

REPORT
ON THE
CONDITION
OF
INDIANS
IN
MAURITIUS

BY

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CHAPTER I.—INTRODUCTORY.

Object of Enquiry.

In 1924-25, Kunwar (now Sir) Maharaj Singh was deputed by the Government of India to visit Mauritius to enquire into the effect which further emigration from India might have on the general and economic condition of Indian labour already domiciled in the Colony. His report embodies a survey of the conditions obtaining amongst the Indian population at the time. As a result of his investigations, the Government of India decided to terminate emigration from India, and within a short space of time a large proportion of the Indians who had recently come to the Colony under indenture, returned to India.

2 In 1937 there was serious labour unrest in the Colony culminating in disturbances on several estates and in one or two cases the police had to resort to firing. As a result, a Commission under the Chairmanship of the Honourable C. A. Hooper, the Procureur and Advocate-General, was appointed to make an enquiry into the causes of the unrest and to make such recommendations as it thought fit. The report of the Commission, which was published in 1938, revealed that all was not well with the Indian community. The Indian labourer and the Indian small planter had grievances, some of which the Commission thought should be removed. Certain action was thereafter taken in this respect by the Government of the Colony. I was then deputed by the Government of India to visit Mauritius to investigate the general position of the Indian community, and more particularly, the grievances of the Indian labourers and small planters.

Voyage and Itinerary.

3. I sailed from Durban on the T. S. S. "Boissevain" on May 22nd and arrived at Port Louis on the 26th. Through the kindness of His Excellency the Officer administering the Government, I had the pleasure of staying at Government House for a few days after my arrival and for a few days immediately prior to my departure from the Colony. During the intervening period I stayed at a hotel in Vacoas, which is situated practically in the centre of the island, and where the majority of Heads of Government Departments reside. The Director of Labour kindly placed an office at my disposal in Port Louis, which I visited most days for the purpose of interviews. I visited a number of sugar estates in all parts of the island; inspected several sugar mills; watched and talked with the Indian labourers in the fields; visited camps on estates where Indian labourers are housed and inspected estate hospitals. Outside the sugar estates I visited the Civil Hospital in Port Louis and some other district hospitals; the Royal College at Curepipe and the Royal College School at Port Louis; a number of primary schools; the Muslim Orphanage and one or two Child Welfare Centres. I met practically all the Heads of Departments and most non-official members of the Council of Government. I also had discussions with the Chamber of Agriculture, the Indian Planters' Association, the Indian Labourers' Industrial Association, Moka, and all Indian leaders. I left Port Louis on the S. S. "Umtali" on the 8rd July and arrived in Durban on the 13th July.

Description of the Island.

4. The island of Mauritius, which is situated in the South Indian Ocean about 1,500 miles from the East Coast of Africa, has an area of about 716 square miles. It was probably known to Arab navigators at an early date and was no doubt visited later by the Malays who colonised Madagascar in the fifteenth and sixteenth centuries. It was re-discovered by the Portuguese in 1507. The Dutch took possession of the island from 1598 and imported negroes for labour. The island was abandoned by the Dutch in 1710 and annexed by the French in 1715. In 1810 after the battle of Ile de la Passe the island came under British control. The abolition of slavery led to serious labour difficulties and large scale immigration from India was resorted to. By 1861 Indians comprised 62 per cent. of the population and this percentage, except for a small increase, has been maintained ever since.

5. Apart from the Indians, who came out under indenture to work on the sugar estates, a small number of Indians came to the island for purpose of trade. At the present time the majority of Indians are still employed on the sugar estates, but in addition they now have virtually a monopoly of the motor and vehicular transport in the island, the supply of fruit and vegetables, the milk industry, and to a large extent control of the textile and grain industries. Indians control most of the cinemas, and in 1938 owned 88.6 per cent. of the total area under sugar cane.

Population.

6. The population is roughly divided into two sections—(a) the general population and (b) the Indian population. The general population includes the British, French of pure descent, Chinese, and people of mixed origin, generally termed Creole. The following table shows the resident population of Mauritius at each census since 1846 and also the estimated population on the 31st December, 1938:—

Year of Census.	General Population.	Indian.	Total.
1846	102,217	56,245	158,462
1851	102,827	77,996	180,823
1861	117,416	192,634	310,050
1871	99,784	216,258	316,042
1881	110,881	248,993	359,874
1891	114,668	255,920	370,588
1901	111,937	259,086	371,023
1911	111,094	257,697	368,791
1921	110,961	265,624	376,485
1931	124,589	268,649	393,238
Estimated 1938	134,172	269,546	403,718

The density of population is 546 to the square mile which is very high for an agricultural country. The common language of the island is Creole, a French patois. In recent years there has been a revival of Indian vernaculars which has received an additional impetus with the advent of Indian films. The newspapers of the island are almost all in French. The British

in the island number a mere 200, and English is scarcely spoken outside official and British business circles and schools. In the Indian population any disproportion between the sexes as a survival from the days of indenture has now been practically corrected and in 1931 the ratio of male to female was only 1.08.

7. In dealing with figures of population, one has to take into consideration the fact that Indians, who have been converted to Christianity or who have adopted European customs, generally cease to regard themselves as Indians and are classed amongst the general population. This is perhaps the chief reason why the Indian population appears to have been stable since 1881.

CHAPTER II.—THE INDIAN SMALL PLANTER.

General.

8. Sugar is the life blood of Mauritius. It is almost the sole industry in the island and represents no less than 98 per cent. of the exports. The whole economic life of the island revolves around it and a rise or fall in the price of sugar has immediate repercussions in almost every sphere of life and activity in the island. While it is true that the industry depends on the Imperial Preference given by the British Government, the industry has taken every possible step to attain the maximum efficiency. This has been secured firstly, by centralisation of milling. In 1875, there were 171 factories and this number is now reduced to 38. Secondly, the quality of cane has been greatly improved. Thirdly, a Sugar Syndicate has been established to eliminate competition in the sale of sugar; and fourthly, a limitation of areas system has been introduced to eliminate competition for the canes of small planters for crushing. Mauritius growers voluntarily pool their sugar and offer it for sale in competitive world markets.

Articles 12 and 13 of Ordinance No. 27 of 1939 will show that the limitation of areas applies to the large wealthy planters without mills, as well as to the small planters, and also to millers, and Article 14 produces strong bargaining, while the arbitration powers of the Central Board in case of failure to agree, ensure a fair deal.

9. The cane growers of the island fall into two well defined groups. The first comprises large estates, some of which are owned by the millers. The second comprises small planters, *i.e.*, planters producing less than 1,000 tons of cane per annum, and although no exact record is as yet maintained, the number is estimated at 20,000, almost all of whom are Indians. There is only one Indian mill owner, but there are a few Indians owning fairly large estates. The small planters supply about 20 per cent. of the total canes crushed. The area of land under cultivation held by Indians is 56,025 acres out of which 42,830 acres are owned and worked by Indian small proprietors. The small planters are often themselves labourers. They are entirely dependent on the miller for crushing their canes. Large planters are equally dependent on millers. At the same time, some millers are dependent on the small planters for an adequate supply of canes to keep the mills fully employed during the crop season.

Grievances.

10. The grievances of the small planters were partly responsible for the unrest of 1937. According to the Hooper Commission Report, the following were the main grievances:—

- (i) the excessive amount charged by the factory for crushing canes;

- (ii) a cut of 15 per cent. for Uba cane;
- (iii) being compelled to deal through a particular dealer;
- (iv) the limitation of areas system;
- (v) lack of credit facilities; and
- (vi) the absence of control over weighbridges.

11. I propose to take each of these grievances in turn, describe it in some detail, and quote the finding of the Hooper Commission and its recommendation thereon. I will thereafter explain the action so far taken by the Government, and indicate to what extent the grievances have been removed.

(i) *Charge for crushing.*

12. Under the system prevailing until the present crop season the miller has retained a portion of the sugar derived from the canes supplied and returned the balance to the planter. The average return was estimated by the Hooper Commission at about 69 kilos of sugar per ton of canes delivered; irrespective of the yield of sugar per ton of cane. When the canes were supplied through a dealer, the dealer was allowed to retain 5 or 6 kilos of sugar per ton of cane for his services. The complaint of the planters was that they did not receive sufficient sugar from the miller per ton of cane sent to the mill to be crushed.

13. The Hooper Commission accepted the principle that millers and planters should be regarded as partners in one and the same industry. It found that the return to planters in Mauritius is one of the highest in the world. It recommended firstly, that a Standing Committee should be appointed with technical knowledge and on which all interests would be represented, whose duty it would be to ascertain what would be the fair price for the mill to charge for its services. Secondly, that payment should be on the basis of sucrose content, which naturally varies from year to year according to the quality of the cane planted and the climatic conditions, etc. Thirdly, that a Standing Central Committee of representative small planters and factory managers be appointed under the Chairmanship of the Director of Agriculture which could appoint sub-committees for each district and be entrusted with the duty of examining and approving the amount to be received by small planters in each year. Without wishing to anticipate the decision of the Committee in this respect, the Commission recommended that the planters should receive—

(a) a fixed amount, and

(b) an additional amount on a sliding scale according to the sucrose content of the canes supplied.

(ii) *Uba Cane—15 per cent. deduction.*

14. The complaint regarding the application of the 15 per cent. cut in the return to planters for Uba cane is not a general complaint, but is restricted to certain parts of the district of Flacq. The Commission found that this was the immediate cause of the outbreak of the unrest in 1937. Uba is a hardy cane requiring less expenditure of time and money on growing and it therefore appeals to certain small planters who are not well acquainted with modern methods of scientific cultivation. At the time the Hooper Commission carried out its investigations there were about 3,000 acres under Uba, the estimated annual production being 60,000 tons of cane. Chemical tests showed that in the case of Uba canes the average purity and richness are 77.7 and 9.98 respectively as against 85.2

and 12.21 in the case of other canes. Hence under the system by which the miller returned so many kilos of sugar per ton of canes delivered irrespective of the nature or quality of the canes, the miller incurred a loss in respect of Uba canes. From 1935 the Manager of Sans Souci estate warned planters not to plant Uba cane and reserved the right to refuse these canes if brought to the weighbridges. In 1937 Sans Souci and two other estates (including Union Flacq, the Indian-owned estate on which the firing took place in August that year) decided to institute a cut of 15 per cent.

15. The finding of the Commission was that Uba cane gives a much poorer return than other types of cane and that the estates were justified in rejecting it. The amount hitherto paid by the miller for such cane was too high. The Commission accordingly recommended that there should be no deduction in respect of the 1938 crop but that thereafter, if the special Committee of millers and planters which it recommended should be appointed, found a deduction to be justified, there should be a progressive deduction over a period of years. It further recommended that the Department of Agriculture should make experiments and find a substitute for Uba cane and, if successful, Uba cane should be uprooted and replaced.

(iii) *Planters compelled to deal through a particular dealer.*

16. In 1937 this was one of the most bitter complaints of the small planters. They complained that without being consulted they were compelled to send their canes to a particular dealer who had entered into a contract with a mill to supply canes. The dealer then deducted 5 or 6 kilos of sugar per ton of cane delivered as payment for the services rendered by him. If the small planter refused to sell his canes to this particular dealer the mill would not accept the canes and the small planter would have to incur extra expenditure on transporting his canes to another mill at a greater distance. He was also deprived of the opportunity of disposing of his canes to the highest bidder. There were complaints too that the cane dealers were unnecessary to the sugar industry and that some mill owners had invented this system in order to give employment to members of their families.

17. Investigations by the Hooper Commission revealed, however, that cane dealers performed real services both to the small planter and to the miller. They were usually responsible for advancing *faisance valoir* (credit) to the planter, often without any guarantee more substantial than a promissory note granting a lien on the forthcoming crop. Moreover, they saved the miller much inconvenience because a miller was often not prepared to go to the trouble of entering into a contract with a small planter for a few tons of cane. They also helped both miller and planter because they could arrange the best and most convenient time for cutting and delivering the cane.

18. The Hooper Commission's finding was that the middlemen play a definite part in the financial organisation of the industry but recommended that the small planter should not be adversely affected, nor should his liberty of action be taken away by any arrangement entered into by dealers or factories without his knowledge. The principle of free contracts freely entered into should be observed.

(iv) *Limitation of Areas System.*

19. This system operates in conjunction with (iii) above. Small planters of a particular area are compelled to send their canes to one factory, and no other factory will receive them. The small planters naturally complained that they were thus prevented from obtaining the highest price for their canes. The Hooper Commission regarded this as an attempt on the part of the industry at co-operation and co-ordination. It held that it was desirable to avoid ruinous competition between millers for the small planters' canes, and also to avoid expense on unnecessary transport. At the same time it held that when an agreement was made, the small planter must be consulted. It recommended that the system should be operated by means of regional agreements between mill owners and representatives of the small planters.

(v) *Credit Facilities.*

20. The system of taking credit permeates every sphere of activity within the sugar organisation in Mauritius and indeed most spheres of activity outside the industry. The miller, the estate owner, the small planter, the labourer, all take credit. It is said that even school children buy their sweets on credit from the Chinese shop-keeper! Without credit all activities in the island would be frozen.

21. In 1931 the Financial Commission appointed to enquire into the financial condition of the island found that the chief malady from which the Mauritius sugar industry was suffering was not low prices but high indebtedness. What was required was capital reconstruction of embarrassed estates which would effect an equitable distribution of the loss amongst the various interests concerned. Small planters are unable to get credit from Banks and the only sources available to them are the estates, the cane dealers, Co-operative Societies and the Agricultural Bank. There are 35 Co-operative Societies in the island, with a membership in 1938 of 2,078. The Societies always select their members with great care. Taking the number of small planters at about 20,000, this leaves nine-tenths of the number who have to obtain their advances from middle-men or the estates, or the Agricultural Bank.

22. The Agricultural Bank was established as a result of the investigations of the 1931 Financial Commission and it began trading on the 4th January, 1937. Its object was stated to be to establish the creation of sound long-term credit for agriculture and to reduce rates of interest, which, to quote the Financial Secretary's Report for 1936-37, "impose an undue burden on the sugar industry and unduly depress wages." Under Article 13, Section 1 sub-section 1 (a) of the Ordinance no loan may be advanced for a sum less than 5,000 rupees nor may it be for a period of less than 10 years or more than 30 years. Moreover the repayment of the loan must be guaranteed by the mortgage of immovable property having priority over any other mortgages on the same property, and further the loan advanced must not exceed 60 per cent. of the value of property so mortgaged. As most small planters are not in a position to satisfy these conditions it is obvious that the Agricultural Bank is of very little assistance to small planters in the matter of supplying credit. According to the Managing Director of the Bank, small planters were represented in the Bank books on the 31st December, 1938, by just under half the

number of loans and a mere fraction of the amount outstanding. Probably these small men borrowed on their 1938 crop at a slightly lower rate than before, but so far the Agricultural Bank had not done much for the small planter. The Managing Director considered that the Bank had had the effect of reducing the rate of interest to big planters by about 2 per cent. At the present time the rate of interest on loans by the Bank is 5 to 5½ per cent. But as in nearly all countries whose currencies are linked with sterling, there has been a fall in the rate of interest during the last few years, the lowering of the rate of interest in Mauritius may not necessarily be wholly due to the activities of the Agricultural Bank. The complaint of the small planter therefore was that while Government had come to the rescue of the big planter by establishing the Agricultural Bank from which he could obtain large long-term loans at a low rate of interest, nothing had been done to rehabilitate the small planter, whose difficulties were the same, even if they were on a smaller scale.

23. The Commission was in principle in favour of an extension of the advantages of the Agricultural Bank to the small planters whose average rate of interest on loans is estimated at about 10 per cent. It considered that the attitude taken up by the small planter was quite justified and that he should be given facilities for borrowing at reduced rates either by reducing the minimum fixed for a loan from 5,000 rupees to 1,000 rupees, or by creating a new institution for advancing loans to small planters with a minimum amount of 1,000 rupees.

(vi) *Weighbridges.*

24. These belong to the estates. Planters complain that they cannot check the accuracy and proper working of the weighing machine. The Hooper Commission considered that small planters should in all cases be allowed to check the weighing of canes upon arrival at the weighbridges. They further recommended that the weights and weighbridges should be tested at least once a year by a Government Inspector and that the system be established whereby a representative of the small planters could be present at each weighbridge at the time the canes are weighed and could certify that the weight of each consignment of canes delivered at the weighbridge is correct.

25. In the above paragraphs I have tabulated the complaints of the Indian small planters, and the Hooper Commission's opinions and recommendations thereon. I will now proceed to show what action has been taken by the Government, and to what extent these grievances have been removed.

26. Following on the publication of the Hooper Commission Report, the Government accepted the suggestion that a Committee be appointed to investigate certain recommendations of the Commission and accordingly a Committee was appointed on which the Honourable Mr. A. M. Osman and Mr. Seerbookhun sat as representatives of the Indian small planters.

27. The principle which the Committee adopted as the basis for its recommendations was settlement by means of arbitration in front of fully responsible representative bodies. To this end it recommended the appointment of Regional Arbitration Committees consisting of four members, two representing Estate (factory) Managers and two representing the small planters. They would select their own chairman who would not have a casting vote. In cases in which the Committee was divided in

its opinion reference would be made to a Central Board. The Central Board would have the same composition as the regional Committees, but the Chairman would be the fifth member and would be appointed by His Excellency the Governor.

28. In the matter of the price to be paid for canes, the Committee was unable to find a satisfactory basic method and recommended that the existing practice be continued leaving cases of dispute to be settled by arbitration by the Central or Regional Committees. Messrs. Osman and Seerbookhun in a dissenting report suggested the fixing of an initial cane price for each factory based on prices paid for cane during the previous ten years, the average sucrose content and the average extraction of sugar. They also recommended that a cane testing service be established which would carry out tests when either miller or planter was dissatisfied with the initial cane price. The dissatisfied party would apply to the Central Board which after the test had been carried out would issue an award binding on both parties. They recommended moreover that an equitable distribution between miller and planter would be in the ratio of one to two.

29. The Committee further recommended that the limitation of areas system should in the interests of the industry be retained. With this the Indian representatives concurred. On the subject of credit facilities, the Committee recommended the enlargement of the existing scope of Co-operative Credit Societies with a view to eliminating the middlemen. They also recommended that small planters should be allowed to take loans from the Agricultural Bank. These suggestions also had the concurrence of the Indian representatives. In connection with the middlemen or cane dealers, the Committee recommended that they should be licensed and controlled by Government and that the miller after consulting the small planters should decide what return the middleman should give to the small planter for his cane. The Indian representatives dissented from this view and wanted to eliminate the middlemen completely after a period of two years.

The Cane Planters' and Sugar Millers' Control Ordinance, 1939.

30. In the light of the recommendations of the Hooper Commission and of the Committee referred to, Ordinance No. 27 of 1939 styled "The Cane Planters' and Sugar Millers' Control Ordinance" was passed. This Ordinance provides for the establishment of a Central Board, with a Regional Committee in each of the nine districts of the island. Each Committee consists of two representatives of millers and four representatives of the planters of whom two must be planters producing less than 1,000 tons of cane per annum. The Central Board is similarly constituted, and has the Director of Agriculture as Chairman. The Regional Committee is empowered to deal with disputes between planters and millers relating to—

- (a) boundaries of factory areas;
- (b) the transport of planters' canes;
- (c) the amount, basis and method of paying for canes purchased by millers from planters;
- (d) the weighing of canes; and
- (e) any other difference that may arise between millers and planters.

Any dispute or difference which the Regional Committee is unable to settle is to be referred to the Central Board.

31. In the matter of payment for canes, the Ordinance lays down that the Central Board should be guided by the principle that the average amount of sugar which planters might expect to receive for their cane should be not less than two thirds of the amount of sugar which a ton of cane delivered at the factory may normally be expected to yield. This provision appears to meet the demand of the small planter. The amount of sugar per ton of cane which the miller is to give to the small planter will be laid down in a contract entered into between the miller and the small planter or the middleman and the small planter. If the small planter is dissatisfied he may refer the question to the Regional Committee, and if the matter is still undecided he can take it to the Central Board. On both the Committee and the Board he is represented to the same extent as the miller. He is further safeguarded by a clause in the Ordinance which provides for the holding of a sucrose content test at the discretion of the Central Board when there is dispute between planter and miller as to the return made by the miller. For administrative reasons it has not been possible to permit a sucrose content test for every planter. It is therefore laid down that planters who produce more than 500 tons of cane in any reaping season shall be eligible for a sucrose content test. At the same time the planters producing less than 500 tons of cane may join with other small planters to form a Cane Sales Union, and a Co-operative Society or Cane Sales Union offering canes for sale in lots exceeding 500 tons becomes eligible for sucrose content test. The Central Board, when a dispute of this nature is referred to it, will obviously take into consideration the result of the Chemist's test, and therefore planters with high quality canes can in future expect an adequate return.

32. The Ordinance further provides for the limitation of areas. It lays down that planters growing cane in a particular factory area must send their canes to that factory and may not send them to any other factory, and the miller is likewise bound to purchase all canes grown inside that area and to refuse canes grown outside the area. The principle was agreed to by the Indian planters. When I was in the Colony, the Regional Committees established under the Ordinance had almost completed their work in fixing the boundaries of factory areas. The crop season now commencing is certain to bring to light a few anomalies which the Regional Committees or Central Board will undoubtedly be able to remove. At any rate it is satisfactory that the small planter is having a hand in the delimiting of areas.

33. With regard to the middleman, the Ordinance lays down that a middleman must obtain from the Registrar a permit authorising him to act as a middleman and he must furnish such security as the Chairman of the Central Board may determine. This permit may be cancelled if the Central Board is satisfied that he is not a fit and proper person to hold a middleman's permit. In addition it is laid down that the price to be paid by a middleman for planters' canes shall be fixed by the miller in consultation with the planter. The middleman who commits an offence against the Ordinance or who withholds from the planter any sum due under contract between himself and the planter shall, in addition to any sentence imposed by the Court, forfeit such portion of his deposit as the

Board deems necessary to compensate those planters who in the opinion of the Board have been defrauded by him. These provisions give the small planter ample protection from the middleman. The middleman has not been eliminated because it has been realised that he still serves a useful purpose in the matter of supplying credit to small planters, and until alternative arrangements for credit can be made he is necessary to the industry. In future, however, it will not be possible to compel a small planter to sell his cane through a particular dealer.

The Ordinance brought a further small financial gain to the planter by providing that all contracts covering the sale of cane shall be exempted from registration dues and stamp duty.

84. So far as weighbridges are concerned, the following provision appears in the forms of contract prescribed under the Ordinance covering the sale of canes:—

“The canes shall be weighed at the.....weighbridge and the parties to the contract or any persons duly authorised by them shall be entitled to be present when the canes are being weighed. The parties shall be entitled to check the weighing and if no objection is taken by either of them the weight so recorded shall be binding upon the parties and without appeal.”

Government have also appointed an official who periodically examines and checks the weighbridges.

Uba cane.

85. In the matter of Uba cane, the Uba de Riche Fond Cane Varieties (Restriction) Ordinance was passed in 1939. Under the proclamation issued under that Ordinance His Excellency the Governor prohibited the planting of Uba cane. It fixed the initial cane price to be received by the planter for this cane at 67 kilos of sugar and provided for a progressive reduction in weight until 1944-45 when factories would have the right to refuse Uba cane. The Ordinance also provides for the replacement of Uba by higher grade varieties planted under the supervision of the Department of Agriculture. It is recognised by the Indian planters that the prohibition of further planting of Uba is in the interest of the sugar industry as a whole and they appear to be satisfied with the arrangements for disposing of Uba cane at present in the ground and its eventual replacement.

Collective bargaining for small planters.

86. A further welcome feature of the year 1939 was the establishment of a Small Planters' Association, with the Honourable Mr. A. M. Osman, member of the Council of Government, as President. This Association was made possible by the passing of the Industrial Associations Ordinance No. 7. of 1938. There is a subscription of 2 rupees per annum for planters with more than three acres and 1 rupee per annum for planters with less than three acres. The objects of the Association are to negotiate, on behalf of its members with Government or with any Board or Regional Committee regarding marketing and sale of canes or any other matter affecting the interest of its members; to encourage the settlement of disputes by conciliatory methods and generally to promote the interests

of members. The Association intends to keep a close watch on contracts entered into between millers and small planters during the current crop season. It will advise its members as to the terms of contract and further will itself negotiate a contract on behalf of a member without making any charge. The Association already has 16 branches with a total membership of 1,393.

Credit facilities.

37. In the matter of credit facilities, I was informed that the Secretary of State for the Colonies had now agreed to reduce the limit for loans from the Agricultural Bank to rupees 1,000 and that steps might be taken to have the limit removed altogether. This should be a great boon to small planters who are in a position to furnish the necessary security.

38. At the same time the Co-operative Societies are increasing in strength. The movement was inaugurated on the recommendation of the Royal Commission of 1909 and Mr. Lala Jaygopal from the Punjab was appointed as Registrar. After the peak sugar year 1920-21 when a fantastic price was paid for sugar the position of these Societies gradually weakened. They decreased in number until 1928-29 and the amount of loans overdue rapidly increased. During the last few years, however, the Director of Agriculture has concentrated on putting the Societies on a firmer basis and re-establishing public confidence. The Director has drawn up a scheme for the expansion of these Societies and if this can be put into effect the small planter will derive a very great advantage.

Conclusion.

39. From the above paragraphs it will be seen that the Government of Mauritius has taken the necessary steps to remove the main grievances of the small planters which the Hooper Commission brought to light. Certain minor complaints, *e.g.*, in connection with high commission and brokerage charges, still remain to be dealt with. The new laws are now being put into operation. Practice and experience will almost certainly reveal anomalies and legal deficiencies. It should not, however, be difficult to make adjustments. The principle of free negotiation between miller and small planter has been established, with the right of appeal to a Central Board on which the small planter is represented to the same extent as the miller. With goodwill on both sides, this arrangement should prove an undoubted success for the settlement of any dispute which may in future arise between them. Mention must also be made of the fact that in 1938 two representatives of Indian small planters and labourers were nominated in vacancies which had occurred in the Council of Government. This gave them a direct voice in legislation affecting their interests.

40. Before leaving the subject of small planters I would like to refer to a recommendation contained in paragraph 864 of the Report of the Hooper Commission to the effect that the principle of mutual co-operation in the industry would be advanced if certain responsible small planters became members of the Committee of the Sugar Syndicate which has the monopoly for the sale of sugar. So far this recommendation has not been acted upon, and it would be in the interests of all concerned if it could receive further consideration.

CHAPTER III.—THE INDIAN LABOURER.

General.

41. As in the case of many other sugar producing colonies, Indian immigration commenced as a result of the abolition of slavery in the third decade of the 18th century. Until 1922 when immigration under the indenture system ceased, all Indian labour was housed on the estates on which they were employed. With the abolition of the indenture system in that year, however, a rapid change began to take place and the majority of Indian labourers left the estates and became day labourers. By 1937, it was estimated that there were 30,500 Indians living on the estates, representing only 13 per cent. of the labour engaged in the sugar industry. The movement from estates did not imply that the labourers were badly treated but that they felt that they would have greater independence and could perhaps obtain better pay for their services.

42. Until 1922 all Indian Labourers were under the control of the Protector of Immigrants, but as he only had authority to deal with labour under indenture it followed that year by year more and more Indian labourers remained outside the control and guidance of the authority established by Government. There was no authority to listen to their grievances and attend to their needs. Many of the labourers however had managed to save money and had been able under what is known as the "morcellement" system to purchase land from the large estates which the estates themselves could not cultivate with adequate profit. A large number of labourers thus became small planters in addition. For one or two years prior to 1937 there was some agitation in connection with low wages led by Dr. Curé, the leader of the Mauritius Labour Party. It was chiefly this demand for higher wages, coupled with the decision of the millers to enforce a 15 per cent. cut on the return for Uba canes, which brought about the labour unrest and the shooting incidents in 1937. This unrest had the effect of causing Government to review the whole position in connection with labour and to take steps to ensure that Government receives timely information of any grievances which labour may have, and that the Government departments are in a position to deal with those grievances and remedy legitimate complaints.

Labour laws.

43. To indicate the position in 1937, I may refer firstly to the labour legislation existing prior to the strikes in that year. Apart from the Labour Ordinance of 1922 which, as I have stated above, deals only with indentured labour, there was Ordinance 13 of 1931 dealing with Workmen's Compensation which covers agricultural as well as other labourers. Ordinance 87 of 1934 prohibited the employment of any child under the age of 14 in an industrial undertaking, and the employment in an industrial undertaking at night of any woman or person under 18 (except that young persons over the age of 16 may be employed at night in the manufacture of raw sugar and other operations that are required to be carried on continuously day and night). Ordinance 41 of 1934 provided for the fixing of minimum wages in respect of certain trades and occupations. Ordinance 43 of 1934 amended and consolidated the law in respect of boilers and made provision for the prevention of accidents in relation to their use. Ordinance 32 of 1937 provided for the payment of compensation to workmen for diseases contracted in the course of their employment.

44. This legislation was clearly inadequate, but no serious attempt seems to have been made to follow the trend of labour legislation in other countries. Until as a result of the enquiries of the Hooper Commission, two important Ordinances were passed in 1938—Ordinance No. 7, for the formation of Industrial Associations representing employers and employees in any undertaking, and Ordinance 47, consolidating and amending the law on labour.

Conciliation in industrial disputes.

45. Ordinance No. 7 of 1938 aims at the prevention and settlement of disputes in undertakings, including the sugar industry, by providing for the appointment of Conciliation Boards consisting of an equal number of representatives of each party to the dispute, under the Chairmanship of the Director of Labour. The Director may appoint a Conciliation Board at the request of Industrial Associations or on his own behalf when satisfied that the operations of an industry or undertaking are likely to be interrupted. An agreement entered into between parties appearing before the Board is to be binding on the parties. An agreement may deal with minimum wage, method of payment, overtime, establishment of social insurance funds, etc. A strike or lock-out is illegal until 30 days after a reference of the dispute to the Board. If the Board cannot settle the dispute, it is referred to a Court of Arbitration composed of a Judge of the Supreme Court as President, with the Director of Labour and the Magistrate of the District concerned as assessors. Victimization is forbidden, a fine of Rs. 1,000 or one year's imprisonment being provided. An employer is compelled to keep records of accounts dealing with—

- (a) cost of producing or acquiring materials used in the industry;
- (b) numbers of and remuneration paid to all directors, managers, overseers and employees;
- (c) expenditure including interest and depreciation charges; and
- (d) details of revenue derived from the operation of the industry.

Job-contractors are to keep records of payments made by them for piece-work.

The Ordinance also contains rules of evidence, some of which protect the employee.

Labour Ordinance, 1938.

46. Ordinance 47 of 1938 is an Ordinance to consolidate and amend the law on labour. It is a very comprehensive Ordinance and is designed to give the maximum security to labourers. It is therefore desirable to describe the provisions of the Ordinance in some detail.

47. The Ordinance first provides for the appointment of a Director of Labour and his staff. With regard to labour agreements between employers and employees, it is provided that the period may not exceed one month but the agreement may be presumed to continue for a further similar period, unless one of the parties gives due notice. The employer is compelled to provide work for the monthly labourer on 24 days a month and if he cannot do so the labourer must be paid on the basis of 24 days' work. No child under the age of 10 may be employed as a labourer. No labourer may work more than six days a week, or six consecutive hours, or more than 8 hours altogether in any day: if he works longer he must be paid over-time. Over-time in any day may not exceed

4 hours. So far as task work is concerned, it should be made equivalent to a day of 8 hours. Regulations may prescribe that an employer must submit to the Director of Labour a schedule of tasks giving the nature of the work and the rates to be paid. Government may prescribe a standard dimension of the 'gaullette'. The Director of Labour may require an estate to pay day labourers direct. Government may restrict recruiting areas and limit the number of labourers to be recruited in any area. Provision is made for inspections of estates by the Director of Labour and by the Medical Officer. An employer may be required to maintain a nursery for infants. Provision is made for a maternity allowance of Rs. 10 with abstention from work of one month before and one after confinement. The Director may require any employer to keep a register, with photographs of sirdars. In the case of well-founded complaints, the Director shall institute proceedings, civil or criminal, in the name of the labourer, and may himself or through his deputy conduct proceedings on behalf of the labourer. No court fees are to be charged in the first instance in the case of a complaint lodged by the Director on behalf of the labourer against his employer. In the case of a civil judgment against an employer, labourers' wages are given priority. Wages are to be paid in legal tender. There are to be no deductions for fines. A labourer may by agreement receive food, a house, etc., in lieu of cash. The truck system is abolished but an employer may open a shop for the sale of rice and provisions to his labourers.

48. In the matter of the health of labourers, the Ordinance directed that house accommodation should be sufficient and proper. The Director is given powers in the matter of demolition, enlargement, repairs, etc. The employer is also bound to supply to the Director's satisfaction:—

- (1) a sufficient supply of wholesome water;
- (2) sufficient and proper sanitary arrangements;
- (3) hospital accommodation and equipment;
- (4) medical attendance including treatment and diets; and
- (5) supply of medicines.

The Director may require an employer to set aside plots of one sixteenth of an acre for the purpose of cultivation by his employees. Labourers' dwellings on the estates are to be approved by the Director. The Director has powers to deal with insanitary dwellings and also in connection with the prevention of malaria in the control of tanks, streams, drains, etc. The expenses of maintenance and treatment in hospital are to be borne by the employer. It is the employer's duty to arrange for the conveyance of a labourer to hospital. An employer is compelled to engage a qualified practitioner who is bound to pay two visits per week. The Government in Council may prescribe scales of rations and fix deductions to be made from wages and the employer may with the sanction of the Director make an agreement with labourers for the supply of rations. The duties of medical officers in respect of water supply and sanitary arrangements are also laid down. All job-contractors who supply labour must take out a licence and the Director of Labour may require a guarantee in respect of the payment of wages. Employers must keep books showing names of labourers, wages, etc., and where labourers are not paid directly by the estate, job-contractors and sirdars must also keep books. An abstract of the Labour Law in the vernacular is to be exhibited in all places of

employment. The Director may prohibit employment in places which he considers unfit or when supervision is inadequate. The separation of families, the termination of the contract of the married labourer, the molesting or wrongful detention of the labourer are made offences.

Conclusion.

49. From the above it will be seen that the Ordinance is very comprehensive. In theory, at least, the labourer is surrounded with safeguards. But on the Director of Labour rests the onerous responsibility of seeing that those safeguards are applied and maintained. The action so far taken by Government has been—

- (i) the abolition of the post of Protector of Immigrants and the creation of a Department of Labour under the control of the Director of Labour;
- (ii) the registration of a large number of industrial associations;
- (iii) the fixing of a minimum wage for agricultural labourers in the district of Moka, and the appointment of an Advisory Board on the subject of minimum wages;
- (iv) the introduction of an Ordinance standardising the 'gaulette' at ten French feet (it was alleged that some contractors used a false standard for measuring piece-work);
- (v) the appointment of Conciliation Boards to deal with disputes between employers and employees; and
- (vi) the issue of regulations prescribing sanitary arrangements on estates.

50. Indian labourers did not seem to appreciate to the full the great protection which the new Ordinances could extend to them. While they seemed to be unaware of the detailed provisions of those Ordinances, they certainly appreciated the creation of the Labour Department. The Department is as yet in its infancy, but under the guidance of its energetic Director it is capable of effecting a considerable improvement in labour conditions. Six Inspectors of Labour have been appointed, four of whom are Indians, whose duty it is to reside in country districts and deal with complaints of labourers *in situ*. They act as a link between the labourer and the Government. They can explain to labourers the privileges and rights which the Labour Law has given them. They can talk to the labourers in their own language and save them the trouble of making long journeys to lodge complaints.

Wages.

51. With regard to wages, it is necessary to explain that from the point of view of the agricultural labourer the year is divided into two periods, the crop period of roughly four months—from August to November—and the inter-crop period of about eight months. During the crop period there is no surplus of labour and the daily wages average from 80 cents to rupees 1'80. In the inter-crop period there is much less work to be done and consequently there is a surplus of labour, and by the operation of the economic law of supply and demand the average pay is from 40 cents to rupee 1'25 a day.

52. Although the Minimum Wage Ordinance was passed in 1934, no action was taken until after the labour unrest of 1937. In 1939 an Advisory Board was created with the Director of Labour as Chairman, one

member representing the Central Committee of Managers, one member representing the Chamber of Agriculture and two Indian members representing labour and the small planters. This Board decided to recommend a minimum wage rate for the district of Moka based on the cost of living. It was decided to adopt a cost of living basis of rupees 35 per mensem for the average adult married Indian, and after taking into consideration other sources of income from cattle, vegetables, etc., and wages earned by members of the family, it was decided to fix the minimum wage for monthly labourers of the first category at rupees 20 a month, and of the second category at rupees 18 a month. For monthly labourers there would be no distinction between crop and inter-crop periods. For day labourers the first category were to receive 66 cents a day for a day of 8 hours work or for an equivalent task during the inter-crop season, and rupees 1.25 during the crop season; while the second category receive 50 cents for a day of 7 hours work or for an equivalent task, with no distinction between crop and inter-crop seasons.

53. It was difficult to ascertain the results of the application of this minimum wage. The fact that there have been very few complaints by employers or employees indicates that the previous position has been little if at all disturbed. The Board has had to adjudicate on disputes arising out of the application of the Ordinance on a few occasions and on the whole the Indian labourers regard the system with favour. Estate owners on the other hand are inclined to regard the minimum wage as unnecessary and undesirable.

54. The Advisory Board has since been re-constituted and now consists of the Director of Labour as Chairman, two representatives of the Central Committee of Managers, two Indian members representing the Indian labourers and the small planters and with an Indian Inspector of Labour as Secretary. During my visit to Mauritius this Board met to consider the question of applying a minimum wage to the whole of the island. Whatever decision is arrived at, the position may be considered to be satisfactory because the Indian community is represented on the Board and the interests of Indian labourers will be properly looked after.

55. The chief difficulties in the way of fixing a minimum wage are, firstly, the fact that most work on estates is piece-work. The Estate Manager fixes a sum which he will pay for the performing of a certain task and it is the duty of the sirdar or job-contractor to see that the task is carried out within the due time and to see that the labourers engaged in the task are properly paid. The employers state that if a minimum wage is fixed then a minimum task should also be fixed. They argue that if this is not done the labourers will become lazy and will not do a full day's work. This should however not be necessary. The job-contractor or sirdar would obviously not give employment to a labourer who acquired a reputation for laziness. This does not appear to be a real serious difficulty.

56. The second point is that if a minimum wage is pitched too high it will have the effect of increasing unemployment. There is a case of two neighbouring estates, one of which employs about a thousand men throughout the year, and pays them a very low wage during the intercrop season. They get 40 cents a day which is much below the minimum wage. On the neighbouring estate, the day labourers get 80 to 90 cents a day, but they are employed only for a very short time as the estate concentrates its work over short periods. Taking the year as a whole, the labourers

on the first estate draw more wages than the labourers on the second estate. If therefore the minimum wage is pitched too high the tendency will be for estate Managers to discharge their labourers during the slack periods.

57. The third difficulty arises from the custom of grading employees. The physically strong, commonly called the *grands bande*, are paid higher rates than the weaker and the enforcing of the minimum wage may result in a tendency to reduce the numbers of the *grands bande*. This again is not an insuperable difficulty and it can be watched by the Labour Department.

58. The fourth difficulty arises from the fact that Indian labourers have developed a 'long week-end' habit. An examination of the books on several estates showed that the number of labourers presenting themselves for work on Mondays and Saturdays fell far below that of the remaining days of the week, and it is an accepted fact that on the day following a cinema show a smaller number of labourers present themselves for work. The contention of the Estate Managers was that the Indian labourers earn enough during the four or five days to give them a reasonable livelihood. The contention of the Indian labourer is that he is too tired or not sufficiently strong to work for more than four or five days in a week or more than five or six hours a day. It is not possible to say that either argument is correct. It is true that the habits of the Indian labourer have altered. Formerly, the Indian labourer used to save money and purchase lands, but now with the change in conditions and cheap transport facilities, he is a regular visitor to the cinema, the races and football-matches and spends more on clothes and rum. He also seems to be taking to inferior types of food. On every hand there were complaints that his physique is deteriorating. Government is seriously concerned about the matter and is carefully investigating the question of nutrition. The minimum wage for the district of Moka is based on a seven or eight-hour day. The Board is now considering a six-hour day basis, as it would conform more to reality. The Board is also endeavouring to ensure that if a labourer gets a reasonable wage fixed by law, his services should be worth the remuneration. On the whole, although it must be admitted that a minimum wage brings certain complications in its train, it is a very desirable and necessary safeguard, and the Indian community is generally in favour of its adoption throughout the Colony.

Revision of wages and system of payment.

59. The chief complaint of the Indian labourer is that he is underpaid. To his mind an increase in wages, however small, is better than an improvement of his housing conditions, medical attendance and other amenities and facilities. On the subject of wages the finding of the Hooper Commission was that while the Estate labourer was fairly well paid, the day labourer was generally underpaid and his family underfed. The Commission recommended that a 10 per cent. increase on all wages should be granted in the case of all estates where such an increase had not already been granted as a result of the labour strike. So far as could be ascertained this increase had been carried out generally. Recently on account of the war and increased cost of living the Department of Labour asked the estates to give a further increase of 10 per cent. as a war bonus. This was granted by the estates to estate labourers although in the case of some estates I found that this bonus was made conditional on the employee working at least five days a week. The bonus did not appear moreover to have been applied to day-labourers, the reason given by Estate Managers

being that as payment was made on the piece-work system it was difficult to operate the increase. There seems to be no reason why this difficulty should not be overcome. The Estate Managers could assess the cost of any particular piece of work in the ordinary way and when the day-labourers receive payment at the end of the week, 10 per cent. could be added on account of the bonus.

60. On the whole the labourer, considering the amount of work he does, is adequately remunerated during the crop season. During the inter-crop season the pay is not satisfactory and it seems to be desirable that the minimum wage should be based on the actual cost of living. This might result in a slight increase in unemployment, but in turn this could be obviated by restricting the employment of women and children during the intercrop season. It is the aim of Government to supply certain deficiencies, *e.g.*, free medical attention, old age pensions, sick benefits and maternity allowances which in fact would supplement the labourers' wages. But as stated above, the labourers would prefer an increase in wages. I do not, of course, maintain that his attitude is right: but a combination of the two would have the most satisfactory results.

61. In regard to the question of the method and regularity of wage-payment I may premise my remarks by stating that the monthly labourer is paid regularly every month while daily labourers are paid regularly every Saturday. There are fairly frequent complaints with regard to non-payment of wages chiefly due to the piece-work system but few if any complaints with regard to late payment.

62. The Estate labourer formerly received rations in addition to his monthly wages but with the introduction of the new Labour Law, the labourers on all estates but one chose wages in lieu of rations. This means that during the month they have to draw advances from the estates to pay for food and other necessaries. The advances so drawn are deducted from the wages at the end of the month. While the ration system persisted, the monthly system of payment was fairly satisfactory but it is almost universally recognised that people with low wages should draw them at frequent intervals and not once a month. The credit system is a pernicious system and the institution of the practice of paying estate labourers weekly would help to counteract it. I understand that the Labour Department has already given some consideration to this point, and that the estates themselves have no objection.

63. In the case of daily labourers, some are paid direct by the estates and others are paid through job-contractors. The Estate Manager pays the job-contractor for carrying out certain tasks and the job-contractor then pays his labourers after taking a percentage for himself. The new Labour Law empowers the Director of Labour to insist on estates paying their day-labourers direct. Steps in this direction have already been taken. There should be little difficulty in introducing this practice throughout the Colony. Job-contractors would be paid by the millers for their services in supplying labour, and this payment would be quite independent of the wages paid to the labourers. The system would render it easier for the Labour Department to see that labourers receive their proper pay.

A former complaint of the labourer was that the sirdar or job-contractor mis-measured the amount of work done. This complaint has however been removed by the standardisation of the *gaullette*.

64. Estate Managers seem to consider that the piece-work system must be retained at all costs and that if it were removed the sugar industry

would receive its death-blow. It is however a survival of the past and has been abolished in most progressive countries in the world. With the spread of education amongst labour and with the realisation of the responsibilities of labour this fear on the part of the Estate Managers should disappear. This is a matter however on which the Indian labourer through his Industrial Associations when properly established can make representations to the Government.

Working of Trade Union legislation.

65. The Industrial Associations Ordinance, 1938, gives effect to the recommendations of the Hooper Commission that Trade Unions should be organised and recognised. It has given labourers for the first time the right to organise themselves to protect their own interests. At first there was tremendous enthusiasm on the part of the Indian labourers and within the first few months no fewer than 25 Employees' Associations were registered. One Employers' Association was also registered. Enthusiasm however began to wane when the formation of these Associations was not immediately followed by an increase in wages. At present 48 Associations are registered but the position is disappointing. The Department of Labour has given the Associations every assistance and encouragement. Some contend that failure of the Associations is due to the fact that the employers have given them the cold shoulder; others maintain that it is due to the fact that the Associations could not hope to achieve any substantial success within a short measure of time; others again hold that the organisers and the chief officials of the Associations were members of the Mauritius Labour Party headed by Dr. Curé and as such had been victimised by the employers. Some said that the Associations had got into the hands of persons unfitted to conduct them: others that the mis-appropriation of the funds by some officials had produced a general feeling of no confidence; others again said that the Mauritius Labour Party had actively worked against the Industrial Associations and condemned them as colourless and ineffective bodies with no connection with true trade unionism.

66. It is anomalous that an Ordinance passed for the purpose of giving protection to employees should have resulted in the position that the strongest Association in the island is an Association of employers. The Labour Department is however continuing its efforts to keep the Associations alive. Conciliation Boards have been appointed, and agreements have resulted in increases in wages, reduction of hours, improvements in conditions of service, etc. The Department has asked for the opinion of the Associations on important matters such as the question of the extension of the minimum wage for the whole of Mauritius. Labourers with individual complaints are usually referred first to their Industrial Association. Associations have been advised to save expenses by joining together in employing a Secretary and by sharing offices and the Director of Labour has suggested that Government should arrange for training individuals as Secretaries and for part payment of their salaries. He has also suggested that the Associations should reduce their subscriptions. The Department has prosecuted in a few cases of victimisation and although none has been successful the mere fact of prosecution is having its effect. In any case, victimisation in all countries is notoriously difficult to prove. Although the onus of proof rests on the defendant, this advantage is to some extent nullified by the general law of Mauritius which provides for an appeal against a Magistrate's order only on a point of law, and not on facts.

Finally, the Department of Labour is contemplating permitting the Associations to maintain Provident Funds for the purpose of benefits during sickness, payment of burial expenses, etc. This should enhance the popularity of the Associations.

67. To my mind the chief reason for the failure of the Industrial Associations was that there were not sufficient experienced officials to organise and guide them. Moreover, the labouring class is still mainly uneducated, and a highly organised and effective Trade Union postulates a fairly educated class of labourer. If Government, however, persists with its policy of encouragement the Associations should in time gain a new lease of life. One drawback to which I might refer is that the rules at present preclude a labourer from being a member of two Industrial Associations, and also preclude an unemployed person from being a member of an Association. This naturally creates difficulties, because in Mauritius labour is fluid. During the crop season it is transported from one part of the island to the other. Employment, moreover, is seasonal. Finally, Government at present discourages any suggestion for one Industrial Association of agricultural labourers for the whole island, presumably because it might become too powerful and by stoppage of work completely disorganise the industry. The Director of Labour has, however, invited the Labourers' Industrial Associations to form a Central Committee with two members from each Association and to hold quarterly meetings to settle matters of common interest. It is probably not possible within the space of one or two years to arrive at that *modus vivendi* which has been achieved in other countries after generations of struggle between labour and capital, but at any rate, a start has been made and with the goodwill of both sides more satisfactory relations between employer and employee should soon be established. The Co-operative Credit Society Movement started with a burst of enthusiasm, then passed through a period of depression, but is now beginning to thrive and flourish vigorously. It is hoped that the Industrial Associations will soon reach a similar period of rejuvenation.

68. I should mention in passing that there appears to exist among Indian labourers a feeling of distrust of the impartiality of magistrates deciding labour disputes. They allege that the magistrates, almost all of whom are French-Mauritians, are generally disposed to be sympathetic towards estate owners. It is not necessary to examine whether there is actually ground for this feeling, but I would suggest that in the interest of all concerned this lack of confidence should be removed and perhaps the best means would be the appointment of a Magistrate or bench of Magistrates to deal with industrial disputes. It could probably be arranged that a court should move from district to district in order that labourers and employers should not be seriously inconvenienced.

CHAPTER IV.—HOUSING AND MEDICAL FACILITIES.

Housing.

69. It will be convenient to deal with the subject of housing under two heads:—(i) housing on estates; and (ii) housing off estates.

Housing on estates.

70. Labourers employed on monthly terms of contract on the estates are housed in camps. No rent is charged. The types of houses on the

various estates cover a wide range. The commonest type is made of cane trash. In some cases aloe stems, bamboo and ravinai are used for the walls and partitions, and cane trash for the roof, and on some estates considerable experimenting has taken place and now well laid out camps can be seen with rows of houses of stone or concrete with a roofing of asbestos or corrugated iron. This type is becoming increasingly popular because it is very hygienic, is cheaper in the long run and there is no risk of fire. The Indian labourer seems to have no preference as to the type of housing. Each family is given one or two living rooms according to the size of family. There are usually a kitchen and a place for washing and latrines are also provided but the cane fields still have an irresistible attraction. The houses on the estates which I visited were kept remarkably clean and in good repair. Repairs are carried out at the expense of the estate. On most estates drinking water is obtained through an open channel or stream, but in some of the modern camps water is laid on and there are stand pipes at convenient points. The labourer has usually a small plot of ground on which he can grow vegetables and flowers if so inclined and many estates provide a club room and in some cases football grounds.

71. The housing in general was quite satisfactory. Under the Labour Ordinance No. 47 of 1938 ample provision is made to ensure a sufficient supply of wholesome water and sufficient and proper sanitary arrangements including separate latrines for men and women. The employers are required to keep the surroundings of the camp in a clean, safe and sanitary condition and to see that the house accommodation provided shall in all cases fulfil all reasonable sanitary requirements. The approval of the Director of Labour and the Medical Officer of the Department is required for the construction of permanent dwellings for labourers. The Director of Labour can order the demolition, alteration or repair of any dwellings. The Director may fix the number of gallons of water a day to be supplied for drinking, cooking or bathing purposes, and the Medical Officer may take steps for the protection of the water supplied and the wells. It is therefore improbable that there will be any serious complaint in future regarding housing conditions on estates. Apart from the fact of Government control, estate Managers themselves are taking a great interest in housing because they prefer the estate labour to daily labour and one of the means of attracting estate labour is to provide good houses. One or two estates provide houses for their day labourers also. The labourer may work for the estate on which he resides or for any other estate, but generally he will work on the estate on which he resides because it would be inconvenient to walk a few miles to another estate.

Housing off estates.

72. Off estates, the housing conditions of Indians are not so satisfactory. It has been mentioned earlier in the report that from 1922 onwards there was a steady movement of Indian labour from the estates. They abandoned the estate camps and built for themselves cottages without any order or control. The houses are usually of a very inferior type, some of wood and stone; some of cane trash and some of the inevitable kerosene tin. Fortunately rentals are very low. There is no Slums Act but applications for permits to build houses for human habitation are submitted to the Medical and Health Department by the Building Authorities before adjudication. The Department is chiefly concerned with the suitability of

the proposed site and the provision of adequate means of ventilation and lighting, so far as buildings other than thatched huts are concerned. But there appears to be little or no supervision or control over the houses built by the ordinary day-labourer. Some years ago a model village was constructed on the outskirts of Port Louis but this has not proved a great success although the cottages themselves are of an excellent type. The labourers who were expected to live in the cottages complained that they had too great a distance to go to their work. In view of the fact that only about 13 per cent. of the labour employed in the sugar industry resides on estates and Government has thought it necessary to take to itself powers of control in regard to this labour it would seem desirable in the interests of public health that Government should exercise similar control in respect of the majority of the labour now residing off estates.

Medical and Health Facilities on estates.

73. As in the case of housing, so in respect of medical and health facilities the Labour Ordinance No. 47 of 1938, gave the Director of Labour and the Director of Medical Services and Public Health wide powers of control. To prevent overcrowding it is laid down that every employer must provide sufficient and proper house accommodation. Apart from that, he must see that there is a sufficient supply of wholesome water; sufficient and proper sanitary arrangements; hospital accommodation and equipment; medical attendance and treatment (including diets in hospitals) and a sufficient supply of medicines of good quality. The surroundings of dwellings are to be kept clean and an employer who houses any labourer in an insanitary dwelling is liable to a fine. The Director of Labour is given power to demolish, remove, alter or repair any dwellings on receipt of a report from the Medical Officer of the Department. The Medical Officer may order that drains shall be carried to a proper distance. Animals are not allowed to be kept in camps or in dwellings but an enclosure must be maintained on the estate where the animals can be kept. The Director may order an employer or estate Manager to take steps in connection with tanks, streams, etc., to prevent malarial fever. The employer must see that the water supply on estates is adequate and the Medical Officer of the Department may take measures to ensure the protection of the water supply. The Medical Officer and Director of Labour have similar control in respect of sanitary arrangements. The employer must maintain an estate hospital and estate labourers must be given free treatment. If the labourer is sent to a Government hospital the employer must provide a conveyance to take the sick labourer to hospital. A duly qualified practitioner must be engaged as a medical attendant at the estate hospital. The Governor has power to limit the private practice of medical attendants on estates. Every medical practitioner is bound to make two visits per week in addition to any occasional visits under special circumstances. The resident medical practitioner or the manager must report any case of insanity or of suspect, dangerous, infectious or contagious disease. The sirdar or overseer must report to the Manager the name of any labourer who has left work on account of sickness. The medical Officer of the Department may order the administering of quinine or vaccination. An employer is required to see that all dwellings are visited and inspected daily. Finally, the Governor-in-Executive-Council may make regulations prescribing with regard to estate hospitals the materials with which the hospitals are to be constructed; the nature of the accommodation; description of quantities of diets; description of drugs, surgical and medical

appliances to be kept in stock; number of dressers; attendants, cooks, etc., to be employed; registers and records to be kept and returns to be made to the Government Medical Officer. Whatever deficiencies there may be in the matter of medical and health facilities, there is certainly no lack of authority or power on the part of Government officials to correct them.

74. The Director of Public Health is in charge of the medical and health services in the island. Apart from the Civil Hospital at Port Louis there are seven Government District Hospitals all well equipped. There are also two prison hospitals, one mental hospital and a hospital at the industrial school. Each district hospital is in charge of a Government Medical Officer who also has charge of the Government Dispensaries in the district. In the Government hospitals there are in all 1,192 beds, an average of three per mille of the population. The normal average for an agricultural community is two per mille but for an agricultural country the density of population in Mauritius is very high. In making this calculation no account is taken of the 39 estate hospitals which the estates are compelled to maintain under the Labour Law.

75. There is no racial discrimination in the administration of these hospitals: There are no separate hospitals or separate wards for Indians. Treatment is free in about 90 per cent. of the cases and the Medical Officer in charge exercises discretion in the matter of charging fees.

76. Conditions in the estate hospitals which I visited varied considerably. On some estates the hospitals were merely crude buildings roughly furnished, with small stocks of medicines and little or no bedding. These hospitals could obviously not be used for serious cases. On other estates a very high standard indeed was maintained. In the former class of hospitals the custom is to send on the more serious cases to the nearest Government hospital. It is never necessary for a labourer to travel far to reach the nearest dispensary or hospital. The medical facilities on the whole are quite satisfactory. There could be improvement in many of the estate hospitals but the standard is not too low. Moreover, as distances in Mauritius are so small, the roads good and transport cheap, there is no serious need for many of the estate hospitals except as emergency dressing stations.

77. In the Civil Hospital, Port Louis, I found that practically the whole of the menial staff is Indian and that there is an Indian doctor on the professional staff. Special cooking arrangements are made to satisfy religious customs. According to the Medical Officer in charge, Indians are using the facilities offered more and more and this is particularly true in the case of maternity wards. Outside Port Louis, however, Indians still seem to fight shy of hospitals, partly because the atmosphere is not congenial, and arrangements are usually not in accordance with their customs and habits.

78. Apart from the Government hospitals, etc., Government makes grants to private institutions including the fairly recently formed Maternity and Child Welfare Society which has branches in various parts of the island. In addition, seven qualified midwives were employed by Government. It is a matter for regret that the attempts made to induce Indian girls to enter the nursing profession have so far proved unsuccessful.

Public health.

79. So far as the health of the community is concerned, it may be stated that the two chief scourges of the island are malaria and hook-worm (ankylo-stomiasis). Each of these is dealt with by a special branch of the Medical and Health Department. The general death rate has risen during the last five or six years and for the quinquennial period ending 1938 was 27.48 per mille which is exceedingly high. In India which has one of the highest death rates in the world the average for the period 1934-36 was 23.7. Infantile mortality is as high as in India and is probably due to the occurrence of chronic malaria or of ankylo-stomiasis in the mother during pregnancy. Cases of severe malnutrition are stated to be extremely rare. According to the annual report of the Director of Medical and Health Services for 1938 there has been a considerable fall in the death rate due to tuberculosis in recent years, but this seems to have been accompanied by a rise in the death rate from other causes.

80. So far as malaria is concerned, the Department of Public Health is engaged in anti-mosquito work and also in the diagnosis and treatment of cases, and maintains a continual survey of the situation by means of blood tests of inhabitants of the area with which the Department is for the time dealing. So far as hookworm is concerned, routine treatments are given because in rural areas the people have not yet acquired the habit of using the latrines provided. The Department carries out campaigns against hookworm throughout the island. On estates, the cane fields surrounding labourers' camps are heavily polluted and anyone having to work in them is likely to be infected. Propaganda is said to have practically no influence on this custom of soil pollution although it has had the result of increasing the number of people attending for treatment. Mass treatments are given as often as possible in every school, village and estate in the island. The treatment is effective but unfortunately the cure is not permanent and the patients frequently become re-infected. As infection occurs through the feet a practical method of avoiding it would be the wearing of shoes or boots, which however is perhaps precluded on account of the low wages obtained by the labourers. Government might perhaps be able to alleviate the position by permitting the import of certain types of cheap boots and shoes free of customs duty. It is certainly in the interest of Government and of the sugar industry that the spread of hookworm should be checked. If the number of working days lost by labourers on account of hookworm throughout the year were calculated I believe the resulting figure would be astonishing. The appointment of more Indian medical officers (there are only two at present), who could explain preventive measures in the vernacular of Indian labourers would also probably have a good effect, and more stress might also be laid on the teaching of hygiene in schools. On the whole the medical and health facilities in the Colony are fairly good. Government is seriously disturbed on account of the deterioration in the physique of the agricultural labourer, and it may therefore be expected that there will be a steady improvement in these facilities. Government is examining the complicated question of nutrition, and, incidentally, mention may be made of a Health Insurance Scheme which Government at present has under consideration: this will provide for an insured person receiving a disablement benefit up to the time he qualifies for an old-age pension. An insured person will also receive free medical treatment, free medicines, etc.

CHAPTER V.—INDIAN MARRIAGES.

81. There is one further matter to which I might refer here. It was an unpleasant surprise to me to read in the Census Report of 1931—"In the Indo-Mauritian population 17 per cent. are married civilly, 6 per cent. religiously, and 12 per cent. are living in concubinage." In the case of the general population, 25 per cent. are married civilly or religiously, and 6 per cent. are living in concubinage. In actual figures no less than 17,029 Indian males and 18,146 Indian females are living with a person of the other sex without having gone through any form of marriage. I was told that it was customary for Indian girls and boys to go through the usual religious marriage ceremonies, and later separate if their married life did not run smoothly. Thereafter, if either took a fresh partner, they lived together without going through any form of marriage. The position is very unsatisfactory and merits an enquiry by the Government.

CHAPTER VI.—EDUCATION.

Introductory.

82. Schools were first opened in Mauritius by religious bodies who received a subsidy from Government. Gradually Government Schools were introduced but education is still largely controlled by denominational bodies. Apart from the Government and the Government-Aided Schools there are also a few private schools which do not fall under Government control. Practically the whole expenditure in connection with Aided-Schools is met by Government grants. There is a Schools' Committee for the Colony of which two prominent Indian gentlemen are members.

Primary Education.

83. Primary education is free for all sections of the population but it is not compulsory. Schools are open to all classes and races and there is no special provision for the education of Europeans. There are at present 127 primary schools in the island, roughly one to every six square miles. Of these 51 are Government Schools, while of the Aided-Schools, 52 are Roman Catholic, 17 Church of England, 4 Hindu and 2 Mohammedan. Pupils attending Mission Schools however do not necessarily belong to the particular denomination after which these schools are named. According to the report of the Superintendent of Schools, 67 per cent. of the pupils attending Roman Catholic Schools are of the Roman Catholic faith; 8 per cent. of the pupils attending Anglican Schools belong to the Church of England, the rest are either Hindu or Mohammedan and it is moreover not uncommon to see Christian pupils attending schools under Hindu or Mohammedan management, while Christians as well as non-Christians attend Government Schools. Of the Primary Schools, 9 are for girls with a small percentage of boys in the lower forms.

84. The number of schools has actually decreased during the last 15 or 16 years. In 1923 there were 147 primary schools, but following the investigations of the Finance Commission in 1932 a policy of economy and centralisation was adopted. The number of schools was reduced and the building programme is now one of reconstruction and expansion of existing schools. The following table gives the number of Indian children attending

primary schools (excluding the vernacular and half-time schools not in receipt of Government grants):—

	Total.	Girls.
1929	17,547	3,629
1930	16,988	3,288
1931	18,502	4,031
1932	18,691	4,087
1933	20,571	4,912
1934	20,230	4,608
1935	19,795	4,750
1936	20,814	5,431
1937	20,641	5,539
1938	20,978	5,908

The total number of children on the roll of primary schools in the island in 1938 was 39,952. The percentage of Indian children is therefore 52·5. In 1914 Indian school children formed 41·3 per cent. and in 1923 56·6 per cent. Since 1923 there has been a retrocession, probably due to economic causes. These figures indicate that the progress in respect of the Indian Community has been slower than in the case of the general population. On a population basis, the percentage of Indian children in primary schools should be 66 per cent.

85. According to the annual report of the Superintendent of Schools for 1938—

“It can be inferred that if education was made compulsory there would be no substantial increase in attendance” again

“There is an adequate provision of elementary institutions so that it is possible for all children of school-going age to attend some Primary School.”

My investigations indicate that the above statements are not wholly accurate. According to the census report for 1931, there were 63,751 children in the island between the ages of 5 and 13, yet there are only about 40,000 children at school. The population since 1931 moreover has definitely increased. It is true that some children attend vernacular private schools, but the number is very small; also owing to the fact that education is not compulsory and that for economic reasons parents are inclined to take their children away from school after they have reached the age of 10, a fairly large number of children of school-going age are not at present attending school, but have received a certain amount of primary education. Even so, according to my calculation there must be about 15,000 children of school-going age who have not received or are not receiving primary education. Of these about 10,000 are girls, as is shown by the fact that in 1938 there were 10,000 more Indian boys in school than Indian girls. It is however pleasing to notice that during the last 10 years there has been a fair increase in the number of girls attending schools.

86. In addition to English, French and Arithmetic, instruction is given in hygiene, physical drill, nature-study or elementary biology, and in the

principles of agriculture and gardening. History and geography are optional subjects taught in the higher standards for the benefit of candidates wishing to sit for scholarship examinations. Girls follow needle-work courses, while boys do gardening work. Religious instruction is not given to Indians unless they are Christians. Facilities are given to Mohammedan pupils to attend a Mosque on Fridays. For religious instruction the children generally attend *madrassahs* and vernacular schools after the ordinary school hours. I found that the average attendance in schools was low, apparently due partly to the fact that education is not compulsory, and partly on account of the prevalence of malaria.

87. The common medium of instruction is creole or a corrupted form of French. Indian dialects are used occasionally. In the higher schools the teaching is conducted in English. The use of French and vernacular is allowed whenever it is found necessary. A competitive examination is held for the highest class in the primary schools, and on the results six junior scholarships and exhibitions are given annually, entitling the holders thereof to free tuition at the Royal College for an average period of seven years together with privileges in respect of travelling to school and in the purchase of school requisites. The winners of scholarships receive payments at the rate of 120 rupees a year in addition. These scholarships and exhibitions are open to boys under 18 years of age attending any Government or Aided-Primary School. Four senior scholarships and four exhibitions are also granted entitling the holders to free tuition at the Royal College for an average period of five years with similar privileges. They are awarded to boys under 15 years of age attending primary schools which have been specially authorised to establish a senior bursary class. The holders also receive money payments at the rate of Rs. 120 a year. Indian boys seem to have been reasonably successful in these examinations.

Secondary Education.

88. Secondary education is given at the Royal College at Curepipe and the Royal College School at Port Louis, both Government institutions, and at nine Aided Secondary Schools of which two are for boys only and seven are for girls with a small number of boys in the preparatory and junior classes. The Aided-Schools are only partly subsidised by Government. At the Royal College, out of a total roll of 285 some 87 students have Indian names, but I was informed that only about 45 of them regarded themselves as Indians. At the Royal College School there are 60 Indians out of a total of 160 to 180. These figures indicate a retrograde movement during the last 15 years. In 1919 there were only 40 Indians at the Royal College, Curepipe. By 1923 the number had increased to 192. This was due probably to the sudden wealth which the Indian small planter acquired in 1920, when the price of sugar rose to fabulous height. The Royal College School at Port Louis was opened in 1929 to relieve congestion at the Royal College and the total number of Indians at the College and the School is now 147. In Aided-Secondary Schools the number of Indians is only 18 as against 3 in 1923. Though under the Law no school receiving a grant from the Government may refuse to accept a student on the ground of race, it was reported to me that in practice many institutions place obstacles in the way when the applicant is an Indian. At the same time Indian students are inclined to avoid going to the Aided-Secondary Schools because they are denominational in character and religious instruction is compulsory.

89. The be all and end all of education in Mauritius is the winning of the Laureate. Two scholarships, one to the modern side and one to the classical side, are granted annually from the Royal College tenable at a British University, of a total value of £1,100 with free passage each way. Indians have been successful in gaining this coveted prize.

90. The fees for paying pupils at the Royal College are very reasonable, ranging from Rs. 96 per annum to Rs. 192 for the English Scholarship Class. There was an occasional complaint that there was racial discrimination in the selection of students but this did not seem to be borne out by facts. There is one Indian member of the Royal College Committee who should be able to see that there is no racial discrimination. It would probably be more correct to say that the facilities for secondary education are insufficient. There was also a complaint that progress depended very largely on private tuition, and that the average Indian was generally at a disadvantage because he could not afford to pay for private tuition. This however is a question of lack of opportunity rather than lack of facilities. During the last two years arrangements have been made for religious instruction in the Royal College and the Royal College School for Hindu and Mohammedan students. On the whole Indians in the Royal College and Royal College School seem to do very well in examinations but usually they seem to sacrifice outdoor exercise for study. Racial feeling between Indian and non-Indian students seems to have sprung up at the Royal College during the last few months but the authorities are taking every step to suppress it.

Secondary education for girls.

91. There are practically no Indian girls attending secondary schools. Apart from the economic factor Indian parents are inclined to the view that secondary education for girls serves no useful purpose. There would be a considerable improvement if a Government Secondary School for girls could be established. The fact that the present Aided-Schools are denominational acts as a strong deterrent to Indian parents.

General.

92. On the recommendation of the Financial Commission of 1932, the Teachers' Training College, the Technical College and the Trade School were all closed down for reasons of economy. Now there is no technical training beyond what is provided in the Government Railway Workshop. The early re-introduction of manual and technical training would seem to be desirable.

93. In 1937 the Superintendent of Schools went on a special mission to England to discuss and examine the possibility of re-organising the educational system of the Colony with a view to introducing agricultural and manual training in primary schools. A new Superintendent of Education is due to arrive in the Colony towards the end of the current year and he will be expected to review the whole position so far as primary and secondary education is concerned.

94. There is a conservative element in Mauritius which is opposed to the spread of education. It holds that education makes a boy who comes from the agricultural class dissatisfied with the life of an agriculturist, and imbues him with a desire to free himself from what he considers the stigma of being an agricultural labourer and from the 'indenture' tradition which still survives, and to aim solely at securing for himself a post in Government service. It is obvious that in a small place like Mauritius which

depends almost entirely upon agriculture only a very small proportion can be absorbed in Government service and in business. The conservative view is therefore that education will tend to produce an educated, unemployed, discontented class which will endanger the stability and prosperity of the Colony.

95. The other view is that any man is improved by education. The example of Finland and other European agricultural countries is quoted to show that a man can be educated without losing his enthusiasm or skill as an agricultural labourer. Moreover when there is labour unrest it is far more difficult to deal with uneducated labour than with educated labour because the latter can understand logic and at the same time is more aware of its responsibilities. Without endeavouring in any way to anticipate the final decision of the Colonial Government in this respect, it would seem to be preferable to give all children some sort of basic education which would free them from the dangers of exploitation and make them more serviceable to the community as a whole. This would necessitate compulsory education but it need only be compulsory between the ages of say 7 and 12. Boys above the average intelligence would then stay on at school and the others would, 'as at present,' leave school and turn to agricultural pursuits. The system could be introduced without having any serious financial effect by selecting a test-area where there are present facilities for expansion, and introducing a system whereby education will be compulsory for children of the age of 7 in the first year of the scheme's working; ages 7 and 8 in the second year's working; ages 7, 8 and 9 in the third year's working and so on. Actually, there would be practically no increase at first in the case of boys but it would make a big difference in the case of girls and it would help to arrest the present lop-sided development of the community in the matter of education.

96. In the Primary Schools there are no European teachers. In the Government Primary Schools there are 167 Indian teachers out of 406 and in Aided-Primary Schools 184 out of 862. The proportion is the same as in 1924. At present there is only one Indian Inspector. In view of the fact that over half of the children attending Primary Schools are Indian and a very large proportion of the teachers are Indian, it would seem to be desirable to increase the number of Indian Inspectors. In conclusion reference might be made to the opinion expressed in the report of the Finance Commission of 1932. "We consider that the introduction of a system of general education and the provision of better-paid and qualified teachers for primary schools are the chief obligations which must be faced when the financial position has been restored."

CHAPTER VII.—POOR LAW RELIEF.

Introductory.

97. Formerly the Administration of the Poor Law Department was in the hands of the Director of Immigrants who was assisted by an Advisory Relief Board consisting of six members, two of whom were Indians. In 1938 the Director of Labour superseded the Director of Immigrants and became Poor Law Commissioner and in the following year the Advisory Relief Board was abolished and a Board of Visitors to Poor Law Institutions was appointed with two Indian members. Poor Law Relief takes two forms. Firstly, indoor relief in a number of institutions which are in receipt

of Government grants, and secondly out-door relief which is dispensed under the authority of the Poor Law Commissioner after the investigation of cases by Poor Law Officers.

Indoor Relief.

98. The institutions concerned are all denominational. For that reason Indians are shy of seeking this type of relief. There is, however, one Moslem Orphanage with accommodation for 70 children which is in receipt of a Government grant and is doing very good work. A beginning was also made with a Moslem Institute but the scheme had to be dropped on account of the war. There is however no reason why the Indian community should not have more institutions of its own which would qualify for a Government grant. The following table shows the relative numbers of Indians and non-Indians in receipt of indoor relief in the years 1930—1937:—

Year.	General Population.	Indian Population.	Total.
1930	755	672	1,427
1931	655	849	1,504
1932	653	783	1,436
1933	663	675	1,338
1934	612	686	1,298
1935	608	699	1,307
1936	621	607	1,228
1937	647	665	1,312

Government is at present considering the possibility of converting one denominational institution into a Government institution. This is undoubtedly a step in the right direction and will help to remove the main complaint of the Indian community in regard to indoor relief.

Outdoor Relief.

99. The object of outdoor relief is to give assistance to persons who cannot or will not accept indoor relief. It was really intended to be a supplementary relief, but over a period of years it has grown enormously and now involves far more expenditure than indoor relief. It also seems to serve the purpose of unemployment benefits and old-age pensions. The grant is in the form of a few rupees paid monthly. The ratio of the number of persons in receipt of Poor Law Relief has risen from 5.8 per mille in 1924 to 86.73 in 1937.

Machinery to administer poor law relief.

100. In 1929 a Commission of Enquiry into the administration of the Poor Law was appointed. It found that the administration was unsatisfactory in rural areas. Consequently in 1931 all district dispensers were appointed as Poor Law Visiting Officers and were given a duty allowance. Medical Officers continued to function as Poor Law Officers. An experiment was also made with issuing food provisions in lieu of cash. The system was abandoned however in 1934. In 1936 there was renewed dissatisfaction as the Medical Officers and dispensers found that they were unable to devote sufficient time to the work. A new plan was therefore adopted and was tried out in the district of Plaines Wilhems which was divided into six sections with a full time Visiting Officer in charge of

each. A Poor Law Officer was placed in charge of the whole district. In 1937 and 1938 this scheme which was proving satisfactory was extended to the whole island.

Complaints of Indians.

101. The chief Indian complaint in connection with the administration of the Poor Law is that there is racial discrimination in the matter of granting outdoor relief. The following table indicates the distribution of relief between the Indian community and the general population during the years 1930 to 1937 and also the number of Indians and members of the general population respectively in receipt of grants of 10 rupees per mensem and over:—

Year.	Total No. of cases.	Sum paid.	Recipients.		Receiving Rs. 10 and above per mensem.	
			General Population.	Indian Population.	General Population.	Indian Population.
		Rs.				
1930	7,665	3,48,424	4,240	3,425	519	153
1931	8,240	3,64,530	4,322	3,918	138	195
1932	8,560	2,79,882	4,640	3,920	95	25
1933	9,071	3,09,580	5,038	4,033	140	16
1934	10,664	3,54,438	5,589	5,075	177	28
1935	13,031	4,29,692	6,357	6,674	194	25
1936	13,128	4,51,508	6,758	6,370	336	37
1937	13,458	4,74,419	6,723	6,735	218	48

When one considers that the Indian population forms roughly two-thirds of the total population the above figures appear to indicate that there is some foundation for the Indian complaint. There are however certain factors to be taken into consideration. With regard to the total number of cases of relief, one must remember that the family system still persists amongst the Indian community. Further the Indian community depends almost wholly on agriculture for its livelihood. An agricultural labourer is not liable to spells of unemployment in the same way as an ordinary labourer in the town. Even when out of employment he usually has a plot of ground from which he can get vegetables. For these reasons the number of applications for relief are proportionately greater from the Creole community than from the Indian community.

102. With regard to the actual amount of the grant, the reasons for the Indian generally receiving a smaller amount are the general reasons indicated above, and also the fact that while the Indian applicants are almost entirely persons of the agricultural labouring classes with a low standard of living, many recipients of relief amongst the general population are people of a higher standard of living who have fallen on evil days. It has been argued that the same amount of relief should be given to all applicants irrespective of the station in life to which they formerly belonged. The practice has however been to take the applicant's previous station in life into account. If a man has been used to wearing boots, provision is made accordingly. As the Indian labourer does not wear boots it is not necessary to take them into account. On the whole however I cannot help feeling that there has been a certain amount of racial discrimination in the past, both in respect of the grant of relief to an Indian and also in the amount of the grant given. The subordinates of the Poor Law Department have usually been Creoles and at times religious influences have undoubtedly been at work. At present however the administration is carried on with complete impartiality. A great deal of the time of the Deputy Director of Labour is taken up in examining cases and there is an appeal to the Poor Law Commissioner. In view of the fact that so many of the applicants are illiterate Indians of the poorer class, it would be better if a larger number of Visiting Officers who make the original investigations, were themselves Indians. At present there are only 7 Indian Visiting Officers out of a total of 22, but I understand that Indians will be appointed in the next two or three vacancies if applicants of the requisite merit and qualifications present themselves. I might here refer to the fact that Government has at present under consideration a scheme for Old Age Widows' and Orphans' pensions for wage-earners employed on a non-monthly basis. If adopted, this will almost completely eliminate Poor Law relief. The scheme will be on a contributory basis, a small contribution being made by the employee, and other contributions by the employer and also by the State. A separate pensions scheme is contemplated for employees on a monthly basis.

CHAPTER VIII.—THE INDIAN IN THE PUBLIC SERVICES.

103. All the senior administrative posts are held by members of the unified Colonial Services. The following table indicates the number of Indians employed in the various Departments and in certain cases the salaries drawn by them:—

Department.	Posts.	Fay (in rupees per annum).
Agriculture	6 out of 7 Overseers	600—1,300 with quarters.
	Government Dairy Overseer	900 with quar- ters.
Co-operative Credit Society	Assistant Registrar	5,000—8,000
	2 out of 3 Inspectors	3,000—4,800

Department.	Posts.	Pay (in rupees per annum).
Customs	<i>Nil</i> . . . . .	...
Education	Royal College one master (actg.) .	...
	Royal College School 1 Laboratory Assistant.	300—400
	1 out of 3 Inspectors of Schools .	4,800—6,000
	167 out of 406 Teachers . . . . .	...
Electricity and telephones	1 Storekeeper	1,800—3,000
	1 Assistant Storekeeper	900
Forests	<i>Nil</i> . . . . .	...
Granary	3 out of 4 Storekeepers	900—1,200
	1 out of 4 Assistant Storekeepers .	720—900
	1 Mechanic	900
Harbour Engineer	Diver	600
Labour	4 out of 6 Inspectors	3,800—4,800
	3 Poor Law Visiting Officers . . . . .	...
Industrial School	Two Instructors	1,080—1,440
	6 out of 7 Assistant Instructors .	...
District Magistrates	1 out of 10	9,000
	6 Interpreters	1,800
	Additional Sub-Procureur and Advocate-General.	10,000
	2 Interpreters	3,000
Medical and Health	2 out of 14 Medical Officers	7,000—10,000
	12 out of 82 Dispensers. . . . .	...
	36 out of 101 Male Dressers . . . . .	...
	6 out of 52 Female Dressers . . . . .	...
	2 out of 9 Sanitary Inspectors	1,400—3,500
Police	1 out of 8 Assistant Superintendents	3,800—4,800
	105 out of 570 Constables . . . . .	...

Department.	Posts.	Pay (in rupees per annum).
Posts and Telegraphs	Assistant Accountant	2,700—3,900
	4 out of 8 Postal Clerks.	900—2,700
	4 out of 15 Postal Officers	1,200—2,400
Wireless	Senior Operator	4,200
	1 out of 4 Junior Operators	1,200—1,800
	Assistant Engine Driver	600
Prisons	2 Warder Store Clerks	2,400
	1 Sub-Matron	1,020
Archives	Additional Civil Status Officer	1,170, <i>plus fees.</i>
P. W. D. and Survey	<i>Nil</i> . . . . .	..
Railways	1 out of 5 Inspectors	1,800—2,500
General Clerical Service.	63 out of 205 posts	900—2,400
Clerical Assistants Service	14 out of 50 posts.	720—2,400
Messengers	Almost entirely Indian.	360—600

The above list does not purport to be absolutely accurate. I found that it is a common custom in Mauritius that when an Indian adopts another religion or European ways of living he ceases to regard himself as an Indian and is classed as a member of the general population. Moreover, not infrequently Indians adopt French names; so that it is impossible to state accurately, the number of people of Indian origin at present employed in the services, but it must be larger than indicated in the above table.

104. Appointments to the general clerical service as well as promotions and transfers are dealt with by the Staff Board, the requirements and the recommendations of the Head of the Department concerned being taken into consideration. The Board then submits its recommendations to the Government. The remaining appointments are made by the Governor on the recommendation of the Head of the Department and the Colonial Secretary. The Staff Board consists of the Colonial Secretary, the Finance Secretary, one head of the Department and one special grade clerk. At present the Head of the Department, who is a member of the Board, is the Postmaster-General. An Indian who is special grade clerk may at any time be appointed as a member of the Board. In dealing with applications for appointment, matters of transfer and promotion there was no proved racial discrimination. It is true that certain leading members of the Indian community have alleged such racial discrimination but the allegation is difficult to prove or to disprove. In the case of the police, for example, Constables are required to be of a certain height and have a certain chest

measurement and I was informed that a large number of the Indian applicants could not satisfy those requirements. Then again in the case of the Royal College, there is only one Indian on the staff, and he is officiating, not permanent. But the difficulty there appears to be that the usual Indian candidate has usually an insufficient command of English. It is difficult however to see any reason why no Indians should be employed in the Customs, Forest or Public Works and Survey Department, and this fact lends colour to the allegation of racial discrimination. I also heard a complaint that senior Indian School Masters in Primary Schools were passed over when the question of appointing an Inspector arose. It would seem to be desirable that officials whose work brings them into close contact with the Indian community should themselves be Indians. On the whole I had the impression that appointments in public service were made on merit and that the chief reason why Indians did not hold a number of posts proportionate to the actual size of the community was that the community was still rather backward in the matter of education, and that with the increase in spread of education they would secure more and more posts purely on merit. At present the number of posts held by them seems to be proportionate to the extent of education and cultural development in the community.

CHAPTER IX.—POLITICAL STATUS OF INDIANS.

105. In the matter of registration of voters and rights of election to the Council of Government there is no statutory bar against Indians. The qualifications for registration on the Electoral Roll are as follows:—

Every male person shall be entitled to be registered in any year as a voter for any electoral district, and when registered, to vote at the election of a member of the Council for such district if he is qualified as follows:—

- (1) has attained the age of 21,
- (2) is under no legal incapacity, and is in possession of his civil rights,
- (3) is a British subject by birth or naturalization, and
- (4) has resided in the Colony for three years at least previous to the date of registration, and possesses some one of the following qualifications:—
 - (a) is on the first day of January in such year and has during the preceding six calendar months, been the owner of immovable property within such district of the annual value of Rs. 300, or the monthly value of Rs. 25, above all charges and encumbrances affecting the same:
 - (b) is at the date of registration paying, and has for six calendar months previous to the first day of January in such year, paid rent in respect of immovable property situate within such district, at the rate of at least Rs. 25 per month:
 - (c) has for three calendar months previous to the first day of January in such year resided, or had his principal place of business or employment within such district, and is the owner of movable property within the Colony of the value of at least Rs. 3,000:
 - (d) is the husband of a wife, or the eldest son of a widow, possessing any one of the above qualifications;

(e) has for three calendar months previous to the first day of January in such year resided or had his principal place of business or employment within such district, and is in receipt of a yearly salary of at least Rs. 600, or a monthly salary of at least Rs. 50:

(f) has for three calendar months previous to the 1st day of January in such year resided, or had his principal place of business or employment within such district, and pays licence duty to the amount of at least Rs. 200 per annum.

There are provisos that no person shall be registered as a voter who has been convicted of perjury or has received certain sentences in Court or who has received any relief from public or colonial funds; and also no person claiming to be registered in the district in which he resides in respect of either of the qualifications (c), (d), (e) and (f) shall be registered in respect of the same qualifications in the district in which he has his principal place of business or employment or *vice versa*.

106. The following table shows the classification of electors in each district:—

District.	Euro-peans.	Indians.	Coloured.	Chinese.	Total.
Port Louis	499	924	1,353	75	2,852
Pamplemousses	110	212	142	21	485
Riv. du Rempart	114	128	125	3	370
Flacq	78	236	162	..	477
Grand Port	143	303	301	3	750
Savanne	92	275	217	28	613
Black River	3	32	180	..	215
Plaines Wilhems	889	544	1,329	..	2,762
Moka	148	27	105	..	280
Total	2,076	2,681	3,914	130	8,804

[The estimated Indian population in the Island and its dependencies on the 31st December, 1938, was 269,885 and the general population 145,577.]

It will be seen that the constitution of the Electoral Roll bears no relation to the actual composition of the population of the island. This seems to be due to the fact that the property qualification eliminates all but a small fraction of the Indian population. It has been suggested that a large number of Indians who are really qualified for enrolment as voters have not actually been enrolled. My enquiries however indicated that this was not correct. Considering the number of Indians engaged in

business and in Government service who qualify as electors, and considering the fact that there are about 20,000 small planters in the island, it would seem *prima facie* that the number of Indian voters should be higher. Unfortunately nearly all the small planters operate in a very small way and are unable to satisfy the property qualifications. The position is however gradually improving, and Indians now constitute 30 per cent. of the electoral roll as against 24 per cent. in 1924. There was a complaint that when Indians applied to the Magistrate for enrolment they were subjected to certain inconveniences which acted as a deterrent. My enquiries show that while there may have been one or two instances of this nature, the complaint was certainly not a general one and the consensus of opinion amongst the Indian leaders was that almost all Indians who were qualified as electors had had themselves registered.

107. The position of the Indian as an electoral unit is not however satisfactory. The Indian in Mauritius must continue to supply the labour required for sugar estates. His remuneration can never be high, and no matter what his education might be, so long as the existing rules remain unchanged, he can never hope to have any voice in the election of members of the Council of Government. For some years Indian leaders in Mauritius have been asking for complete adult suffrage. This is I fear impracticable for years to come but Government during the last few years seems to have become more conscious of the importance of the part played by labour in the economic life of the Colony, and Indian opinion is being more and more consulted in matters affecting the Indian labourer and the Indian small planter. It would seem desirable that there should be an increase in the Electoral Roll, and this might most suitably be achieved by adding a further qualification for registration as an alternative to the property qualification.

Constitution.

108. The political constitution of Mauritius consists of a Governor, an Executive Council and a Legislative Council. The Executive Council was re-organised under new Letters Patent in 1933 and consists of the Senior Military Officer in command of the regular troops in the Colony, the Colonial Secretary, the Procureur and Advocate-General, and the Treasurer of the Colony, all of whom are *ex-officio* members of the Council. The Governor with the sanction of the Secretary of State may appoint additional members. At present there are two such unofficial members. The Council of Government consists of the Governor, eight *ex-officio* members, nine nominated members and ten elected members. The island is divided into nine districts, the district of Port Louis returning two elected members of Council and the remaining eight districts returning one each. The *ex-officio* members are the Senior Military Officer commanding the regular troops of the Colony, the Colonial Secretary, Procureur-General, Finance Secretary and the heads of the more important Administrative Departments. There are no Indian elected members. Of the nominated members two are Indians. One has been a nominated member for the last 15 years.

109. There are only two cases of an Indian being elected to the Council of Government. It is said that Indian candidates and Indian electors are subjected to economic and other pressure and that when an Indian stands

for election other parties combine against him. An Indian will vote for a candidate of another race but the other races will never vote for an Indian. They feel that if they ever need the assistance of their Council representative in any private or personal matter, a non-Indian will have more influence than an Indian. This position may be unfortunate but it is difficult to suggest any safeguard against it. So far as the nominated members are concerned, there was a difference of opinion amongst the Indian community as to whether the Indian nominated members really represented their interests. It was said that one of the nominated members was the only Indian mill and estate owner in the island and that his interests were purely those of the Capitalist class. The Indian representation in the Council of Government is certainly disproportionate both to the size of the Indian population and to the number of Indian voters. No one will deny that the Indian community has a number of able men who are well fitted to sit in the Council of Government and although there is no racial discrimination, at the same time it is obvious that there are influences at work which prevent Indians from securing election. The words of the Royal Commission of 1909 still hold good: "No Council can legitimately claim to speak authoritatively for Mauritius as a whole which does not contain a substantial proportion of members who represent that hitherto unrepresented community of Asiatic descent which plays such an important part in the life of the Colony and comprises more than two-thirds of its population." The history of Mauritius has been singularly free from labour troubles and I feel that an extension of the electorate, more adequate representation of the Indian community in the Council of Government and representation in the Executive Council will prove effective in maintaining this fortunate tradition. At the same time it would probably be unwise to introduce a representation on a communal basis which would only serve to accentuate racial differences. For that reason it would be preferable to increase the number of elected representatives rather than the number of nominated members. The extension of the electorate should be effected by the adoption of an educational qualification and perhaps by a slight lowering of the property qualifications. At the same time a redistribution of seats on a population basis would remove the present difference in the value of the vote as between one district and another.

Municipal franchise.

110. The only Municipality in the Colony is Port Louis. For many years the Indian community has protested against the electoral system under which the community finds itself with only two representatives in a Council of 12, although Indians own no less than two-thirds of the property in the Municipality. Moreover only three of the Councillors are residents of Port Louis. This is due to the fact that the system of Wards has been abolished, and also to the institution of the 'salary-earner's vote', by which any person living outside Port Louis who attends office or business in Port Louis and earns a salary above a certain figure, qualifies for a vote. This 'flooding' of the electoral roll is very difficult to justify, and the residents of Port Louis, who are mainly Indian, appear to have a legitimate grievance.

111. A further grievance is in respect of the three Township Boards at Curepipe, Beau Bassin and Rose Hill. These townships are administered by Boards nominated by His Excellency the Governor. There is an Indian

member on two of the Boards. But this does not satisfy the needs and aspirations of the Indian residents, and the introduction of a more democratic system is now being called for.

CHAPTER X.—CONCLUSIONS AND SUMMARY OF SUGGESTIONS.

General.

112. Compared with Indians in other parts of the world outside India, Indians in Mauritius occupy a favourable position in that there is no statutory discrimination against them. They have exactly the same rights and privileges as any other section of the population. They are faced not so much with a lack of facilities as lack of opportunity to take advantage of facilities, and this in turn is due to the fact that the Indian population represents the poor working class. The grievances referred to in this report are grievances which the working class might have against the capitalist in any country in the world where this economic classification of the population still persists. They are purely economic, and not racial, grievances. The Indian labourer on the Indian mill-owners' estate is in no way better treated than on any other estate. In fact it was on an Indian-owned estate that the first serious labour disturbance took place in 1937, and it was the Indian management which resorted to shooting. Similarly in the case of the Indian small planters, one of the most bitter complaints is against the middlemen. But the middlemen are nearly all Indians.

113. In the past, however, there has been some discrimination against Indians in administrative matters, for example in the administration of the Poor Law, and in the question of appointments to certain Government services. But the fact that there is no statutory discrimination removes a serious complication experienced in some other countries, and renders it easier to find a satisfactory solution of problems and adjustment of grievances.

114. However much one may deplore the labour disturbances of 1937, one must admit that they had the effect of drawing attention to the important position held by labour in the sugar industry, and to the need for recognizing the labourer as a third partner in the industry along with the miller and the planter. The new Labour Law represents a genuine attempt on the part of Government to meet the changed conditions and to afford the necessary protection to labourers, but everything will depend on the manner and extent of application of the Law in practice by the Labour Department. The Department has already evidenced its sympathy for the labourer, but in view of the political and economic tradition of Mauritius a policy of 'festina lente' has at times to be observed. The Department is moreover still in its infancy, and is obviously under-staffed if it is to administer the law fully and efficiently.

115. It is very satisfactory that the principle of collective bargaining has been introduced for the settlement of disputes between employer and employee, and it is to be hoped that the Labourers' Industrial Associations will revive and become powerful organisations. The main grievance of the labourers—insufficient wages—has not yet been removed. An attempt

is being made to solve the problem by fixing a minimum wage, but apart from the fact that it is not being satisfactorily applied, it is I consider wrong in principle to fix a minimum wage which for eight months of the year is much less than the actual cost of living. During those months there is a surplus of labour, and the position is rendered worse by the widespread employment of women and children, which has the effect of depressing wages. Control of female and child labour during this period seems to be desirable.

116. Considering the social and economic position of the population, the housing, medical and health facilities in the Colony are fairly satisfactory. Educational facilities are inadequate, and at the moment there seems to be no clearly defined policy. There is considerable hesitation about extending educational facilities because of the fear that a large class of black-coated unemployed and unemployables will be created, and that the sugar industry will suffer. Progress and education are however inseparably linked together, and the view must eventually prevail that every person has the right to a reasonable standard of education.

117. The small planters have had their grievances removed. As in the case of labour disputes the principle of collective bargaining has been adopted to settle disputes with the millers, and moreover the small planters have now got representation in the Council of Government.

118. On every hand I heard words of appreciation of the sympathetic attitude of the present Governor, Sir Bede Clifford. His Excellency has acquainted himself with the problems of the labourers, has addressed them at meetings, and granted interviews freely to their representatives. His sympathy is illustrated by his action in increasing the wages of the lowest paid section of Government servants in 1938 without waiting for the sanction of the Council of Government, and after the enquiry of the Hooper Commission His Excellency lost no time in introducing the necessary reforms. So long as this spirit prevails, the Indian community feels that it will receive fair treatment.

119. For convenience of reference I append a summary of the suggestions made in the course of this report:—

- (1) In respect of credit facilities for small planters, the minimum limit for loans from the Agricultural Bank should be removed, and the scheme for expanding Co-operative Societies should be adopted (paras. 37 and 38).
- (2) The recommendation in paragraph 364 of the report of the Hooper Commission that small planters be made members of the Committee of the Sugar Syndicate should be implemented (para. 40).
- (3) A minimum wage for labourers in the sugar industry should be introduced for the whole island. It should be based during the inter-crop season on the actual cost of living (paras. 58, 60 and 115).

- (4) The 10 per cent. war bonus should be granted to day-labourers as well as to estate labourers (para. 59).
- (5) The employment of female and child labour in the inter-crop season should be restricted (paras. 60 and 115).
- (6) Estate labourers should be paid their wages weekly instead of monthly (para. 62).
- (7) Day-labourers should be paid direct by the estate manager and not through the job-contractor (para. 63).
- (8) Government should make every effort to strengthen Industrial Associations (paras. 66 and 67).
- (9) One magistrate or bench of magistrates should deal with all industrial disputes (para. 68).
- (10) In the interests of public health, Government should exercise more control over housing of labourers off estates (para. 72).
- (11) To assist in the prevention of hookworm Government should permit the import of cheap boots and shoes free of customs duty. More Indian medical officers should be appointed, and more stress laid on the teaching of hygiene in schools (para. 80).
- (12) Government should inquire into the reasons for such a large percentage of the Indian male and female population living together as man and wife without undergoing a form of marriage either civil or religious (para. 81).
- (13) A Government Secondary School for girls should be established (para. 91).
- (14) The re-introduction of manual and technical training in schools is desirable (para. 92).
- (15) Compulsory education should be introduced in suitable stages (para. 95).
- (16) The number of Indian School Inspectors should be increased (para. 96).
- (17) One denominational Poor Law Institution should be converted into a Government Institution (para. 98).
- (18) More Indians should be appointed as Poor Law Visiting Officers (para. 102).
- (19) Indians should be appointed in certain Departments of Government in which they are not employed at present (para. 104).
- (20) The electoral roll should be extended by adding an educational qualification as an alternative to the property qualification and by a slight lowering of the latter qualification (paras. 107 and 109).
- (21) The Indian community should have more adequate representation in the Council of Government and should also have representation in the Executive Council. This should not be on communal lines. The number of elected representatives to the Council of Government should be increased and the seats should be re-distributed on a population basis (para. 109).
- (22) The system under which the votes of residents of Port Louis Municipality are swamped should be rectified (para. 110).

- (23) A more democratic system should be introduced in respect of the townships at Curepipe, Beau Bassin and Rose Hill (para. 111).

Acknowledgments.

120. My visit to Mauritius coincided with a critical phase in the War in Europe. The population which is largely French in tradition and sympathy was naturally deeply disturbed by the fall of Paris and the ultimate defeat of France. In spite of their pre-occupation with new duties on account of the War, His Excellency the Officer Administering the Government and all the Government officials with whom I had to deal readily gave me time for the discussion of matters affecting the Indian community. I am particularly indebted to the Honourable Mr. E. F. Twining, Director of Labour, for the assistance which he gave me. Also to Messrs. K. Hazareesing and J. N. Roy, Labour Inspectors who arranged for and accompanied me on most of my visits to estates, etc., and collected statistics as required. All Managers of estates which I visited showed me the utmost courtesy, and permitted me to visit any part of the estate or factory and talk with the labourers, and also willingly gave me access to their records. Finally I wish to record my appreciation of the kind hospitality extended to me by numerous friends, both European and Indian, throughout my stay in the Colony.

S. RIDLEY,

CAPE TOWN;

13th September, 1940.