayley was then asked to address the Committee. After thanking them for the opportunity, he explained the composition of the deputation and its claims to speak on behalf of the various interests involved in emigration from India to Ceylon. He sketched the origin of Indian emigration to the island and drew attention to an Ordinance of 1847, which is still in force, binding Ceylon not to allow Indian labour to evade the restriction of the Indian emigration law by proceeding overseas *via* Ceylon, and laid stress on the fact that this undertaking on the part of Ceylon was entered into as part of an agreement under which India agreed to allow intercourse with Ceylon to be unrestricted.

He referred to the report of the inter-departmental committee. The scheme favoured by that committee was one of land colonisation, *i. e.*, settlement on land after a short period as a hired labourer, and pointed out that emigration to Ceylon was not of this character. The provision about the common fund and the system of recruitment proposed by the Government of India, which were based on the committee's report, were inapplicable to the conditions existing in Ceylon.

He handed to the members of the Committee a brief review of the position of the Indian labourer in Ceylon prepared by his deputation (*vide* unprinted K. W's), and drew attention to the very large Tamil-speaking population (1,400,000) which have been settled in the island for centuries. He stated that the value of the exports from India to Ceylon was 11 crores, 80 lakhs approximately. This trade is mainly in the hands of Indians. It consisted of piece-goods, rice, hardware, etc. Large numbers of Tamils were employed in the island as domestic servants, shop assistants, etc. He mentioned these facts as illustrating the very close relation that subsists between the two countries, and stated that on an average 300 third-class passengers travelled each way between Ceylon and India daily, of whom the majority were not assisted labour.

With regard to recruitment, he stated that coolies were brought over by kanganies and coolies on a patriarchal system of recruitment. Many of them were related to the kanganies and to each other, and relations were ordinarily employed on one estate.

He described the origin and working of the tundu system. With the advent of rubber the competition for labour increased, and kanganies took advantage of it to blackmail superintendents of estates by demanding that they should either pay them a lump sum down or give them a tundu. If they obtained the tundu they hawked it round other estates until they were able to sell it at a premium. The law never prevented labourers from leaving an estate on one month's notice; but so long as they were in debt to their kangany they were morally bound to stay with him, and were of course liable to civil proceedings for the recovery of their debt. The percentage of cases against coolies by superintendents of estates under the special labour laws was less than one per estate per year. Now that special penalties have been abolished, coolies are subject only to the penalties under the ordinary criminal or civil law. The criminal penalty for leaving an estate without one month's notice has been abolished. When a kangany, or more often a labourer not appointed as a kangany, brought over his relatives to labour on an estate he was generally paid a reward of Rs 5 or Rs 10 per head. On an average a recruiter did not bring with him more than four recruits. He was careful in his selection since the people brought by him were to work on the estate with him or under him. The total number of men coming to India annually and taking back recruits with them averages 28,000. The people recruited invariably go to the estates to which the recruiters belong. This family system of recruitment is greatly superior to the recruitment by professional recruiters, because the latter are in fact, if not in theory, always paid by results and are keenly interested in getting as many men as possible to emigrate. Moreover, they send their recruits to estates upon which they are not themselves employed and have no interest in securing industrious and respectable men. They tend to recruit loafers and criminals, and are liable to resort to malpractices in recruitment.

The method of supervising recruitment followed by the Ceylon Labour Commission provides ample checks against malpractices. A detailed questionnaire is prescribed by the Commission, and recruits are questioned both at sub-agencies and at Trichinopoly. Thence they go to Mandapam, where they are again questioned by an officer of the Commission. This organisation has 18 years' experience behind it and is working satisfactorily. By introducing hasty alterations the Government of India might easily damage, instead of improving, the system.

The cooly is politically on the same footing as Singhalese. No restrictions of any sort are placed upon his free exercise of his rights. He is subject to no caste restrictions and can rise without difficulty to any position for which he is qualified. Ample provision is made for education. In 1917 there were 596 schools on estates, including those that receive no grant-in-aid. The number has now increased, and Ordinance 1 of 1920 will facilitate the further increase.

The wages paid in Ceylon are better than those in Madras. On an average the wages are 8½ to 9½ annas per day. The pay is handed to the labourers monthly in cash. They must be given six days' work per week if they demand it. An advantage of estate employment is that the whole family, men, women and children, have an opportunity of securing employment together on one estate. They are supplied with rice considerably below cost price, and receive more than they actually require, *viz.*, 1 bushel of rice per month per man (6½ lbs. = 19½ Madras measures) and ¾ bushel per woman. The houses supplied for them are better than the hovels in Madras villages, as pointed out in the Marjoribanks-Marakkayar report. A

recent Ordinance provides for rules for the construction of houses in a sanitary manner and their maintenance and medical inspection.

He drew attention to the fact that there are 159,000 Indians in the island who are not employed on estates. Most of these are traders, bankers, etc., together with their staffs of Indian clerks. The Act will apply to clerks, domestic servants, etc., who are classed as skilled labourers, and they will be liable to vexatious delays every time they visit the mainland. As the employees of traders and bankers will constantly be moving backwards and forwards at the expense of their employers, this will cause great harassment. Similarly, coolies going for short visits to the mainland will be harassed on their return.

In these circumstances, he proposed that the Act and rules should be made inapplicable to Ceylon, and that the free communication between the two countries which had always existed should continue without restriction.

The Standing Emigration Committee met at 11 A.M., on August 30th. The same members were present.

Mr. Hayley continued his address. He pointed out that the imports from Ceylon to India amounted to Rs 190 lakhs only per year. The balance of trade in favour of India was therefore 10 crores.

He drew attention to the memorial put in by the Ceylon Indian Association, in which it was suggested that the abolition of the tundu did not abolish the coolies' debts. The kangannies were naturally opposed to the abolition of the tundu because they were unable to recover their debts from the coolies without it, and the coolies will feel themselves no longer bound to the kangannies and their labour would no longer be at their disposal. Coolies in Ceylon cannot be imprisoned for debt. Legally the abolition of the tundu does not imply the abolition of private debt between two parties, but has made it practically irrecoverable. As between two private persons, the creditor and the debtor, it was constitutionally difficult for Government to cancel debts. If they had done so, they might have been compelled to assume liability for the debts themselves. Although the debts remained in law, in practice, the planters have since the Ordinance of 1921 gradually written them off as irrecoverable. The proprietors and shareholders have agreed to pay off the surplus debts due from coolies to solvent kangannies within a period of five years. These amount to about 90 lakhs, of which sum two-thirds has already been liquidated.

With regard to wages, he laid stress on the comparison with Madras and quoted the figures given in G. O.-2941 of August 12th, 1918 [Revenue and Agriculture Proceedings, A General, October 1918, No. 1.-F.-271]. From the wage census then held, it appeared that the wages paid in North Arcot varied from Rs 3 to Rs 8; in Salem from Rs 10-0 to Rs 13-0; in Trichinopoly from Rs 12-0 to Rs 12; in Tanjore from Rs 5 to Rs 12. The report explained that Rs 5 was the standard wage in Tanjore and that the standard wage never exceeded Rs 7. The maxima are not normally earned, but represent the most that could be earned in special circumstances. Mr. Grey reported that the wage for the agricultural daily labourer in Chinglepet was 3 annas to 4 annas and for women  $1\frac{1}{2}$  to  $2\frac{3}{4}$  annas. Apart from this there are oppressive local customs. Panials, for instance, are bound for their whole lifetime on account of advances received from their employers, and the debt passes from father to son. Even if it is paid off, they are not free from the obligation of service. The practice of taking agreements of service for life is also prevalent. The hut and site often belong to the master of the panial.

Mr. Hayley urged that the enforcement of the Act was impossible without serious interruption to the intercourse between the two countries, and asked that the exemption contained in section 32 should be made permanent in favour of Ceylon.

He then turned to the terms and conditions which it was proposed to prescribe under section 10 of the Act. Conditions 1, 2 and 4 were the only ones to which the Colonial Government took objection. They contended that the remainder, taken together, afforded adequate safeguards.

With regard to the second condition, he pointed out that it will include all emigrants; i. e. not only those assisted to depart but persons departing under an agreement to work for hire. He was reminded that it only related to unskilled labour, but he insisted that the provision implied inquiry into the case of every passenger in order to ascertain whether he was an emigrant or not. Government would have to maintain a costly staff, and the public would suffer great harassment.

With regard to conditions 1 and 4, he repeated the objections to the common fund and the system of licensing recruiters which had been urged by the Colonial Government. Apart from the estate labour, the main body of unskilled labour recruits are taken over for employment under Government for harbour and Public Works Department works. The Labour Commission did some supervision for Government, which does not contribute towards its costs, except in the special circumstances of last year's slump. It acts as a forwarding agency on behalf of Government. Some of the Government labourers are recruited by contractors. But usually, as pointed out by the Colonial Government, they are not recruited by any agency but are taken over by relatives or employers direct. He maintained that there was no need

for Government to identify itself with the recruiting authority, but sufficient control over the recruitment could be obtained at their Mandapam and Tataparai camps, where third class passengers halted for six days. There would be no objection if the Government of India appointed an investigating officer.

In reply to questions, the members of the deputation admitted that third class passengers might go direct from Madras to Colombo by sea without restriction. At Colombo they would be in quarantine. All third class passengers are placed in quarantine at Mandapam or on arrival in the island. A large number of estates are formally writing-off the debts of coolies to their kanganies. The figures in the printed schedules of wages attached to the Committees printed note were obtained in reply to a circular, and are based on returns obtained from 60 estates out of a total of 2,300.

Ninety-eight per cent. of the planting industry have already agreed to pay off, within five years the balance due to solvent kanganies. Two-thirds has already been paid off, and no legislative action by the Colonial Government is necessary. The deputation were unaware up to what standards the Tamil schools taught and for what hours they were open.

Apart from the fact that Indians are at present represented by a nominated member on the Council and the Europeans by elected members, there was no law discriminating between Indian and Singhalese and Europeans in the island. There are practical difficulties in forming an Indian electorate. Indians are subject to no differentiation regarding municipal franchise. Mr. Hayley was unable to state the amount of taxation paid by Indians resident in the island. The estate coolies are exempted from taxation. A new constitution for the island was under consideration. He was willing to convey the suggestion to the Ceylon Government that Indian labour should have a representative on the Council. He objected to the production of recruits before a Magistrate on the grounds, firstly, that it was unnecessary; secondly, that it was harassing to the recruits; and thirdly, that it was costly and dilatory. Recruiters are required by the Labour Commission to produce solitary women and minors unaccompanied by guardians before the village munsiffs before bringing them before the agents of the Ceylon Commission. Production before a Magistrate would mean delay in obtaining access to his court, and possible bribery and harassment by petty officials, and in view of the number of recruits, a very cursory check. The visit to the Magistrate would cause delay and increase the cost of the maintenance of the recruit. It was in their own interest that they should be sent on promptly. Women and children in particular would strongly object to having to appear before a Magistrate.

Singhalase are not employed on the estates to any great extent because they are not so good at estate work and, having as a rule their own land, are not available for labour, Singhalese get the same wages as the Indians that are employed, or perhaps 5 cents more as they do not get free houses, cheap rice or head money. Their working day of ten hours involves ordinarily eight hours work. If a man does not do a fair task he may be required to make it up next day. Wages vary from estate to estate, but the maximum and minimum rates are shown on the certificate (A Form) supplied to the cooly on recruitment. Competition between estates keeps up wages to fairly regular level.

The cost of living for bazaar stuff and rice is R17 for a man *plus* wife *plus* two children. Clothes cost R3½ per month extra, and the details are as follows:—

<i>Man.</i>		R	A.	P.	R	A.	P.
3 clothes	.	4	8	0			
3 turbans	.	3	0	0			
3 shirts	.	4	8	0			
	Total	12	0	0	12	0	0
<i>Woman.</i>							
3 sarees	.	15	0	0			
1 jacket	.	1	8	0			
	Total	16	8	0	16	8	0
Clothes for boy and girl	.	...			10	0	0
	Total per year	...			38	8	0

Boots and shoes are not worn, but blankets are given by some of the higher estates.

No reserve fund for sickness is necessary, as during sickness or pregnancy patients are maintained and are given medical attendance. The scale of food allowed in calculating expenses includes 1½ bushel of rice for man and wife. Non-working children often get their food from the estates. The wages earned by one man would not be sufficient to maintain a family ordinarily, unless the wife also works. Hookworm disease is prevalent in Ceylon

as in Madras. Coolies are not rejected on this account. Systematic treatment has been undertaken and a Rockefeller Institute has been founded. There is a strong temperance movement in the island. In one area total prohibition has been tried as an experiment. In some districts local option exists. There are no reliable figures showing the savings taken back by estate coolies. Colonisation in planting areas is impossible, and not desired by the Tamil emigrants themselves. Attempts at colonisation have been made from time to time, but without success.

The Chairman intimated to Mr. Hayley that it was not necessary for him at this stage to address the Committee with regard to the deputation's objections to the draft rules in detail, but that if Ceylon were to be subjected to any rules an opportunity would be appointed for discussion later.

The Emigration Committee reassembled at 11 a.m. on August 31st. The same members were present.

Mr. Muthukrishna appeared as representing the Indian Association of Ceylon. The Association has existed for 11 years. He was the President. Membership was 400. All these were non-official resident Tamil Indians. Most of them belong to the labouring classes in urban areas, but there were also some estate clerks and tea-makers. All were literate. The subscription was 4 annas per month.

The Ceylon Indian Association formed in 1917 was distinct. Its members came from the more affluent merchant classes. The objects of the two Associations were more or less the same. Mr. Muthukrishna was formerly a member of the Ceylon Indian Association and joined the Indian Association of Ceylon in 1919. His Association has no branches on estates. One Indian planter is a member. He had visited a dozen estates, all European, during the last two years, but had never lived on them. He received casual complaints from estate labourers from time to time; e.g., beggars discharged from estate hospitals before being properly cured, who wanted employment or to go back to India. Coolies had no difficulties about giving notice. They can always get their notice written for them.

For skilled labour he advocated no restriction but benevolent supervision. For unskilled labour he advocated a Protector of Emigrants with sufficient powers, both in India and Ceylon. He suggested a Board of Control with unofficial visitors, who might visit estates, similarly to jails and hospitals, and report to the Protector. If railway fares were paid more people could be found. He advocated a Minimum Wage Board, with minima fixed for districts, which should consist of the Protector of Emigrants, a representative of employers and employees and of the Ceylon Government. The labour associations in the island could produce a suitable representative to serve on the Board. He advocated the representation of labour in the Legislative Council by nomination. This had been suggested to the Governor, who objected that Indian labour was migratory and not permanently domiciled.

He advocated a half-time system for children between 8 and 16. He was keen on compulsory education up to the age of 12, with further facilities up to 16, the cost of which should be borne either by the State or the estates; also better provision for midwives on estates, and better housing. The coolies tend to huddle together and do not use the sanitary conveniences provided. Married couples should have a room 8 x 10 with a kitchen and a verandah. He had seen cases in 1919 where more than one family lived in one room. Some lines are fairly good but sanitary education is necessary before progress can be made. The condition of labourers in cities is good and they have no special grievances. Conditions regarding drink are much the same as in South India. He favoured prohibition or the reduction of facilities for drinking near estates. The drink was toddy made from Kittur palms in the midlands but not on the coast. The Excise Department would be able to prevent illicit distillation. An Indian Agent in Ceylon would be as good as a Protector. There are good latrines on estates, but they are not properly used. Education is compulsory in Colombo and Kandy up to 12.

He is a journalist editing the "Citizen" (weekly) in English and the "Indian" (fortnightly) in Tamil. These papers are run in the interests of the Indians in Ceylon. He advocated Protectors at Indian ports. The wages of unskilled coolies on estates average from 42 to 45 cents, and in urban areas 60 to 70 cents, though rikshawalabs get from 1½ to ₹1½ per day. In cities a man only earns wages, while on estates both man and wife work. The minimum wage should apply only to rural areas, and should be fixed somewhere about 55 cents for man. They should, in addition, retain the concessions regarding rice, house, medical aid, etc. Nomination is the only practical way of securing representation of Indian labour.

There were no difficulties about inheritance, but no man may have more than one wife in Ceylon. There is no compulsory registration of Indian marriages. The Colonial Government will pay his travelling expenses on return. His memorandum was drafted under the impression that all emigration from India to Ceylon was to be stopped and before he had seen the Emigration Act. A copy of it was sent to the Ceylon Government. The conditions of Indian labourers have recently improved owing to the abolition of the tundu and imprisonment for labour offences, and to the general scarcity of labour. In 1920 he said at the Ceylon Congress that labourers were treated worse than cattle. This related to unskilled workers. He did not advocate restriction on skilled workers. There is no lack of work in Ceylon, except for clerks in the offices of the rubber companies at present. There are three main industries, rubber, tea and coconut. In very slack times labourers might be paid off and returned to India or their wages might be reduced. It might some times be necessary to vest the Protector



with power to restrict the number of Indian labourers going to Ceylon, in order to keep up wages. There are no restrictions on returning Indians. Labourers would prefer cash payment to cheap rice, since they can always buy rice independently.

2. Mr. Natesa Aiyar was next examined. He advocated a minimum wage fixed according to hours of work and uniform for all plantations. The difference between one area and another in the price of foodstuffs, etc., was so small as to be negligible.

Child labour up to the age of twelve should be abolished. Education should be made compulsory. A common repatriation and provident fund should be started, to which labourers and estates must contribute. The labourers indebtedness should be wiped off. Nearly 90 per cent. of the solvent kanganyes have not yet been paid. The amount due to them is Rs 150 lakhs, roughly. A solvent kangany is one who is owed more by the labourer than he owes to the estate. This balance is at present recouped from the wages roll and is secured by a pro-note from the labourer to the sub-kangany, from the sub-kangany again to the kangany and from the kangany to the estate. His figure was based on statements of kanganyes which were ascertained from the estate accounts last year. A few estates have paid one-fifth of the balance due to the solvent kanganyes on condition that the labour force is maintained. Kanganyes cannot sue labourers with success unless they have cattle, but can harass them. He advocated the payment of all debt to kanganyes in the course of four or five years.

With regard to housing, he wanted bigger rooms, 12 x 15. He wanted separate kitchen, separate for each family. Bachelors and married people should be separated, and cast-sentiments respected. In dispensaries he wanted qualified medical men in place of compounders, and a midwife on every estate. For pregnant women reasonable provision should be made for two months. The discharge ticket should be abolished, because when a labourer gives one month's notice his wife and children are sometimes omitted by mistake, and trouble results. He advocated labour representation on the Council by nomination.

He is the editor of a Tamil daily, and was previously a teacher in Tanjore. He has visited 400 estates and lived two months on them at his own cost. In rubber estates work is finished at noon, and there is extra work for over-time. The best tappers can get 8) cents per day, but most labourers can only make Rs 1 or 2 per month over and above the cost of rice supplied to them. Tea estate coolies get on an average 35 to 37 cents, and work ten hours a day, including the time taken for weighing and for grading the leaves. He could not quote the name of any estate on which caste Hindus were compelled to live with pariahs. The cost of living greatly exceeds the wages there. The balance is paid by the kangany or the people starve. The cost of recruiting is more than is shown in the books. In both cases the balance is advanced by the kangany. Employers can use the discharge tickets to prevent the departure of coolies or their employment elsewhere, owing to an agreement among employers. Coolies are worse off in Ceylon than in India. He is not connected with the Ceylon Indian Association, but has lived in Ceylon since 1918. His journal is owned by a company mainly composed of kanganyes and sub-kanganyes. He advocated a Board of Emigration to protect the emigrants, provided that it has an Indian majority. He would fix a minimum wage for rural labour only, Singhali labourers usually demand one rupee per day for work on estates or do piece-work. An elected labour constituency could not be formed unless the qualification was reduced.

He was strongly in favour of separate kitchen which the coolies would like. If his proposals are not accepted, he would advocate restrictions on emigration but not its total stoppage. The reason why coolies go to Ceylon is the cash bonus paid on arrival. There is often no labour in South India after the harvest, and many people on going to Ceylon become entangled and are unable to return. A large number have returned since the abolition of the tundu. This may be confirmed by a reference to the figures given in the confidential monthly review of the Ceylon Labour Commission for January, February and May.

The employer must give a discharge certificate if required, but the reasons of discharge are shown upon it, and they can be used to prevent coolies leaving. Regarding old debts, kanganyes can harass sub-kanganyes, who are not in a position now to put pressure on labourers. Coolies wishing to leave estates must give notice on the first of the month. They sometimes have trouble about giving it. He advocated their right to leave without notice or on a week's notice. More than 50 per cent. of them are caste Hindus. The lowest wage paid to a man is 33 cents. There was no increase of wages between 1892 and 1921. The tea trade is now doing well. Most of the estates pay between 16 and 25 per cent. About 30 to 35 per cent. of the coolies work over-time according to the check rolls of the estates, 25 per cent. of them earn the maximum wage. The minimum for a man should be raised to 50 cents.

B. N. S[ARMA].

*Statement by K. Natesa Aiyar of Colombo made on behalf of the Indian Labourers working in the estates of Ceylon.*

The condition of the Indian Labourer has not improved even in spite of the recent legislation. Unless the Ceylon planters and the Ceylon Government undertake to remedy the following defects, it would be a sin to allow emigration of Indian Labour to the island :—

- (1) The debts of the labourers must be completely wiped off on the lines suggested in the Draft Ordinance of 1920,



- (2) A minimum living wage must be fixed.
- (3) Housing and sanitary conditions must be considerably improved (improvement to be effected within a fixed certain period).
- (4) Qualified medical aid must be provided on the estates.
- (5) No cash inducements or loans should be offered when recruiting labour.
- (6) Issue of discharge tickets must be penalised.
- (7) Provision of free compulsory education of labourers' children must be made.
- (8) Children under 12 years of age should on no account be made to work.
- (9) A common repatriation fund controlled by a Labour Board, on which at least 50 per cent. of unofficial Indian labour representatives sit, should be instituted.
- (10) Labour must be represented by an unofficial Indian in the Ceylon Legislative Council.

If the above improvements are made, free emigration may be allowed; until then, no concession or deviation in the rules as framed now should be made.

K. NATESA AYAR.

FAMILY BUDGET OF AN INDIAN LABOURER IN CEYLON. (AT PRESENT.)

An able-bodied intelligent labourer and a quick plucking woman in a tea estate can on an average get 40 cents, and I take this figure, as the check roll average of many estates is between 40 to 50 cents. Check roll average includes in almost all cases the head money of 6 cents to the Kanganies and in most cases the Kanaka Pillay's salary. So 40 cents. is a pretty high figure and I take this to be on the *safer side* :

*Income per month.*

	R
26 days at 40 cents. for husband and wife . . . . .	20.80
Less 1 sick day for each . . . . .	.80
	20.00

*Expenses per month.*

	R
Rice 1½ bushel at R8 . . . . .	10.50
Washer man and Barber . . . . .	.45
Condiments . . . . .	7.50
Clothing at R60 per year . . . . .	5.00
	23.45
Net deficit . . . . .	3.45

*N. B.*—(1) No more than 40 per cent. of the labourers do get this 40 cents average. Others get much less than this.

(2) The bonus (as they call it) for good attendance for 22 days is generally received by 40 per cent. of the labourers. I have known in Estates with 500 to 1,000 coolies, drawing cheques for R175 to 200 and 500 to 600 for paying this bonus.

(3) In spite of the bonus and the other inducements, the percentage of attendance is low and it is due to bad food and insanitary conditions in the estates :—

*Details of expenses under condiments.*

Dhall, 1 Madras measure . . . . .	70 cents.
Salt . . . . .	10 "
Oil, for seasoning, etc., ¼ bottle . . . . .	40 "
Oil, for lighting, 2 bottles . . . . .	50 "
Tamarind, 2 lbs., Turmeric, Onions, Pepper, Chillies and Masalas, etc. . . . .	1.50 "
Dried fish . . . . .	55 "
	3.75

Firewood and water are supplied free.

*Details of clothing, etc., for year.*

3 Dhoties . . . . .	12-00
3 Towels . . . . .	4-50
1 Coat (secondhand) . . . . .	5-50
2 Banians . . . . .	3-00
1 Cumblie . . . . .	3-25
2 Saries . . . . .	16-00
1 Cumbly . . . . .	3-25
Dipavali . . . . .	3-00
Pongal . . . . .	2-00
Swami Worship . . . . .	2-50
Total R . . . . .	55-00

The above is given at prices ruling in 1912-14 an increase of Rs 5 is made for 1922.

*N.B.*—In up-country where there is incessant rain\* 2 saries and 2 dhoties are not sufficient. Tea plantations are situated in districts above 2,000 to 6,000 feet, and so there is a necessity for the labourer to be provided with coat and banians.

(2) Medical aid though said to be free yet the labourers go in for Indian medicines as many estates have no dispensary independently, and as many labourers have no confidence in the medicine given by unqualified medicoes. Yet such expenses have not been provided for.

(3) Travelling expenses once at least in two years or on the marriage or on the death of any nearest relations in India are not also included.

(4) A typical family is taken as husband and wife without providing for their children, if any.

(5) Rice allowances for children :—

No rice allowance is given for one child.

For two children 1½ Kottus to 2 Kottus are given.

For three children 2 to 2½ Kottus are given.

(1 Kottu = ⅓ Madras measure).

(6) Sick rice allowances :—

No labourer is given any sick rice unless he is sick for 6 days continuously.

For those who are sick for over 6 days ⅓ bushel is given. (1 Bushel = 19 Madras measures.)

Systems differ in different districts. I have given the systems that is in vogue in majority of estates.

K. NATESA AIYAR.

*Wages as prevailing in Ceylon (Tea Estates).*

The system of giving wages in estates is an intricate one and interested parties may be able to mislead those who are not in the know of the practical working of the check rolls in estates. I, therefore, wish to place before the Committee how the wages are calculated and paid :—

*Wages for boys between 8 and 15.*

Boys and girls between 8 and 12 are given moss removing and weeding . . . . .	15 to 20 cents.
Boys and girls between 12 to 15 are given plucking — will pluck between 10 to 20 lbs. . . . .	At 1, 1½, 2 cents per pound of green leaf, according to season.

*Men.*

Miscellaneous work . . . . .	{ 35—37 cents new rates. 33—35 „ old rates.
Pruning, etc. . . . .	{ 40—45 „ new rates. 37—40 „ old rates.
Factory labourers . . . . .	45—50—55, no change.

In an estate employing say 500 labourers, 250 will be men, about 50 to 100 children and 150 to 200 will be women—of this 250 about 30 males and an equal number of women and boys will be in factories.

100 male labourers will be getting 40 cents and above and the rest below 40 cents. Wages differ upon the nature of work. Thus, it will be seen that majority of labourers will be getting only minimum wages.

#### *Women.*

Women are given at the rate of 25, 27, 30 and 32 cents according to nature of work. Most of the estates employ women for plucking and pay 1, 1½, and 2 cents per pound of green leaf, and it will be said that a quick woman can pluck 40 to 50 lbs. and earn R1 a day. This happens not even in 5 per cent. of the cases.

It must be remembered in this connection that an allowance (as they call it) in weighing the green leaves a deduction of 10 to 20 per cent. is made to make up for the payment to Kanakapillay and coolies employed for weighing the leaves, labourers employed in carrying the leaves to the factory, the labour allowance given to Kangany, conductor, tea-maker, etc. This happens in every estate but the percentage alone varies. Thus, it will be seen that the labourers do not get even their right wages.

#### *Check roll average.*

Check roll averages differ in different districts not much on account of difference in wages but on account of different ways of making up the averages.

The systems in vogue are:—

- (1) Kanganies' head money of 6 cents is added universally.
- (2) Kanakapillays' salary is included in most cases.
- (3) When cash plucking is added the check roll average shows a higher figure invariably.
- (4) Bonus of 5 to 6 cents are also added in check roll, and the average swells up. An average of 10 to 15 cents will have to be deducted from the check roll averages given, to find out the true amount that goes to the pocket of the labourer. When the check roll average is given it must be taken with caution.

#### *Sub-Kanganies.*

It must not be forgotten now that the condition of the sub-kanganies, who are the recruiters, is better. We can take on an average that for every six to seven coolies there is a sub-kangany. These sub-kanganies are paid a monthly salary ranging between R20 to 25 or 50 to 55 cents a day and in addition he gets 4 cents per day per head on his coolies. It is the position of these sub-kanganies that attracts labourers to the island. Every labourer when he comes to Ceylon comes in the hope of becoming a sub-kangany but he is duped in the end. There are over 25,000 to 30,000 sub-kangany recruiters and every one of them will be able to bring in one and two of his relations to the Ceylon plantation for the sake of a bonus of R5 per head and a head money of 4 cents and, so it is no wonder that large numbers are every day coming to Ceylon. It must not, therefore, be taken that the bright prospects attract them in Ceylon.

K. NATESA AIYAR.

The deputation did not recommend separate kitchens in all the lines. The coolies did not want it.

They suggested the following objections to the institution of a minimum wage:—

- (a) Estates vary greatly in conditions according to their situation, and wages vary on different estates.
- (b) The price of the product is constantly fluctuating and wages must move with the market. Constant revisions would be necessary.
- (c) There will be difficulties in applying the minimum wage to one class of labour only, leaving the remainder unrestricted.
- (d) Regulation of wages implies regulation of the day's work. The employee must be bound down to do a certain quota of work to correspond with the minimum wage, or to work for a certain number of hours.
- (e) It is unfair to impose a minimum wage in Ceylon while none is imposed in India.
- (f) The minimum tends to become the maximum.

In early days, some rubber estates paid 100 per cent. Now, most of them are paying nothing, though a few of the best are paying up to 8 or 9 per cent. Tea is in a better condition, but is still clearing off losses due to bad market and the high price of rice. They pay 5 to 15 per cent. on the average at present. Coolies are expected to work from 6 A.M. to 4 P.M.

with two hours off. Task work is finished sooner. Indian labour is imported because it is continuous and more satisfactory than Singhal. Recruiting is chiefly required for new emigrants. 50 per cent. of the labour entering Ceylon is old labour returning to the island. The remainder are people going across to better themselves. Government contributed to the cost of the Commission in order to help in starting it last year during the slump; but it is not likely to do so again. There is no Government control over the Commission's work at present. The deputation agreed to furnish statistics showing the attendance of children at schools on estates, etc. They challenged the memorial of the Ceylon Indian Association as inaccurate and instanced several points; e.g., paragraphs 13 and 14.

They would not object to the production of recruits before the village headman. The difficulty in producing them before the Tahsildar lies in the delay and difficulty of arranging to put them up and feed them. They mentioned one tahsil where 103 men were produced by 25 recruiters in one day. In this tahsil there was only one Sub-Magistrate. In cases of doubt the agents insisted on a certificate of marriage or relationship from the headman. Recruitment is a family arrangement and should not be subject to official interference. Licenses of kanganyas requiring the counter-signature of a Magistrate would be most troublesome. Any constable could call any kangany to produce his certificate.

The constitution of the Legislative Council was amended in 1920, but is now under reconsideration. Previously, there was no Indian member; now there is one nominated member. Planters would have no objection to adding one or more Indians if it could be done consistently with the claims of other communities. They agreed to furnish information regarding the money sent through the Post Office in planting districts to India. It is becoming more common for good coolies to work directly under the superintendent, and in such cases they get the head money themselves. Planters prefer this. Registered notice by post would be quite welcome. It is not true that planters make difficulties about receiving notice.

The bonus paid to the cooly on his arrival is about R5. The kangany also receives about R5 bonus over and above the expenses some six months later. Bonus is not disallowed in the case of relatives. A man will ordinarily not go to India more than twice in five years. A list showing the number of A Forms put in by kanganyas was handed in. The total rejections in 1920 were not caused mainly because so many unsuitable people were brought in by recruiters but because the labour was not wanted owing to the slump in trade. These rejections numbered some 10,000, including unrecruited labour. There will be no objection to informing the village munsif when a recruit is taken from a village so that he may verify the circumstances. There are only 22 Unions and 7 Taluka Boards in the Trichinopoly District with a population of 2,000,000. It is not practicable to produce all recruits before the Chairmen of these Boards since they are limited in number and are non-officials. A Sub-Magistrate would be preferable to a non-official. They agreed that it was desirable that recruits should be examined, if at all, as near to their place of origin as possible. The Commission has 18 agencies, every one of which is situated at a centre at which there is a Magistrate. There is no objection to Magisterial inspection provided that the coolies need not be taken before Magistrates. The Ordinance abolishing indebtedness was strongly opposed by kanganyas. Neither they nor the planters have now any grave objection to the abolition. The planters as a body would assist legislation to legally prevent recovery of debt. In estimating the cost of living the deputation have not allowed for festivals or religious donations. By a private agreement with the Planter's Association of India the Commission did not recruit near the place where the former Association had old connections. Opinion among the planters is very divided on the question of closing liquor shops. The Colonial Government would object to an arrangement which required the permit to recruit being counter-signed by a Magistrate in Ceylon owing to the inconvenience and lack of personal knowledge. There is little risk of any attempt to over-recruit in order to bring down wages. There is now more work than labour. They would object to a numerical limit on the number of emigrants. The deputation would consider whether they have any suggestions to make as to how to prevent wages falling. In times of slump estates do not dismiss their labour so long as they can possibly keep them. Many old people stay in Ceylon and are pensioned by estates or given light work. No man is bound to ask for a discharge certificate nor is any employer legally debarred from employing him. But employers are naturally reluctant to employ a man without discharge certificate, which mentions the reasons of discharge. There is no legislation against unions of labour and some exist, e.g., on the railways. Wages are not kept back, but are paid about the 15th of the following month as a rule. Weekly wages would be troublesome to the employer and not popular with the coolies. It has been tried, but coolies do not come for it. They agreed to furnish the names of the 60 estates from which the wage statistics were obtained. The conditions on the A Form are explained to the coolies on recruitment, and the minimum and maximum wages are shown upon it; but the amount of work which must be done to earn this wage is not stated. Two families are not now kept in one room. People who are ill are not paid wages but are looked after and maintained. Government hospitals are usually 10 or 12 miles apart, and in the low country there are more estate hospitals. Mr. Villiers has 900 labourers on his estates and a hospital with 24 beds, which are never full. A bushel of rice costs the cooly about R6 at present. A man on the lowest reported wage would, therefore, be receiving in cash only R3 after the cost of rice had been deducted. Magic lantern views of Ceylon and handbills are distributed to attract fresh coolies but are not necessarily inconsistent with the patriarchal system of recruitment. Coolies go from one estate to another usually in

family groups. A petty recruiter who brings over a few friends and relations does not belong to the class of kangany who could fairly be called a monster.

Statement showing the number of A. Forms received :—

During 1912 . . . . .	24,526
" 1913 . . . . .	27,723
" 1914 . . . . .	20,591
" 1915 . . . . .	21,447
" 1916 . . . . .	26,130
" 1917 . . . . .	11,207
" 1918 . . . . .	8,661
" 1919 . . . . .	22,367
" 1920 . . . . .	13,446
" 1921 . . . . .	6,161
" 1922 (January-July) . . . . .	8,855

The Standing Emigration Committee met in "the Gorton Castle" Secretariat on September 2nd, at 3-30 p. m.

While not expressing any opinion on the question whether there is a surplus labour population in Madras available for emigration, they recognised the fact that emigration to Ceylon existed at present, and proposed, therefore, to consider not whether it should be stopped but how to secure fair conditions for emigrants.

They proceeded to consider the objections raised by the deputation to conditions 1, 2 and 4, and decided that conditions 1 and 2 should be adhered to. They also confirmed condition 4, subject to the proviso that the common fund might be raised and managed in such a manner and by such agency, as might appear suitable to the Colonial Government.

With regard to rule 23 to which the deputation objected, the Committee decided that emigrants should be produced before the village munsiff before leaving the village, and should be supplied by him with a certificate that he had informed the family and ascertained that the emigrant understood the conditions on which he was leaving the country.

The Committee decided that a basic wage should be fixed, the official members not voting. In fixing the wage the following factors should be taken into account :—(a) it should allow a margin for savings, for sickness, and for old age; (b) it should be sufficient to maintain a labourer in tolerable comfort, according to his standard of living, and that regard should be had to the fact that a male may have to provide for a family; (c) the recommendation of the Inter-Departmental Committee as to the method of fixing a minimum wage should be taken into account. The wage should be fixed by a Board and should vary according to localities. The Committee expressed no opinion regarding the composition of the Board which was left to negotiation. The basic wage should be insisted on for estate labourer only, but the Ceylon Government would, of course, be free to extend it to other industries if they so wished.

The Government of India should open negotiations with the Government of Ceylon with a view to legislation, introducing the basic wage fixed on the above principles, as soon as possible.

The Colonial Government should be asked to make provision for the cost of returning emigrants to India in the case of (a) sick men, (b) men thrown out of employment, owing to retrenchment in times of industrial depression.

In the case of Ceylon, rule 23 should be modified by providing for production before a Magistrate at the port of embarkation, provided an agreement was reached on other points.

The clause in rule 5 (ii), requiring emigration agents to be paid a fixed salary, might be omitted, provided that the area within which a Kangani was authorised to recruit, and the number of recruits that he was licensed to secure, were strictly limited. Mr. Hullah was authorised by the Committee to discuss this with the Ceylon deputation, and to arrive at some suitable arrangement.

Secretary was asked to ascertain whether Indians were eligible for employment in the Ceylon Civil Service.

The Standing Emigration Committee met at 4-30 p.m., on September 4th. All members except Mr. Lalubhai Samaldas, were present.

2. Honourable Member communicated to the deputation the substance of the decisions arrived at by the Committee on September 2nd.

3. He stated that negotiations on the subject of a basic wage should take place at an early date with a view to an arrangement being arrived at, if possible, before the draft notification under section 10 could be laid before the two Houses, so as to enable the Government of India to reach conclusions satisfactory to all and to carry the Councils with them.

4. He also stated that the Committee would be willing to relax the rules about production before a Magistrate if and when complete agreement regarding the conditions was arrived at. There must, however, be suitable safeguards when the recruit is brought from some distant district to the port of embarkation before he leaves his district. The deputation urge that the village munsiff should not be empowered to stop emigrants leaving the village altogether at the instance of their wives and families. In the case of single women and minors, the Labour Commission already insist on a munsiff's certificate, in order to check abduction. The objection to any procedure making a certificate by the munsiff necessary is certain to lead to corruption. There should be an appeal from the veto of the munsiff with regard to men, women and children to the District Magistrate. Some of the members requested that the Committee might be supplied with copies of the confidential monthly circular of the Labour Commission. They undertook to consider this.

5. The deputation undertook to consider whether some method could be suggested by which labour other than estate labour could be exempted from condition (2) without giving rise to evasion. They also pressed that skilled labour should be entirely exempted from the provisions of Chapter IV, and Honourable Member agreed to consider this request.

6. Honourable Member also agreed to consider the omission of the word "independent" in condition (1).

7. With regard to the minimum wage, several members of the Committee requested the Ceylon Government—

(a) to agree to the principle of a basic wage; and

(b) to agree generally on the machinery for giving its effect.

8. This agreement must be reached before the notification is placed before the Legislature. But the deputation urged that the Ceylon Government must first be given time to make an enquiry, and might possibly be able to convince Government of India that such a regulation would cause considerable hardship. They suggested the immediate appointment of a committee of enquiry with an Indian representative upon it, but urged that emigration should not be stopped before the report of the Committee was ready and had been considered by the two Governments concerned.

9. As an alternative, they suggested that the Ceylon Government should compel every planter to furnish a return of the wages now paid, and to prohibit them from paying less than the present figure. This would meet Mr. Joshi's point that labour might be over-recruited in order to bring down wages. They supplied figures of coolies going to and from Ceylon from January to August 1922 (Appendices A and B). They explained that the great increase that had taken place since last May was due to the ordinary seasonal conditions. Recruiting is always much heavier in the summer months. They urged that labour had already been unsettled by the abolition of the tundu, that trade was bad, and very few of the estates could stand an increase in wages. The introduction of a minimum wage would unsettle the whole labour market. Rubber companies are now in a worse position than tea companies, but most of the companies own estates of both classes. Rubber estates pay higher wages because their climate as a rule is worse, and they have to attract labour from the tea estates which have old established connections. Most work on rubber harvest is done by men. The deputation urged that the munsiff in giving a certificate to an emigrant should be empowered to withhold it on the following grounds only:—

(a) fraud;

(b) undue influence;

(c) coercion; and

(d) misunderstanding of conditions.

The deputation urged that a reference should only be made to the local Magistrate in the case of an objection being raised, and that, otherwise, if the emigrant had a clean bill he should be allowed to leave the village without any certificate. They pointed out that some village munsiff's were themselves landholders.

10. They undertook to draft the amendment to the rules which they proposed, and to discuss these with the Secretary, Revenue and Agriculture Department.

## APPENDIX—A.

*Analysis of coolies arrived at Dhannishkodi from Ceylon from 1st January to 25th August 1922.*

Months.	A Form holders.	Tin ticket holders, including indent slip.	No credentials.	TOTAL.
January . . . . .	460	27	1,040	1,527
February . . . . .	618	602	1,054	2,274
March . . . . .	1,087	1,321	1,881	4,289
April . . . . .	1,497	874	3,636	6,007
May . . . . .	1,584	1,004	1,461	3,999
June . . . . .	2,000	1,898	2,904	6,802
July . . . . .	1,824	801	990	3,615
August (1-25) . . . . .	1,576	450	920	2,947
	10,596	6,977	13,836	31,459

## APPENDIX—B.

*Statistics of coolies (old and new) despatched to Ceylon during January to August 1922.*

Months.	Old coolies.	New coolies.	TOTAL.
January . . . . .	361	663	1,024
February . . . . .	1,329	723	2,052
March . . . . .	1,920	888	2,808
April . . . . .	1,974	1,312	3,286
May . . . . .	4,236	3,588	7,824
June . . . . .	4,593	5,751	10,344
July . . . . .	4,764	5,860	10,624
August . . . . .	4,454	6,195	10,649
TOTAL	24,131	24,980	49,111

The Emigration Committee met at 2 P. M. on September 21st, in the Legislative Assembly Committee Room. The following members were present:—

1. The Honourable Rao Bahadur B. N. Sarma (Chairman).
2. J. Hullah, Esq., I.C.S., M.L.A.
3. The Honourable Sir Ahmedthamby Maricair.
4. Bhupatiraju Venkatapatiraju Garu, Esq., M.L.A.
5. Rai Girischandra Nag Bahadur, M.L.A.
6. Munehi Ishwar Saran, M.L.A.
7. Wali Mahomed Hussanally, Esq., M.L.A.
8. N. M. Joshi, Esq., M.L.A.
9. The Honourable Mr. Lalubhai Samaldas, C.I.E.
10. Rao Bahadur Tiruvenkata Rangachariar, M.L.A.
11. R. B. Ewbank, Esq., I.C.S. (Secretary).
12. The Honourable Mr. Raza Ali.

The Committee resolved that the next meeting should be held three or four days before the date fixed for the opening of the next session of the Legislature.

The resolved that the Ceylon Government should be asked to make an enquiry into the question of fixing a basic wage subject to a minimum, and of the cost of living in relation to the rate of wages now paid. In the meantime, the Government of India should do its best to secure an improvement in wages. On the receipt of the report suggested above, the Emigration Committee would have to consider the findings and to decide whether to ask for a joint committee to settle what should be the rate of wages, and other details.



## FINANCE DEPARTMENT.

### NOTIFICATIONS.

#### LEAVE AND APPOINTMENTS.

*Simla, the 3rd August, 1922.*

**No. 1595-F.E.**—In line 2 of Finance Department Notification No. 1280-F.E., dated the 22nd June 1922, regarding Mr. A. S. B. Bayley, an Officer of the Indian Audit and Accounts Service, published on page 716 of *Gazette of India*, Part I, dated the 24th June 1922, delete the word 'provisionally'.

**No. 1596-F.E.**—In supersession of paragraph 1 of this Department Notification No. 2534-F.E., dated the 8th December 1921, and Notification No. 426-F.E., dated the 9th March 1922, published in the *Gazette of India*, Part I, dated the 10th December 1921 and the 9th March 1922, respectively, Mr. C. S. B. Sinclair, Chief Auditor, Eastern Bengal Railway, has been granted combined leave preparatory to retirement, with effect from the 25th November 1921, for one year and eight days, *viz.*, privilege leave for one month and five days, furlough on average salary for 2 days up to 31st December 1921, thereafter leave on average pay for 6 months and 24 days, and in continuation leave on half average pay for the remaining period.

**No. 1597-F.E.**—In supersession of paragraph 1 of this Department Notification No. 854-F.E., dated the 4th May 1922, published on page 539 of *Gazette of India*, Part I, of the 6th May 1922, Mr. T. H. Puce, Deputy Accountant General, Central Provinces, has been granted leave on average pay (privilege leave) for two months and 7 days, with effect from the 18th April 1922.

**No. 1598-F.E.**—Mr. Yaqub Shah, Assistant Auditor, North Western Railway, has been granted leave on average pay for one month, with effect from the 4th July 1922.

J. E. C. JUKES,

*Offg. Secretary to the Government of India.*

## DEPARTMENT OF REVENUE AND AGRICULTURE.

### NOTIFICATIONS.

#### AGRICULTURE.

*Simla, the 31st July, 1922.*

**No. 663-167.**—Mr. P. T. Russell, Superintendent, Cinchona Cultivation, Burma, has been granted an extension of leave on average salary for one month, with effect from the 1st August 1922.

### EMIGRATION.

*The 28th July, 1922.*

**No. 392-R.A.**—The following draft of the rules which it is proposed to issue in exercise of the powers conferred by section 24 of the Indian Emigration Act, 1922 (VII of 1922), is published, as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration by the Governor General in Council on or after 31st October 1922.

2. Any objection or suggestion which may be received from any person with respect to the draft before the date fixed aforesaid will be considered by the Governor General in Council.

## DRAFT RULES.

## Definitions.

1. The following words in the rules shall bear the meaning specified against them.

(a) "The Act" means the Indian Emigration Act, 1922 (No. VII of 1922).

(b) "Protector" means the Protector of Emigrants.

(c) "Medical Inspector" means the Medical Inspector of Emigrants.

(d) "Schedule" means the Schedule appended to these Rules.

(e) "Labourer" means any person performing unskilled work.

(f) "Magistrate" means any magistrate exercising jurisdiction over the area from which emigration takes place.

## PART I.

## RULES REGARDING EMIGRATION OF UNSKILLED LABOUR.

## I.—Emigration Staff.

## Emigration Commissioner.

2. (1) The Government of every country to which emigration is lawful shall, unless expressly exempted by the Government of India, appoint a person to be called the Emigration Commissioner for one or more of the ports from which labourers for the country are embarked.

(2) The appointment of an Emigration Commissioner shall not take effect until the Government of India, by notification in the official gazette, has declared its approval of the appointment.

(3) The remuneration to be given to the Emigration Commissioner shall not depend on, or be regulated by the number of labourers sent by him, but shall be in the nature of fixed salary.

3. The Emigration Commissioner shall—

## Duties of Emigration Commissioner.

(a) be responsible for the diffusion of correct information regarding the country represented by him and for all arrangements for securing emigrants and assisting them to emigrate to that country; and

(b) control and be responsible for the operations of all persons engaged by him or under his orders for propaganda work connected with emigration to the country by which he is appointed or for assisting labourers to emigrate to such country.

## Inspectors of Emigration.

4. (1) The Emigration Commissioner shall, with the approval of the Local Governments concerned, divide into circles the area from which he wishes to secure emigrants for unskilled work. For each circle he shall appoint an Inspector of Emigration whose duty it shall be to supervise the work of all persons engaged in assisting or inducing labourers to emigrate to the country which he represents.

(2) The salary of an Inspector of Emigration shall be fixed and shall not depend on the number of emigrants obtained from his circle.

5. (1) The Emigration Commissioner may appoint as many persons as he may consider necessary for propaganda work and for assisting labourers to emigrate. Such persons shall be called Emigration Agents.

(2) Emigration Agents must be men of good character and respectability and should whenever possible be men who have actually worked in the country for which they are employed. They shall be paid a fixed salary which shall not depend on the number of emigrants recruited by them.

(3) No Inspector of Emigration appointed under Rule 4 may be appointed an Emigration Agent.

6. (1) Every Emigration Agent must be in possession of a valid license in Form No. 1 in the Schedule issued to him by the Emigration Commissioner.

(2) License shall be valid for a period of one year only, but may be renewed, if necessary, by the Emigration Commissioner for periods of three months at a time.

(3) The number of persons whom such license will authorize an Emigration Agent to assist to emigrate shall be specified therein.

(4) Copies of all licenses issued by him shall be sent by the Emigration Commissioner to the District Magistrate of every district in which the Agent is authorized to carry on his work.

7. No person, except under and in accordance with a license granted under Rule 6, shall induce or attempt to induce, any person to emigrate or to attempt to emigrate or to leave any place for the purpose of emigrating.

8. No person shall enter into, or attempt to enter into, any agreement with any person purporting to bind him to emigrate.

9. An Emigration Agent shall not recruit in a district for which he holds a license unless the license has been countersigned by the District Magistrate.

10. If a District Magistrate has satisfied himself, after such enquiry as he thinks necessary, that an Emigration Agent desiring to recruit in his District is by character or from any other cause, unfitted to be a recruiter under the Act, he may after giving such agent an opportunity of being heard, and after recording his reasons in writing refuse to countersign an Emigration Agent's license under Rule 9.

11. If the District Magistrate, having countersigned an Emigration Agent's license under Rule 9, afterwards finds reason to think that such Agent is, by character or for any other cause, unfitted to be an Emigration Agent under this Act, he may require him to produce his license, and may after giving such Agent an opportunity of being heard, if satisfied in this respect cancel the countersignature on it, or may impound the license and send it for cancellation to the Protector of Emigrants.

Notice to Emigration Commissioner of countersignature, refusal to countersign or cancellation of countersignature.

12. When a District Magistrate countersigns or refuses to countersign a license under Rule 9 or 10 as the case may be or cancels the countersignature on it under Rule 11 he shall at once report such countersignature, or such refusal or cancellation, to the Emigration Commissioner who granted the license.

Powers and duties of Sub-divisional Magistrates.

13. Where a license is limited to a sub-division or any part thereof the powers and duties imposed by Rules 9 to 12 shall be exercised and performed by the Sub-divisional Magistrate.

Power of Protector of Emigrants to cancel license.

14. (1) If any instance of misconduct, or disregard of these Rules or of the conditions of his license on the part of an Emigration Agent comes to the notice of a magistrate, he shall at once report it to the Protector of Emigrants who may on this ground after giving such Agent an opportunity of being heard cancel or suspend any license granted under Rule 6.

(2) The Protector may, after giving such Agent an opportunity of being heard, cancel or suspend a license granted under Rule 6 on the ground of misconduct or disregard of the Rules or of the conditions of the license, that comes directly under his own notice.

(3) Whenever a license is cancelled by the Protector under sub-rule (1) or (2), notice thereof shall be sent at once to the Emigration Commissioner who issued it.

Production of license before magistrate or police officer. Endorsement on license by magistrate.

15. Every Emigration Agent shall produce the license granted him under Rule 6 when called upon to do so by any magistrate or officer in charge of a police station. Should such magistrate desire to endorse on the license any remark concerning such Agent he shall be entitled to do so, and such remark shall be reproduced on all subsequent licenses issued to him until expunged by order of the Local Government, or of the District Magistrate to whom such magistrate or officer is subordinate.

#### II.—Statement of information to be supplied to emigrants.

Statement of information.

16. (1) An Emigration Agent shall furnish to every person whom he attempts to induce to emigrate a copy of the statement specified in sub-rule (2). A formal receipt therefor shall be obtained by the Emigration Agent from each intending emigrant.

(2) The statement shall be printed both in English and in the vernacular language or languages of the local area, in which the Emigration Agent operates in a form prescribed by the Emigration Commissioner and shall *inter alia* contain information on the following points:—

- (i) Climate of the country.
- (ii) Kind of work open to emigrant.
- (iii) Hours of work. Rest days allowed.
- (iv) Wages offered and the deductions (if any) made from them.
- (v) Arrangements for housing and treatment during sickness.

(vi) Cost of living in the country for a labourer. Whether rations cooked or uncooked are supplied and if so whether free or at a price.

(vii) Duration of the journey from India to the country. Arrangements made for journey.

(viii) Conditions of repatriation.

(ix) Facilities afforded in the matter of education, grants of land for cultivation and the observance of religious rites.

(x) Special punishment, if any, for labour offences.

(3) No statement shall be brought into use by the Emigration Commissioner until he has through the Local Government obtained the approval thereof by the Governor General in Council.

#### III.—Places of accommodation in areas in which emigrants are obtained.

17. In every district where the Local Government considers it necessary, the Emigration Commissioner shall provide sufficient and proper accommodation in a suitable place for such intending emigrants as he may collect pending their production before a magistrate and removal to the port of embarkation. Establishment of places of accommodation.

18. (1) The accommodation provided under Rule 17 shall be considered sufficient if the intending emigrants are kept in such a manner as would be regarded as comfortable by persons of their condition in the district in which they are obtained. The following points shall however invariably be observed:— Points to be observed in connection with places of accommodation.

(a) cleanliness, both of premises and of inmates,

(b) sufficiency of accommodation for the largest number of persons likely to be located in the place at one time. The number that the premises are capable of holding will be determined by the District Magistrate or the Protector and inscribed on a board conspicuously hung up for the information of visiting officers,

(c) a plentiful supply of good water within a reasonable distance,

(d) proper conveniences for purposes of nature and bathing,

(e) the exclusion of all women who are not emigrants or intending emigrants without special permission of the Emigration Commissioner,

(f) the provision of separate accommodation for women when desired by them or local or racial custom requires it,

(g) arrangements for the prevention of the outbreak of infectious diseases and of reporting outbreaks to the district medical officer,

(h) the keeping by the person in charge of an inspection book in which any persons inspecting the place may write their remarks.

(2) The Local Government may prohibit the use of any premises which it considers unsuitable and may require any improvements or alterations specified by it to be carried out as a condition of their continued use.

Inspection of and visits to places of accommodation.

19. (1) The District Magistrate shall arrange that a magistrate shall at least once a month visit and inspect every place of accommodation provided under Rule 17.

(2) The Local Government in a Presidency town and the District Magistrate elsewhere shall appoint a visiting committee composed of non-officials for the purpose of inspecting places of accommodation provided under Rule 17 and it shall be the duty of every member thereof to visit such places at such intervals as the Local Government or District Magistrate, as the case may be, may determine.

(3) Any authorised person inspecting a place of accommodation may record his remarks in an inspection book to be provided by the Emigration Commissioner. A copy of such remarks shall be forwarded at once by the Emigration Agent to the Emigration Commissioner and to the District Magistrate.

(4) The places of accommodation shall be open to inspection by any district and sub-divisional officers and by any non-officials appointed under sub-rule (2) and all members of district, taluk, or local Boards within whose jurisdiction such places are situated, and Emigration Agents or other persons in charge of these places shall afford every authorised visitor every facility for visiting and inspecting them.

(5) Friends and relatives of the intending emigrants shall be permitted to visit places of accommodation and be allowed to converse with them and to induce any of them not to emigrate.

#### IV.—Restrictions on recruiting by Emigration Agents.

Operations not to be extended to pilgrim centres. 20. Emigration Agents shall not carry on their operations in pilgrim centres during times of pilgrimage or festivals.

Persons below the age of 18 years and women unaccompanied by a relative not to emigrate. 21. No person below the age of 18 years not accompanying one of his parents or his guardian and no woman unaccompanied by a relative over 18 years of age shall be assisted to emigrate.

Restriction on emigration of single men. 22. The number of unmarried men or men unaccompanied by their wives who may be assisted to emigrate to any one country in any one year shall not exceed one to every five persons over 18 years of age so emigrating :

Provided that the Governor General in Council may exempt any specified country from this Rule or may at his discretion modify the ratio fixed thereby.

#### V.—Production before a magistrate.

23. (1) Prior to despatch to the port of embarkation every intending emigrant shall be produced before a magistrate appointed in this behalf by the Local Government and such magistrate may examine such emigrant regarding his reasons for emigrating and his knowledge of the conditions on which he is going. The Emigration Agent shall not be present at any such examination. Emigrants originating from the port of departure itself shall be produced before a Presidency or other magistrate appointed in this behalf at the port. Product: of emigrants before magistrates.

(2) The Emigration Agent shall submit in triplicate to the magistrate a nominal roll in Form No. 2 in the Schedule of the persons whom he proposes to assist to emigrate.

24. (1) On production of intending emigrants before a magistrate under Rule 23(1) the magistrate shall check the persons so produced with the nominal roll forwarded to him under Rule 23(2) and shall examine them in order to satisfy himself that the Act and these Rules have been complied with. Magistrate to of nominal:

(2) If on examination of any intending emigrant he finds—

- (a) that (where such person is below the age of 18 or is a woman) he bears to one of the other intending emigrants not so disqualified the relationship stated in the roll;
- (b) that in all other cases—
  - (i) he has been recruited by a licensed Emigration Agent,
  - (ii) he is willing to emigrate and understands the statement of information supplied to him under Rule 16,
  - (iii) he has not been induced to emigrate by any coercion, undue influence, fraud, misrepresentation or mistake.

such magistrate shall record in the three copies of the roll that such person is permitted to emigrate.

(3) If the magistrate is of opinion that any intending emigrant or any of his dependents should not be permitted to emigrate, he shall record on the copies of the roll a remark to this effect, stating his reasons.

(4) If the magistrate feels any doubt as to the alleged relationship of any dependent he may make further enquiry and call for further evidence before recording his orders on the roll.

(5) One copy of the roll shall after check under sub-rule (1) and after such amendments as are necessary be filed in the office of the magistrate and the remaining two copies handed to the Emigration Agent for submission to the Protector at the port of embarkation and the Emigration Commissioner.

25. No person rejected under Rule 24(3) shall be permitted to emigrate and every person so rejected shall, with his dependents, if any, be returned to his home, at the expense of the Emigration Agent. Rejected grants.

26. (1) Any person desiring to emigrate and claiming to be exempted from the provisions of the Act and these Rules relating to emigrants may appear before a magistrate with evidence, oral or documentary, that he is not an "emigrant" within the meaning of section 2 (b) (i) or 2 (b) (ii) of the Act (as the case may be) together with (in the case of a person claiming to be so exempted on the ground that he has already resided in the country to which he is desirous of emigrating) documentary evidence of his identity purporting to be attested by a magistrate in such country:

(2) The magistrate, after such enquiry as he thinks necessary, shall if satisfied that the applicant is not an "emigrant" to such country within the meaning of section 2 (b) (i) or (ii), as the case may be, grant him a certificate to that effect and shall endorse the documentary evidence of identity (where such is produced).

(3) A certificate granted by a magistrate and the documentary evidence of identity endorsed by the magistrate under sub-rule (2) shall, if produced before any magistrate, authority or officer acting under this Act, not later than six months after the granting thereof, be conclusive proof that the person named therein is not an "emigrant" to the country specified therein within the meaning of the Act.

#### VI.—Conveyance of emigrants to the port of embarkation.

Despatch of persons permitted to emigrate.

27. Every person permitted to emigrate under the Act or these Rules must be conveyed with all convenient despatch, by or under the orders of the Emigration Agent to the place of accommodation established under Rule 30.

Competent person to accompany emigrants to port of embarkation.

28. (1) When an emigrant has been examined under Rule 24 at a place beyond the limits of the port of embarkation, he must while proceeding to the port be accompanied throughout the journey either by the Emigration Agent himself or by a competent person appointed in that behalf by the Emigration Commissioner.

(2) The Emigration Agent or the person so appointed shall, throughout the journey, provide the emigrant with proper and sufficient food and lodging, if necessary.

#### VII.—Non-recruited emigrants.

Non-recruited emigrants.

29. (1) Persons who desire to obtain assisted passages, but do not desire the assistance of Emigration Agents, may apply direct to the Emigration Commissioner of the country to which they wish to proceed. The application shall be accompanied by a certificate in Form No. 3 in the Schedule from a local magistrate.

(2) If the Emigration Commissioner agrees to grant assisted passages to any persons applying to him under sub-rule (1), they may be assisted to proceed to the place of accommodation established under Rule 17 and shall be dealt with thereafter in the same manner as persons assisted to emigrate by Emigration Agents.

#### VIII.—Places of accommodation at the port of embarkation.

Places of accommodation at port of embarkation.

30. Every Emigration Commissioner shall establish at every port for which he is appointed or at any other convenient locality approved by the

Local Government a suitable place of accommodation for the reception and lodging of emigrants before embarkation for the country for which he is Emigration Commissioner, and shall provide all necessary food and clothing for all emigrants during their stay at the place.

31. A place of accommodation established under the preceding rule shall not be used for the reception and lodging of emigrants until it has been inspected and approved by the Protector and the Medical Inspector and a license for its use has been granted by the Protector in Form No. 4 in the Schedule.

32. The Protector may at any time cancel a license granted under Rule 31—

- (a) if he considers that the place licensed has become unhealthy, or has in any respect become unsuitable for the accommodation of emigrants, or
- (b) if the Emigration Commissioner failed, after reasonable notice, to comply with any of the requirements of these rules in respect of such place.

33. The arrival at the place established under Rule 30 of each emigrant shall immediately be reported by the person in charge to the Emigration Commissioner who shall submit a weekly return of such arrivals to the Protector.

34. (1) The Protector and the Medical Inspector shall, from time to time, and at least once in every week during which any emigrants may be kept in any place, inspect the emigrants and examine the state of such place, and the manner in which the emigrants therein are lodged, fed, clothed and otherwise provided for and attended to.

(2) The Protector and the Medical Inspector shall, in their inspection and supervision of the places, comply with the directions framed for their guidance by the Local Government.

35. A resident medical officer, approved by the Medical Inspector, shall be appointed for each place of accommodation established under Rule 30 by the Emigration Commissioner, and his name shall be registered in the Protector's office. He shall keep a hospital register in Form No. 5 in the Schedule and shall place it before that officer when he visits the place. The Emigration Commissioner may appoint any additional medical officer with the approval of the Protector.

36. The site of every place of accommodation established under Rule 30 and the disposition and construction of the sheds appertaining thereto shall, from a sanitary point of view, be subject to the approval of the Medical Inspector who shall, if he approves the same, furnish the Protector with a certificate of such approval.

37. (1) Every place of accommodation established under Rule 30 shall be open to inspection by any non-official persons whom the Local Government may appoint for the purpose.

(2) A visitors' book shall be kept in each place of accommodation in which the Protector and Medical Inspector and any non-official visitors visiting the place under sub-rule (1) shall enter the dates of their visits and may make any such suggestions or remarks as they deem advisable.

(3) Friends and relations of emigrants shall also be permitted to visit the place of accommodation and shall be free to converse with and induce any emigrants to return to their homes.

**Residence of Emigration Commissioner in or near place of accommodation.** 38 The Emigration Commissioner shall reside or shall depute a responsible representative to reside within or in some place immediately adjoining every place of accommodation, established under Rule 30 with a view to the exercise of immediate and efficient control over subordinates, and to the prevention of irregularities.

**Registers to be maintained and returns to be submitted.** 39. The Emigration Commissioner shall cause registers for every place of accommodation established under Rule 30 to be kept in Forms Nos. 6 and 7 in the Schedule and the entries therein to be punctually, legibly and accurately made. An annual return of accommodation and a monthly return of sickness in such place shall likewise be prepared respectively in Forms Nos. 8 and 9 in the Schedule, and shall be forwarded by the Emigration Commissioner to the office of the Protector. A weekly hospital report in Form No. 10 in the Schedule shall also be furnished by the Emigration Commissioner to the Medical Inspector.

**Procedure on occurrence of infectious or contagious diseases.** 40. (1) In the event of cholera, small-pox or other communicable disease appearing in a place of accommodation established under Rule 30, every emigrant or dependent attacked shall be sent to an outside hospital for treatment; and the relatives of the affected person, if any, not accompanying the patient and all contacts shall at the same time be placed in a segregation shed situated in an isolated part of the premises; and shall not be permitted to move or be removed thence without the written permission of the resident medical officer appointed under Rule 35.

(2) Relatives accompanying an affected person to an outside hospital shall be provided with either food or a subsistence allowance.

**Report of casualties.** 41. The removal of any emigrant from the register kept in Form No. 6 for any cause other than embarkation, or any death or other casualty shall be reported in Form No. 11 in the Schedule to the Protector on the following day; and any death from whatsoever cause, shall be reported to the Medical Inspector before noon on the following day.

**Deaths.** 42. (1) In the case of the death of an emigrant before embarkation, the Emigration Commissioner shall make a correct inventory of the property of each emigrant in a register to be kept in Form No. 6 in the Schedule and shall forward such property, with the exception of foul clothing which shall be burnt together with a descriptive list of them to the office of the Protector for disposal.

(2) The Emigration Commissioner shall also notify the death to each of the successors designated in column 14 of Form No. 6.

(3) Claims made by relatives shall also be communicated to the Protector, who shall after making enquiry as to heirs, dispose of the estate as circumstances may render necessary.

#### - IX.—*Examination before embarkation.*

**Nominal roll of emigrants about to embark.** 43. A nominal roll in duplicate of all emigrants who are about to embark shall be prepared in Form No. 12 in the Schedule and special care shall be taken by or under the direction of the Emigration Commissioner that the entries therein are correctly and legibly written.

44. (1) Emigrants before leaving the place of accommodation established under Rule 30 shall be carefully identified with the entries in the nominal roll prescribed by Rule 43 and examined as to their fitness to undertake the voyage by the Medical Inspector, who shall make over the nominal roll with the report of his inspection to the Protector.

(2) The Protector shall examine the emigrants and shall refuse permission to an emigrant to leave the country on any of the following grounds:—

(i) If the Medical Inspector reports that he is unfit to undertake the journey to the country to which he or the person on whom he is dependent, as the case may be, has agreed to emigrate;

(ii) If the provisions of the Act or of these rules have not been strictly observed or have been in any way contravened; or

(iii) If he appears not to have understood the conditions on which he is proceeding and such conditions being adequately explained to him is unwilling to embark.

45. (1) The Protector shall state on each copy of the nominal roll prescribed by Rule 43 whether each emigrant is permitted to embark or is refused permission recording briefly his reasons in the case of refusal.

(2) One copy of the nominal roll shall be recorded in the office of the Protector and the other copy made over to the Emigration Commissioner for record in his office.

46. No emigrant shall be allowed to embark until three days have elapsed from the date of his arrival at the place of accommodation established under Rule 30.

47. Emigrants who are refused permission to embark by the Protector under Rule 44 (2) (i) on account of temporary physical unfitness to undertake the voyage, shall, if the Medical Inspector so recommends, be maintained in the place of accommodation until permitted by the Protector to proceed. Any relative of the detained emigrant who wishes to remain with him in the place of accommodation shall also be maintained in it and, if an emigrant, not forced to embark.

48. Emigrants who are not permitted by the Protector to embark on account of permanent unfitness to undertake the voyage and other persons rejected on the grounds specified in Rule 44 (2) (ii) and (iii) shall, together with their dependents, if any, be returned through the Protector's office to the villages from which they came at the expense of the Emigration Commissioner.

49. All emigrants rejected shall be examined by the Medical Inspector on the day on which they are to be returned to their districts, and only those that are certified by him to be able to travel shall be allowed to return at the expense of the Emigration Commissioner. The rest shall be supported in the place of accommodation and be there treated until the Medical Inspector certifies to their being in a fit state of health to undertake the journey to the place from which they were brought.

50. A fee shall be levied for each emigrant permitted by the Protector to embark at such rate as may from time to time be fixed by the Governor General in Council. This fee shall not in any case

Examined before embarkation

Recording Protector's orders

Emigrant to embark three

Detention of emigrant regarding whom a question has been raised

Disposal of rejected emigrant

Examination of rejected emigrants before departure to their homes.

Fee to be charged emigrants permitted to embark



be payable by or recoverable from the emigrant but shall be paid by the Emigration Agent or the Emigration Commissioner.

#### X.—Returned Emigrants.

Lodging of returned emigrants.

51. (1) Returned emigrants shall on their arrival at the port of disembarkation be accommodated in the place of accommodation appointed by the Emigration Commissioner on that behalf, where they shall be properly lodged and provided for until the Emigration Commissioner is in a position to arrange for their departure to their homes.

(2) The Emigration Commissioner shall prepare in Form No. 13 in the Schedule a list of the sick and helpless returned emigrants and after the Medical Inspector has endorsed his remarks thereon shall forward it to the Protector.

Treatment of sick returned emigrants.

52. Sick returned emigrants, unless unwilling, shall be treated in the hospital in the place of accommodation appointed under Rule 51(1) or in any other hospital according to circumstances; and on their discharge from hospital, shall be dealt with like other returned emigrants who need no medical treatment.

Despatch of returned emigrants to their homes.

53. Returned emigrants shall, if they desire it, and if the terms on which they emigrated entitle them to be so returned be returned to their native districts at the expense of the country concerned. Such returned emigrants as are considered by the Medical Inspector to be physically or mentally helpless, shall be so returned by the Emigration Commissioner under proper escort.

Payment of deposits made in the colony by returned emigrants.

54. (1) If any returned emigrants are known to have deposited money for transmission to India through the Government of the country from which they have returned the Emigration Commissioner shall without delay make payment to them in Indian money, at the correct prevailing rate of exchange at the port of disembarkation, of the equivalents of the amounts so deposited. Should any such emigrants so desire, the Emigration Commissioner shall assist them to obtain postal money orders payable to themselves at any post office they may name in place of notes or silver, which they should be discouraged from carrying about with them.

(2) The amounts payable in the cases of emigrants who may have died on the voyage, together

with any unclaimed property left by such emigrants, shall be forwarded by the Emigration Commissioner to the Protector for disposal in such manner as may be prescribed by the Local Government.

55. The Emigration Commissioner shall report to the Protector of Emigrants, with reference to each batch of returning emigrants, the number of such emigrants which embarked from the country and the number, if any, which died during the voyage to the port of disembarkation.

Report to Protector of deaths during the voyage.

#### XI.—Agents appointed under section 7 of the Act.

56. (1) The Agents appointed under section 7 of the Act shall be generally responsible for the welfare of the emigrants and for carrying out the purposes of the Act.

Agents appointed under section 7.

(2) They shall obtain information on any matters affecting the welfare and status of Indians in the countries in which such Agents are employed and communicate it to the Government of India.

(3) They shall prepare and submit annual reports, in such form as may be prescribed, regarding the condition of Indians in the country in which they are located.

(4) They shall protect and advise, as far as possible, all classes of Indian emigrants within their charge and bring their requirements to the notice of the proper authorities in India or in the country to which they are accredited.

(5) They shall, in the case of countries to which the emigration of unskilled labourers is permitted under section 10 of the Act, inspect on arrival every ship specially chartered for conveying emigrants, maintain registers of the Indians arriving in and departing from the country, visit places where the Indians work and reside, and satisfy themselves that the conditions on which emigration is permitted are being strictly observed.

(6) They shall be directly subordinate to the Government of India.

(7) In carrying out the above duties an Agent shall act in co-operation with the Immigration Department of the Government of the country in which he is employed.

### Part II.

#### RULES FOR SKILLED LABOUR.

Application for permission to engage or assist persons to emigrate under section 16.

57. Every application under section 16 of the Act for permission to engage, or to assist any person or persons to emigrate for the purpose of skilled work shall, besides furnishing information required on the various points referred to therein, show clearly and fully the name of the applicant, his father's name, the place of his residence, and his occupation or profession.

Certificate to be granted by Protector to the applicant.

58. Where the permission applied for is granted by the Local Government it shall forward to the Protector at the port from which the intending emigrants are to embark, a copy of the application and the order of permission passed thereon under section 17 of the Act.

59. The Protector shall, if the Local Government so directs, give to every person permitted to engage, or assist, any person to emigrate under the provisions of Chapter IV of the Act a certificate in Form No. 14 in the Schedule.

Before giving such certificate the Protector shall satisfy himself that every emigrant has been supplied by the recruiting agency with a written statement explaining the terms of his employment and the general conditions of life obtaining in the country to which the emigrant intends to proceed.

Register of complaints to be maintained by Protector.

60. The Protector shall maintain a register of complaints received by him from emigrants registered by him under section 18 of the Act, whether made during their absence from India or after their return and shall record briefly the results of any investigation made by him and the action taken. The register shall be maintained in Form No. 15 in the Schedule.





## FORM No. 3.

*Form of Certificate for persons applying for assisted passages without the intervention of Emigration Agent.*

PERSONS APPLYING FOR ASSISTED PASSAGES.		DEPENDENTS.		Sex.	Age.	Caste.	Occupation.	RESIDENCE.		
Name.	Father's name.	Name.	Relationship to emigrant.					District.	Thana.	Village, Town or Mohalla.

Certified that the persons named and described above are desirous of proceeding to the country of \_\_\_\_\_ if granted assisted passages. They do not appear to have been induced to emigrate by any Emigration Agent or any other person and their emigration is not prohibited by the Emigration Act or the rules framed thereunder. I

*Dated at*  
52GI

*Magistrate of*



FORM No. 8.

Register of place of accommodation.

1	Date of admission into the place.	
2	Place of accommodation No.	
3	Name.	MIGRANT.
4	Father's name.	
5	Name.	DEPENDENTS.
6	Relationship to others accompanying.	
7	Sex.	
8	Age.	
9	Caste.	
10	District.	RESIDENCE.
11	Thana.	
12	Village or town and mohalla.	
13	Distinguishing marks.	
14	Name and residence.	SUCCESSOR TO RESIDE IN INDIA.
15	Father's name.	
16	Relationship.	
17	If a returned emigrant, from what colony.	
18	Date of magistrate's order permitting emigration.	
19	Place of recruitment and name of Emigration Agent.	
20	Date.	IF NOT EMPLOYED, GIVE AND DATE OF RE-EMBARCATION.
21	Cause.	
22	Date of embarkation and name of ship.	
23	REMARKS.	

FORM No. 7.

Form of register of deceased emigrants' property.

Particulars of effects (other than worn clothing) of deceased emigrants as recorded by the Emigration Commissioner for \_\_\_\_\_ during the \_\_\_\_\_ year 19 . .

Date of death.	Serial No.	Name.	Sex.	No. in register of place of accommodation.	DESCRIPTION OF PROPERTY LEFT.		Date of delivery of property to Protector of Emigrants.	No. and date of official communication accompanying property.	REMARKS.
					Money.	Miscellaneous articles.			

FORM No. 3.

Accommodation Return.

Return of emigrants accommodated in the place of accommodation of the \_\_\_\_\_ Agency during the year 19 \_\_\_\_\_

1	District from which emigrating.	CASUALTIES en route.
2	Number despatched from place of accommodation in recruiting district.	
3	Infants born on the way.	
4	Left behind on the way.	
5	Released.	
6	Deserted.	
7	Died.	
8	Arrived from recruiting districts.	CASUALTIES IN DEPORT.
9	Number at close of previous year.	
10	Transferred from other places of accommodation.	
11	Re-admitted from outside hospital or asylum.	
12	Born in place.	
13	Total of columns 8-12.	
14	Rejected as unfit.	
15	Released.	
16	Transferred to other places.	
17	Sent to outside hospital or asylum.	
18	Disposed of as orphans.	
19	Deserted.	
20	Died.	
21	Despatched to colony.	REMARKS.
22	Number at close of year.	
23	Number of returned emigrants emigrating gain.	
24	Number of returned emigrants.	
25	Account of savings of returned emigrants.	
26		

FORM No. 9.

Form of report of sickness at the place of accommodation.

Return of sickness among Emigrants accommodated in the place of accommodation of the \_\_\_\_\_ Agency during the month of \_\_\_\_\_ 19\_\_

Disease.	Number remaining under treatment from last month.	Number admitted during the month.	UNDER TREATMENT DURING THE MONTH.			Discharged.	Sent to outside hospital or asylum.	DEATHS.			Under treatment at close of the month.	REMARKS.
			Men.	Women.	Children.			Men.	Women.	Children.		
1	2	3	4	5	6	7	8	9	10	11	12	13

Number remaining in the place of accommodation at the close of last month	...	Persons.	(a) Daily average strength	...	Persons.
Admitted during the month	...	Persons.	(b) Daily average of sick	...	Persons.
	...	Persons.	(c) Percentage of sick to strength	...	Persons.
Total	...	Persons.	(d) Percentage of deaths to strength	...	Persons.

Dated at \_\_\_\_\_ 19\_\_ } Resident Medical Officer.

N.B.—The following rule should be observed:—

- (a) To find the daily average strength of emigrants, divide the sum of the total number of persons present daily by the total number of days.
- (b) To find the daily average number of sick add together the number of sick in hospital for each day, and divide the total by the number of days.
- (c) To find the rate per cent of daily average of sick to strength, take the daily average number of sick and multiply the number by 100, and divide the product by the daily average strength.
- (d) To find the rate per cent of deaths to daily average strength multiply the total number of deaths by 100, and divide the product by the daily average strength.

Instructions.—This monthly return to be forwarded to the Medical Inspector, and a duplicate to the Protector of Emigrants within a fortnight of the month following that to which it relates.  
 NOTE.—When cases are returned as 'fever' and are not either simple, continued or malarial fever, a note should be added specifying the kind of fever from which the emigrants are suffering.  
 Forwarded to the Protector of Emigrants.

Dated at \_\_\_\_\_ 19\_\_ } Emigration Commissioner for

## FORM No. 10.

*Form of weekly Hospital Report.*

Return of diseases for which Emigrants were treated in the Hospital of the place of accommodation for the week ended \_\_\_\_\_ 19\_\_

Diseases.	ON THE SICK LIST.			REMOVED FROM THE SICK LIST.				Remaining under treatment at the close of the week.	REMARKS.
	Remaining from last week.	Admitted during the week.	Total number.	Discharged.	Deserted.	Died.	Total deduction.		
Cholera ... ..									The following diseases were found amongst the emigrants on arrival at depot:—  Fever. Diarrhoea. Cholera. Measles. Small-pox. Syphilis. Ophthalmia. Anæmia. Dysentery. Hydrocele. Jaundice. Other diseases.
Dysentery ... ..									
Diarrhoea ... ..									
Fever ... ..									
Measles ... ..									
Small-pox, pneumonia, Bronchitis.									
Other affections of the respiratory system.									
Veneral affections.									
Other diseases ...									

*Particulars of fatal cases.*

Name of patient.	Caste.	Sex.	Age.	District.	Admitted to place.	Admitted to hospital.	Disease.	Date of death.

Daily average of depot population.

Percentage of sick to population.

Daily average of sick.

Percentage of deaths to population.

Depot Surgeon.

NOTE.—When cases are returned as 'fever' and are not either simple, continued or malarial fever, a note should be added specifying the kind of fever from which the emigrants are suffering.

Memo. No.

Forwarded to the Medical Inspector for information.

Dated at

The of 19

Emigration Commissioner for

FORM No. 11.

Form of Report of casualties in place of accommodation.

Return of emigrants removed from the attendance roll of the \_\_\_\_\_ place of accommodation on the \_\_\_\_\_ 19\_\_

Names of emigrants and dependants.		PARTICULARS OF PLACE OF ACCOMMODATION.		PARTICULARS OF CASUALTIES.		PARTICULARS OF REJECTION.		PARTICULARS OF RELEASE.		Whether released with consent of Protector of Emigrants.	REMARKS.
Father's name.	Caste.	Date of admission into place of accommodation.	Number in place of accommodation.	DESSERTION.	DEATH.	Date.	Cause.	Whether by Protector of Emigrants or by Emigration Commissioner.	Cause to be specified as to whether—		
Age.	Sex.	Date of magistrate's order permitting emigration.	Name of Emigration Agent.	Date.	Cause, if ascertainable.	Date.	Cause.	Date.	1. On account of rejection of relatives, or 2. Irregular recruitment, or 3. Unwillingness to emigrate, or 4. Unwillingness of relatives to emigrate, or 5. Claims of relatives, or 6. Non-requirement by agency, or 7. Any other cause.		
									NOTE.—Any of the first six causes may be specified by entering the indicating number against the emigrant's name but 'Any other cause' should be fully stated—		

Memd. No.

Forwarded to the Protector of Emigrants for information.

Dated at

The

19 . }

Emigration Commissioner for

N.R.—This return, should invariably be forwarded to the Protector's office on the date following that on which any reduction of the number of emigrants in the depot occurs from any cause whatever except embarkation.



FORM No. 12.

*Nominal Roll of Emigrants who propose to embark.*

Serial No.	Place at which produced before magistrate.	Date of magistrate's order permitting emigration.	Name.	Father's name.	Age.	Caste.	RESIDENCE.			Capacity in which emigrating.	SUCCESSOR TO ESTATE IN INDIA.			Orders of the Protector.
							District.	Thana.	Village town and mohalla.		Name and residence.	Father's name.	Residence.	



## FORM No. 14.

*Form of certificate to be granted by the Protector to an applicant to engage, or to assist, emigrants for skilled labour.*

Certified that \_\_\_\_\_ resident of \_\_\_\_\_ has been permitted by the Government of \_\_\_\_\_ to engage, or to assist, the person or persons, named below, to emigrate for the purpose of \_\_\_\_\_ and that the requirements of Chapter IV of the Indian Emigration Act, 1922, and of the rules thereunder have been fulfilled.

Particulars of person or persons engaged or assisted to emigrate, and of his or their dependents, if any.

Name.	Father's name.	Village or town, thana, tehsil or taluk and district of residence.	Serial number in Register maintained under Sec. 18 of the Indian Emigration Act, 1922.
1	2	3	4

## FORM No. 15.

*Register of complaints from emigrants.*

Country to which Emigrant proceeded.	Date and number of registration of Emigrant in Register maintained under Section 18 of the Indian Emigration Act, 1922.	Date of complaint.	Substance of Complaint.	Summary of investigation made.	Action taken.
1	2	3	4	5	6

J. HULLAH,

*Secretary to the Government of India.*

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**DEPARTMENT OF COMMERCE.**


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**NOTIFICATION.**
**TRADE AFTER THE WAR—IMPERIAL PREFERENCE.**

*Simla, the 5th August, 1922.*

**No. 3962.**—On the termination of his appointment as Member of the Fiscal Commission, the services of Mr. B. A. Mant, C.S.I., I.C.S., are placed at the disposal of the Government of the Punjab, with effect from the 6th July 1922.

This Department Notification No. 3661, dated the 22nd July 1922, is hereby cancelled.

H. A. F. LINDSAY,

*Secretary to the Government of India.*

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**DEPARTMENT OF EDUCATION AND HEALTH.**


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**NOTIFICATION.**
**MEDICAL.**

*Simla, the 2nd August, 1922.*

**No. 486.**—The services of Captain H. Aung Kin, M.B., I.M.S., are placed temporarily at the disposal of the Government of Burma.

M. S. D. BUTLER,

*Secretary to the Government of India.*

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**ARMY DEPARTMENT.**

*Simla, the 4th August 1922.*

**PART A.**
**PROMOTIONS.**
**STAFF.**

**No. 1304.**—Captain (now Brevet Lieutenant-Colonel) L. V. Bond, Royal Engineers, is granted, subject to His Majesty's approval, the temporary rank of Lieutenant-Colonel while holding an appointment as General Staff Officer, 1st grade. From 18th December 1916 to 17th January 1917.

**INDIAN ARMY.**

**No. 1305.**—The following promotions are made, subject to His Majesty's approval :—

*Majors to be Lieutenant-Colonels.*

Seymour Bazett, Supernumerary List. Dated 24th June 1922.

John Cunliffe Gretton, Commandant, 126th Baluchistan Infantry. Dated 19th July 1922.

*Lieutenant to be Captain.*

Harold Victor Bartlett, attached 91st Punjabis (Light Infantry). Dated 29th June 1920.