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PLANTATION LABOUR IN INDIA

BY

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To

Rajani Nath Mojumdar, Esq.,

A generous friend since early youth

PREFACE

Plantation Labour in India is a study in the rise, growth, condition and problem of the workers employed on various plantations in India, especially on the tea-gardens in Assam. The main object of the study is a critical analysis of the work and life of the labourer with a view to ameliorating their condition. A brief survey has, however been made of the conditions and prospects of the industry, which is a means of livelihood to a considerable number of the people and a source of income to the nation. Moreover, suggestions have been made for formulating a social policy towards the vast labour population, of which plantation labour is only a part and upon the moral and material development of which depends India's social progress.

As indicated in his other works, the author came to the study of the human factor in production in his search after the elements constituting industrial efficiency, and labour in organized industries, such as plantations and factories, gave him an excellent opportunity to that effect. A considerable amount of material on plantations had, in fact, been already gathered in connection with a survey of Indian agriculture in 1912, and after the completion of the monograph on factory labour in 1915, attempts were made to prepare a similar monograph on plantation labour, but it was not until he arrived in India in 1924 that he had an opportunity to collect sufficient material for the purpose.

The author met, however, with two great difficulties, namely, absence of private literature on the subject and the lack of sufficient information on plantations other than those in Assam. While he was not able to overcome these difficulties, he became convinced that practically all the valuable and available material on the subject had already been gathered. But his occupation in other work prevented him from publishing this monograph earlier.

The methodology and plan of work are the same in this monograph as in that on factory labour. An industrial system is an institution which grows out of social needs and only a genetic study can be helpful to the development of an intelligent social policy. While making a comprehensive, though concise, survey, the author has attempted to make it as objective as possible and has followed the historical and statistical methods.

In conclusion, the author welcomes this opportunity to express his deep gratitude to Mr. Ramananda Chatterjee, editor, *The Modern Review*, for genuine sympathy and kind interest in his work. He also wishes to thank sincerely Mr. Ashoke Chatterjee, M.A. (Cantab.), for kindly reading the manuscript and correcting the proofs.

Calcutta.

January, 1931.

RAJANI KANTA DAS

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PLANTATION LABOUR IN INDIA

CHAPTER I

INTRODUCTION

India has an area of 1.8 million square miles and extends from 8° to 38° latitude N. and from 10° to 66° longitude, and rises from the sea level to the world's highest altitude. It is surrounded, on the north, by a mountain chain of 1,500 miles, and, on the south, by a coast line of 4,500 miles. There are three great natural divisions, namely, the extensive mountainous regions of the Himalayas, the vast plains of the Indo-Gangetic Valley, and the extensive table-land of the Deccan.

Both the geographical situation and the physical features have made the climatic conditions of India extremely diversified. Tropical, sub-tropical and even arctic climates prevail in different parts of the country and are divided by periodic monsoons into well-defined seasons. The temperature varies from 23° to 126° and the annual rainfall from 3 inches to 460 inches.

The soils in India may broadly be divided into three classes, according to their geological origin, namely : (1) the alluvial soils along the great river courses, including the well-defined layers of sand, clay and loam ; (2) the Deccan trap in the central part of the country with heavy black soils, often 20 feet deep, and reaching as high as the foothills ; and (3) the crystalline tract

outside the Deccan trap, varying from clay to loam in texture, and from dark to light in colour.

India has a large variety of minerals, and although most of them are limited in quantity, the iron ore reserves and water power sources are among the largest in the world. The flora and fauna are also extremely rich. The number and kind of animals inhabiting India far surpass those of Europe, and the flora are much more varied than those found in any other country in the eastern hemisphere. Almost all the plants of widely different neighbouring countries are to be found in India.

It is thus seen that extensive territories, variegated topography, diverse climate, and rich soil fertility give India a great advantage for the development of plantation industries and for the production of tropical and sub-tropical commodities, for which there is a great demand both in foreign and domestic markets.

1. PLANTATION INDUSTRIES

One of the most important classes of organised industries in India is, in fact, plantation, especially for the production of tea, coffee and rubber. The importance of tea production in the national economy of the country is best indicated by the value of the products exported, which amounted to 29.6 crores of rupees, or about 9 per cent of the total export trade in 1928-29.¹ Although plantation industries were well established during the 'sixties, the exact number of all classes of plantations did not become

¹ Consisting of 26.6 crores of rupees for tea, 1.69 crores for coffee, and 1.99 crores for rubber. *Review of the Trade of India, 1928-29*, pp. 163-64.

available until 1911, when the first Industrial Census was taken, and the number of such industries was found to be 1,687, the figure rising to 2,034 in 1921.□

□The growth of plantation industries can still better be judged by the increase in the number and in the paid-up capital of the different joint-stock companies. From 1895-96 to 1928-29, the number of the joint-stock companies rose from 172 to 575 and the paid-up capital from 3.67 crores of rupees² to 12.86 crores.³ Moreover, in 1928-29 there were 225 foreign joint-stock companies with £30.56 millions of paid-up capital in different classes of planting industries in India.⁴

└Besides investment by joint-stock companies, there was also capital invested by private undertakings. Tea and rubber plantations are no doubt mostly the property of companies. Out of 795 tea plantations in Assam in 1921, for instance, 632 belonged to companies. But the coffee plantations in Madras, which are much smaller concerns than tea gardens, are generally privately owned, only 23 out of 127 in Madras, and 10 out of 242 in Mysore belonging to companies in 1921.⁵ There is, however, no way of estimating the capital investments in private enterprise.┘

└Indigo has long been cultivated in India, but as a large-scale field crop it was introduced only by the end of the 18th century, and a thriving industry was developed,

¹ *Census of India, 1921. Report, 1 : 266.*

² *Statistics of British India, 1922, 1 : 109.*

Compiled from *Stat. Abs. 1930, pp. 592-94.*

⁴ Compiled from *Stat. Abs. 1930, pp. 597-98.*

⁵ *Census of India, 1921. Report, 1 : 266.*

though not strictly on the plantation basis both by private Europeans and the Company's officials during the first half of the 19th century. Reaching its maximum growth by 1860, the industry remained stationary for about a quarter of a century and received its death blow in 1897, when synthetic indigo was put on the market. From an average of 2,000 square miles for the years ending 1899-1900, the area under cultivation declined to 1,100 square miles in 1903-4, and to 107 square miles in 1924-25. The production also declined from 170,000 cwt. valued at $4\frac{1}{3}$ crores in 1896-97 to 60,000 cwt. valued at a little more than a crore in 1903-4,¹ and to only 12,600 cwt. valued at only 2 lakhs of rupees in 1928-29.²

The cultivation of coffee was tried in Bengal early in the 19th century, but the industry on a large scale began to develop only in the 'sixties. After about two decades of continuous progress, the industry began to suffer from insect pests in the 'seventies, from which it slowly recovered in the 'eighties. But in the face of hard competition from foreign countries, especially Brazil, coffee cultivation has scarcely made any progress in recent years. At present, its cultivation is confined only to Southern India. The area under the crop amounted to 228,000 acres in 1896, but declined to 104,800 acres in 1903. In 1928-29 the cultivation covered an area of 274,002 acres, of which only 160,846 acres were under actual cultivation ; of the latter, 52 per cent of the area

¹ *Ibid.*

² *Imperial Gazetteer of India*, 1908, 3 : 69, 74; *Agricultural Statistics of India*, 1924-25, p. 3 ; *Review of the Trade of India* 1925-27, p. 113.

was located in Mysore, 23 per cent each in Coorg and Madras and the remaining 2 per cent in Cochin and Travancore. The number of plantations amounted to 3,357 and the coffee produced, to 28 million pounds.¹

[The cultivation of rubber was first tried in Assam about half a century ago and was then extended to other provinces. At present its production is restricted mainly to Burma, Travancore and Madras. In 1928 the area under the crop amounted to 245,809 acres, consisting of 2,782 plantations, of which 889 or 53 per cent were in Burma, 214 or 30 per cent in Travancore and the remaining 68 or 17 per cent in Madras, Cochin, Coorg and Mysore. In the same year, the production amounted to 27 million pounds of raw material.²]

2. CULTIVATION OF TEA

The most important plantation industry in India, however, is that of tea. The possibility of tea cultivation was suggested as early as 1788 and the matter was under investigation by a committee in 1834, but the actual planting was not undertaken until 1851. After a sudden boom in 1859, the industry began to decline and after serious depression for two or three years it began to revive and became more or less firmly established in 1869.³

Some idea of the growth of the tea industry may be had from the increase in acreage and production. From

¹ *Imperial Gazetteer of India*, 1908, 3: 63; *Indian Coffee Statistics*, 1926-29, p. 2.

² *Imperial Gazetteer of India*, 1908, 3: 118; *Indian Rubber Statistics*, 1928, p. 3.

³ *Imperial Gazetteer of India*, 1908, 3: 56.

1885 to 1896, the area devoted to the production of tea increased from 284,000 acres to 433,000 acres, and the production from 72 million lbs. to 156 million lbs. Since 1897 complete figures are available also for export, as shown below. It will be seen that from 1897 to 1928 while the area increased from 470,000 to 773,000 acres, or 60 per cent, the production increased from 154 million lbs. to 404 million lbs. or 162 per cent,¹ and export from 150 million lbs. to 365 million lbs. or 143 per cent, thus showing increasing intensity in cultivation and the expansion of foreign markets.

DEVELOPMENT OF TEA INDUSTRY IN INDIA²

(shown at specific periods)

Year	Acreage (in thousands)	Production (million lbs.)	Export (million lbs.)
1897	470	154	150
1910	564	263	251
1920	704	345	382
1928	773	404	365

The growth of the tea industry is by no means steady. Although the area has gradually increased, production

¹ These figures cannot be taken as quite accurate, for estimates had to be made for some of the gardens for which returns are not furnished by planters.

² The figures for exports represent financial years. The increased export in 1920 is the result of the after-war conditions. The low export in 1917 was followed by increased exports in the following years. Compiled from *Statistics of Tea Production in India* for the years indicated.

has undergone some variation. After continuous growth until 1900 it underwent a depression for a short period, but soon recovered. During the War there was a great boom, which was followed by a slump in 1921, when production fell, partly as a result of the general industrial depression all over the world. Since 1922 the industry has again improved, reaching the highest figures of production, *viz.*, 404 million lbs. in 1928. Like production, export has been subject to variation. Among the chief factors contributing to this variation must be mentioned weather condition, labour supply and market prices.

The leading province in the cultivation of tea is Assam, which is followed by Bengal. Of the total of 773,000 acres of land devoted to the cultivation of tea in all India in 1928, 427,000 acres, or 55 per cent were located in Assam, and 193,000 acres, or 25 per cent, in Bengal. Of 404 million lbs. of total production, 246 million lbs. or 61 per cent were raised in Assam, and 95 million lbs., or 23 per cent in Bengal. In other words, Assam and Bengal together cultivated 80 per cent of the total area and raised 84 per cent of the total production of the country. Madras and Travancore cultivated 63,000 and 61,000 acres of land, and produced respectively 27 million lbs. and 30 million lbs. of tea. In short, the cultivation of tea is practically located in two geographical areas, *viz.*, the tableland of Assam, with its two contiguous districts of Darjeeling and Jalpaiguri in Bengal, and the elevated region over the Malabar Coast in South India, including the Nilgiris and Travancore, producing together 98 per cent of India's total tea crop.

GEOGRAPHICAL DISTRIBUTION OF TEA PRODUCTION
IN INDIA, 1928.¹

Localities	Area		Production	
	1000 acres	Per cent of total	Million lbs.	Per cent of total
Assam	427	55	246	61
Bengal	193	25	95	23
Madras	63	8	27	7
Travancore	61	8	30	7
Others	29	4	6	2
Total	773	100	404	100

There have been great variations in the number of tea gardens. From 51 in the year 1859, for which the first records are available, the number of gardens rose to 5,890 in 1909, and fell to 4,402 in 1910, rising again to 4,623 in 1928.² The closing of old gardens and the opening up of new ones, as effected by the prosperity and depression of the tea industry, are naturally followed by fluctuations in number. But the amalgamation of several gardens—especially the smaller ones under one management—is also partly responsible for this variation.³ The large drop in number in 1910 was, however, the result of the change in counting all the small units in a village as a single unit instead of as separate units.

Tea gardens vary greatly in size in different provinces. In 1928, for instance, the average size of 980 gardens in

¹ Adopted from *Indian Tea Statistics*, 1926, p. 11.

² *Imperial Gazetteer of India*, 1908. 3 : 56 ; *Note on the Production of Tea in India*, 1910, p. 18 ; *Indian Tea Statistics*, 1928, p. 1.

³ *Ass. Lab. Rpt.*, 1893, p. 65.

Assam was 436 acres, of 384 gardens in Bengal 524 acres, and of 116 gardens in Travancore 529 acres. The smallest gardens are to be found in the Punjab, where the average size of 2,501 gardens was only 4 acres.¹

Of 980 tea gardens in Assam in 1928, 641 plantations were located in the northern part of the province, called the Assam or Brahmaputra Valley, and 339 gardens in the southern part, called the Surma Valley. In the former, the leading districts of tea cultivation are Lakhimpur and Sibsagar, having respectively 223 and 196 gardens in 1928 ; and in the latter, the cultivation is confined to the districts of Cachar and Sylhet, which had respectively 176 and 163 gardens in 1928. In Bengal the industry is practically located in the districts of Darjeeling and Jalpaiguri, which had respectively 169 and 144 gardens in 1928. Among the other regions, the most important centres of production are the districts of Nilgiris and Travancore, which had 192 and 116 gardens respectively.²

The importance and growth of the tea industry may be indicated by the increase in the investment of capital. The total amount of capital invested by joint-stock companies, both in England and in India, increased from Rs. 17 crores in 1902 to Rs. 48 crores in 1928, the latter consisting of Rs. 12 crores in India and Rs. 36 crores in the United Kingdom.³

The financial status of the tea industry is best shown

¹ *Indian Tea Statistics*, 1928, p. 1.

² *Ibid.*, p. 12.

³ *Production of Tea in India*, 1902, p. 2: *Indian Tea Statistics* 1928, p. 7.

by the dividends and share values of 139 companies incorporated in India, the capital investments of which amounted to Rs. 5 crores. Of these, 123 companies declared dividends of 32 per cent on their aggregate capital of Rs. 4.53 crores in 1927, and 95 companies declared dividends of 23 per cent on their aggregate capital of Rs. 3.82 crores. The value per 100 rupees of joint-stock capital in the Calcutta Share Market was Rs. 285 for 136 companies in 1927, Rs. 332 for 134 companies in 1928, and Rs. 303 for 135 companies in 1929.¹

3. FUTURE OF PLANTATIONS

The foregoing survey indicates that plantation industries, specially the cultivation of tea, have made considerable progress in the national economy of India and command also a great foreign market. In fact, India occupies a very high place in the production and export of tea in the world. Of the world's total production of 396 million kilogrammes and of the total exports of 3.95 million quintals in 1927, India contributed respectively 177 million kilogrammes and 1.65 million quintals, or 44 and 42 per cent.² In the 33 years from 1896-1897 to 1928-1929, the export of Indian tea increased by 143 per cent as compared with 115 per cent of Ceylon tea. During the same period China tea export declined by 52

¹ *Indian Tea Statistics*, 1948. p. 7; *Capital*, Calcutta, 26 September, 1929.

² *International Year Book of Agricultural Statistics*, 1927-28, pp. 160-66, 109-11.

per cent but in the 22 years from 1905-1906 to 1928-1929 Java exports increased by 425 per cent. ¹

[As far as the production for foreign market is concerned, India has several advantages. In the first place, the geographical situation has made her an important industrial centre for the production of tropical and sub-tropical products, as noted before. In the second place, the vastness of labour supply gives her an advantage over Ceylon, Malaya, Burma and similar other countries, which have to depend largely on imported labour. In the third place, comparative efficiency of labour gives her also an advantage over tropical and sub-tropical regions of Africa and America where indigenous labour has not yet developed the aptitude for such work. More or less for the same reason, Indian labourers, like other Oriental peoples, are more adapted to some of the plantation operations, such as hoeing and plucking, than European colonists. Finally, the increasing management by Indians of plantations, which are still in the hands of the Europeans, will also lead to the reduction of overhead charges and the cheapness of production in India as compared with some of the Colonies and Dependencies where there are as yet no such prospects.

The prospects of an increasing home market are still greater. India is on the high road to industrial development. She is already one of the great industrial centres of the world. The recent policy of making her industrially self-sufficient as far as basic needs are concerned—a policy which is bound to grow with the nationalisation of the

¹ *Indian Tea Statistics*, 1928, pp. 4 and 17.

Government—will increase the demand for some of the plantation products, such as rubber.

[With the increasing standard of living, the home consumption of tea and coffee, especially the former, will naturally increase. A generation ago the use of tea in India was confined mostly to the European and Eurasian communities, but the habit of tea drinking has been rapidly increasing among the people, who have no other beverage.] The consumption of tea in India, for instance, increased from 8.5 million lbs. in 1896-1897 to 57 million lbs. in 1928-29.¹ There has also been a considerable increase in the consumption of coffee in India.

[The plantations give India an opportunity for the expansion of organised industries for which she has great need. As an intensive form of agriculture, they help her to increase the productive power of land and also to utilise many hilly districts and jungle territories all along the Himalayan ranges, Western and Eastern Ghats, Aravalli Hills and other similar regions, which would otherwise waste. They also give an inducement to indigenous enterprise.] Although the plantation industry was started by Europeans and is still largely in their hands, indigenous capital has already begun to take a larger and larger share in the industry. The spread of tea-gardens in the eastern hills of Assam during the decade from 1911 to 1921 was entirely due to Indian enterprise.² With the

¹ *The Cultivation of Tea in India*, 1896, p. 3; *Indian Tea Statistics*, 1928, p. 5

² *Census of India*, 1921. Report 1 : 247.

growth of the policy of national economy and of industrialisation of production, indigenous enterprise is bound to grow, leading, among other things, to the extension of plantation industries. What is most important is that they give India a chance to utilise her vast labour forces for the benefit of the workers as well as for the country as a whole.

CHAPTER II

THE RISE OF PLANTATION WORKERS

One of the outstanding economic features in India is the growth of agricultural population. The number of agricultural population as compared with the total increased from 61 per cent in 1891 to 73 per cent in 1921.¹ One of the effects of the growth and preponderance of agricultural population is the rise of a class of agricultural labourers. In 1891, for instance, the number of agricultural labourers was 17 millions, which rose to 35 millions in 1901. Although this rise was partly due to the changes in occupational classification, the number of farm labourers, including farm servants, rose to 41 millions in 1911. Due to the epidemic of influenza in 1917 and 1918, this number declined to 37 millions in 1921. To this must be added the other class of labourers, such as dock labourers, road and railway workers and unspecified labourers and the total number of all classes of labourers including their dependants might be estimated at 48 millions in 1921.²

The number of workers in the organised industries is, however, very small. In 1921, for instance, the number of workers in large scale industrial establishments, or rather in establishments employing 20 persons or more,

¹ *Census of India*, Report, 1901, 1 : 238 ; 1921, 1 : 246.

² *Census of India*, Report, 1901, 1 : 272 ; *Imperial Gazetteer of India*, 1908, 3 : 1 and 2 ; *Census of India*, 1921, 1 : 246.

amounted to 2·6 millions¹ exclusive of their dependants. This is due to the fact that modern industries still occupy a minor place in the industrial organisation of the country. Since then the large scale industries have increased both in extent and in number and the present number of actual workers in factories, mines, plantations and transports might roughly be estimated at 4 millions.²

1. GROWTH IN NUMBER OF LABOURERS

Although the various plantation industries have been growing in India since the beginning of the nineteenth century, no data are available as to the number of workers employed in them until 1911, when the first industrial census was taken, and the total number of labourers in all classes of plantations, including tea, coffee, rubber and indigo, was found to be 7,41, 691.³ In 1921, the number rose to 1,003, 458, showing an increase of 35 per cent in a decade.⁴ While the present number of workers in all plantations is not known, that in tea, coffee and rubber plantations is 1,053, 944. Of this number, 906, 787, or 86 per cent, were in tea industries ; 94, 865, or 9 per cent in coffee industries ; and 58, 292, or 5 per cent, in rubber industries, as shown in the table below.

¹ *Census of India*, 1921, Report I : 292.

² The exact number of workers in these industries amounted to 3.7 millions, but to this must also be added the employees in commercial houses and Government offices.

³ *Census Report*, 1911. 1 : 440.

⁴ *Ibid.*, 1921, 1 : 285.

WORKERS IN DIFFERENT PLANTATION INDUSTRIES, 1928¹

Industry	Permanent	Permanent	Temporary	Total	
	Living on plantation	Living outside	Living outside	Number	Per cent of total
Tea (1928)	758,096	73,342	75,345	900,787	86
Coffee (1927-28)	44,744	19,094	31,027	94,865	9
Rubber (1928)	31,748	9,234	17,310	58,292	5
Total	834,588	101,670	123,682	1,053,944	100

An important question in connection with the employment of labour on plantations is their residence on the premises. It has great effect on the employment of women and children as well as on the wage rate and the mental attitude of all workers. Of 1,059,940 workers in 1928, 834,588, or 79 per cent, were living on plantations. What is perhaps of more immediate interest to workers is permanence of employment or security of income. Of the total number of workers in 1928-29, 936,258 or 86 per cent, were permanently employed. The total labour population including dependants is, however, much greater than that of actual workers. On the basis of that on Assam tea gardens, where 45 per cent are dependants, as shown later on, the total population on tea, coffee and rubber plantations, including those living outside, would amount to 1,927,167. Since a large number of labourers is also employed in other classes of plantations, the total population depending upon labour in these industries may safely be estimated at two millions.

Indigo plantations, as they used to be known, were the

¹ Compiled from *Indian Tea Statistics*, 1923, p. 6; *Indian Coffee Statistics*, 1928-29, p. 2; *Indian Rubber Statistics*, 1928, p. 7.

oldest in the country, and at one time employed a considerable number of workers both in cultivation and manufacture. Early in the twentieth century, the industry still supported about 250,000 people, but the numbers have gradually decreased.¹

Coffee cultivation is one of the most important plantation industries. In 1903, the number of labourers on coffee plantations was 82,000, and rose to 94,865 in 1928-29. Of the latter, 38,085, or 38 per cent., were employed in Mysore ; 31,129, or 30 per cent., in Madras ; 24,046, or 29 per cent., in Coorg ; and the remaining 3 per cent. in Travancore and Cochin.²

The number of workers employed on rubber plantations is smaller than that of those employed on coffee plantations. In 1928, the number of workers amounted to 58,292, of whom 30,475 or 41 per cent. were employed in Travancore, 17,320 or 29 per cent. in Burma, and the remaining 10,497 or 25 per cent. in Madras, Coorg and Cochin.³

By far the largest number of the plantation workers is employed in the tea industry. In 1895, the earliest year for which records of tea-garden workers throughout India are available, the average daily number of workers was 553,821.⁴ This number rose to 973,358 in 1919,

¹ *Imperial Gazetteer of India* 1908, 3 : 74.

² *Ibid.*, 1908, 3 : 63 ; *Indian Coffee Statistics*, 1928-29, p. 5, adapted.

³ *Indian Rubber Statistics*, 1928, p. 7, adapted.

⁴ These figures are not, however, altogether reliable, as errors occur both in reporting the numbers employed and in reducing the total number of attendances to a daily average. In Southern India

the highest figures ever reached in the industry. In 1928, there were 906,787 tea garden workers throughout the country.¹ As in the case of production, these variations in the number of workers on tea gardens are due to expansion or contraction of the industry resulting from market conditions and labour supply. It will also be seen that, while the number of temporary labourers declined from 102,895 in 1895 to 75,349 in 1928, that is by one-fourth, the number of permanent workers increased from 450,926 to 831,438, that is almost doubled.

GROWTH IN NUMBERS OF TEA GARDEN WORKERS IN INDIA
(at specified periods)²

¹ Compiled from *Indian Tea Statistics* for respective years.

Year	Permanent	Temporary	Total
1895	450,926	102,895	553,821
1919	900,695	2,660	973,355
1928	831,438	75,349	906,787

The most important centre of tea cultivation is Assam, and the number of workers employed in the industry in that province is naturally the largest. Of 906,787 workers in 1928, 544,193 or 60 per cent were located in Assam, which was followed by Bengal with 185,399, or 20 per cent. Only 20 per cent of the workers were employed on tea gardens in Madras, Travancore and other places, as shown below. It is thus seen that over four-fifths of the workers on tea gardens are employed in the two contiguous territories of Assam and Bengal.

work is also done by contract, in which case no record of labour employed is available. *Production of Tea in India, 1904*, p. 3.

² Adapted from *Indian Tea Statistics*, 1928, p. 6.

GEOGRAPHICAL DISTRIBUTION OF TEA GARDEN WORKERS
IN INDIA, 1928.

Average daily number of workers employed.

	Garden labour. (Per- manent)	Outside labour. (Per- manent)	Outside labour (Tempo- rary)	Total	
				Number	Per cent. of total
Assam	468,596	33,396	42,201	554,193	60
Bengal	169,764	5,777	9,858	185,399	20
Madras	40,616	23,081	7,875	71,572	8
Travancore	68,866	1,912	2,040	72,818	8
Other locali- ties	10,254	9,176	13,365	32,795	4
Total ¹	758,096	73,342	75,349	906,787	100

2. ASSAM TEA GARDEN WORKERS

Assam not only employs the largest number of tea garden workers, it is also one of the oldest centres in which plantation workers first began to appear as a class. In fact, ~~plantation legislation in India has developed chiefly in connection with the recruitment and employment of Assam tea garden labourers, as will be shown later, on.~~ A detailed analysis of the conditions of the workers on Assam tea gardens is, therefore, the most important part of the study of plantation labour.

¹ *Indian Tea Statistics*, 1928, p. 6.

In 1877, the total strength of the labour force, including both the actual workers and their dependants, was 157,219, and rising as high as 1,110,364 in 1919-20, decreased to 1,067,662 in 1928-29, showing a sixfold increase during the time under consideration.

LABOUR FORCE ON ASSAM TEA-GARDENS¹
(AT SPECIFIED PERIODS)

Year	Men	Women	Children	Total
1877	59,923	50,752	46,544	157,219
1900	204,492	205,603	252,376	662,471
1919-20	323,731	305,850	480,850	1,110,364
1928-29	333,962	281,507	452,183	1,067,662

As in the case of the tea gardens, by far the major part of the labour force is located in the Assam Valley. In 1928-29, for instance, out of a total of 1,067,662 labour population, 737,075 or two-thirds were in the Assam Valley, and only 327,958 or one-third were in the Surma Valley.

The number of persons who are actually employed is, however, much smaller than the total labour force. Out of a full labour force of 1,046,441² on Assam tea

¹ Average annual strength, except for 1928-29 which represents the number remaining at the end of 1928-29. *Adapted from Ass. Lab. Reports* for years indicated.

² The discrepancy in the number of workers on Assam tea gardens as shown by this and previous figures is due to the fact that in this case only the average daily number employed is taken into consideration, and the previous figure represents the number at the end of the year.

gardens in 1928-29, for instance, only 577,943, or 55 per cent. were actual workers and the remaining 45 per cent. were dependants. The average daily strength of the workers was, however, still less, being 528,441 or 41 per cent. of the total labour force, as shown in the table below.

NUMBER OF ACTUAL WORKERS ON ASSAM
TEA-GARDENS, 1928-29.¹

Workers	Total Labour force	Number on the book		Average daily strength	
		Number	per cent. of total	Number	p. c. of total
Adults	600,291	484,565	80	363,833	60
Children	446,150	93,378	20	64,608	14
Total	1,046,441	577,943	55	428,411	41

3. INDENTURED AND CONTRACT LABOUR

Unlike other large-scale industries, plantations, especially tea gardens in Assam, are worked with imported labour. A considerable number of the workers was until recently under various forms of contract. This contract was executed under two distinct series of Acts, namely, Plantation Legislation or Labour and Emigration Acts, and Workmen's Breach of Contract Act. The former gave rise to the indentured system, and the latter to contract labour under penal sanction.

¹ Adapted : *Ass. Lab. Repts.* for 1928-29.

In 1877, there were 46,765 indentured workers or Act-labourers, as they were officially called, on Assam tea gardens, and rising as high as 148,192 in 1897, the number decreased to 5,061 in 1915-16, as shown below. It will also be seen that of the total number of workers in Assam, 41 per cent. were Act workers in 1877, and rising as high as 46 per cent. in 1884, it decreased to 37 per cent. in 1897, and to 8 per cent. in 1915-16.

ACT-LABOUREES ON ASSAM TEA GARDENS
(SHOWN AT SPECIFIED PERIODS)

Year	Total adult labourers	Act-labourers			
		Men	Women	Total	
				Number	per cent. of total labourers
1877	110,675	25,109	21,656	46,765	41
1884	181,501	48,634	35,117	83,751	46
1897	399,975	79,136	69,056	148,192	37
1915-16	569,770	2,910	2,152	5,062	.8

As might be expected, the number of these Act-workers, as compared with non-Act workers, was much larger in the beginning and gradually began to decline. This decline began long before the indenture system was abolished. There are several reasons for the gradual decline of the indentured or Act-workers: First, the growth in settlement of Assam tea garden workers

making labour supply more and more secure ; second, restriction of the contract system by successive legislative measures gradually reduced the number of Act-workers ; third, gradual increase in transportation facilities and the free movement of labour also contributed to the gradual decline of contract labour ; finally, the increasing dependence of the planters upon the Workmen's Breach of Contract Act of 1859 until its abolition in 1926 was also partly responsible for the gradual decrease of indentured labour.

As regards the number of workers employed on Assam plantations under Act XIII of 1859, there is no record prior to 1894, when from 70,000 to 80,000 labourers were estimated to be working under the Act.¹ In 1920-21, there were 270,443 such workers.² In 1921-22 the number rose to 278,242 consisting of 190,022 in the Assam Valley and 88,220 in Surma Valley. The Act of 1859 was abolished on April 1, 1926, but 117,978 workers were still under contract in the Assam Valley up to March 3 of that year.³ At present there is no contract labour in India, except in Coorg, where it will be terminated by the end of 1931.

4. WOMAN AND CHILD LABOUR

One of the most important features of plantation industries is that in proportion to men they employ more women than any other organised industry. In 1911,

¹ *Ass. Lab. Report*, 1894, p. 35.

² *Ass. Lab. Enq. Com. Report*, 1921-22, p. 83.

³ Compiled from *Ass. Lab. Reports*, 1926, p. 3 and also for previous years.

for instance, out of 741,691 workers, 350,064, or 47 per cent., were women ; and in 1921, out of 1,003,458 workers, 475,876, or 45 per cent., were women. Even in the Assam tea gardens the number of women compared very well with that of men. Thus, out of a labour force of 1,067,662 at the end of the year of 1928-29, there were 281,507 women as compared with 333,962 men, or over 45 per cent. of the total adult population. When the indenture system was prevalent, a fair proportion of women were also indentured labourers. Thus out of 148,102 adult indentured labourers on Assam tea gardens in 1897, 69,056 or 46 per cent. were women.

There are several reasons for the proportionately large number of women workers on plantations : In the first place, being akin to agriculture, plantations are more congenial to women than other organised industries, such as factories, and mines. In the second place, the very fact that the labourers not only work but also generally live on plantations or in the vicinity gives women a chance to work on them. In the third place, the system of labour contracts based on the principle of utilising every able-bodied person in the family for labour and of fixing the wage rates accordingly, compelled women to seek employment in order to balance the family budget. The contract system has been practically abolished, but the system of wage rates and the custom of women's labour still remain.

As in the case of women, the number of children w^d

plantations is also proportionately larger than that in factories or mines. Thus, in 1928-29, out of a total annual labour force of 1,046,441 on Assam tea gardens, 446,150 or about 43 per cent., were children. Of these children only 93,378, or 20 per cent., were working. The number of children according to the average daily strength was, however, only 64,608, or 14 per cent. of the total child population on the gardens.

The reason for a large proportion of children on plantations is obvious. Most of the children have to live on plantations with their parents, either one or both of whom may be employed on tea gardens. The lack of educational facilities in India is one fundamental reason for a large number of children being employed in all occupations, and plantation labour is no exception. The nature of plantation work also makes child labour profitable to planters. Moreover, the extreme poverty of the people and the low wages of adult labour easily induce the parents to take advantage of the wages of their children.

The number of women and children on Assam tea gardens, especially that of the latter, has increased faster than that of men. Thus, from 1877 to 1928-29, while the number of men increased from 59,923, to 333,962, or a little over five times, that of women increased from 50,752 to 281,507, or about six times, and that of children from 46,544 to 452,183, or about nine times.

The reason for the proportionately larger increase in the case of women and children is that as the industry became more stabilised, and conditions of work improved

more workers brought their families with them to live on the tea gardens. The system of recruitment and increasing transportation facilities provided have also affected the position, as will be seen later on. Moreover, as the number of domiciled labourers increased, the number of children also naturally increased.

5. LOCAL SOURCES OF SUPPLY

In a previous section it has been shown that a large number of the population has gradually become wage-earners, of whom the largest classes were field and unspecified labourers, forming together 41 million persons including their dependants. According to the census of 1921, by far the largest of these workers were located in the Eastern Provinces and Southern India. More than half of the labourers were enumerated in these two regions and the remaining half were in North and North-Western India, Central India and Burma, as shown in the table below.

DISTRIBUTION OF FIELD AND UNSPECIFIED LABOURERS IN INDIA, 1921

<i>Province</i>	<i>Field labourers</i>	<i>Unspecified labourers</i>	<i>Total</i>
	(in millions)		
Eastern Provinces	10.00	1.78	11.78
Southern India	7.49	3.34	10.84
North and North- Western Province	4.30	1.61	5.92
Central India	4.62	1.01	5.63
Western India	3.38	1.16	4.54
Burma	2.08	.37	2.46
Total	31.89	9.29	41.19

With the growth in demand for labour by organised industries, both the Eastern Provinces and Southern India became the sources of labour supply. While the latter

supplied a considerable number of workers to Ceylon, Burma, Malaya and other colonies, 'the Eastern Provinces met mostly the demand of the growing industries of coal, jute and tea in Bihar, Bengal and Assam.

From the very beginning the tea gardens in Assam have been worked by imported labour. In 1883, for instance, out of an adult labour force of 157,622 persons only 8,208 or 5 per cent., were supplied by Assam, the remaining 149,414 or 95 per cent., being imported. Even in 1928-1929 out of 615,479 adult labourers, only 57,498 or 9 per cent. were Assamese, the remaining 91 per cent. being immigrants.'

The majority of immigrant labourers in Assam tea-gardens are derived from two distinct regions, namely, the first comprising the United Provinces, Bengal and Bihar and the second, Chota Nagpur and Santhal Purganas. Out of 615,479 adult labourers by the end of the year 1928-1929, for instance, 220,074 or 36 per cent. were supplied by the former and 191,838 or 31 per cent., by the latter. The Central Provinces and Madras supplied only 13 and 10 per cent. respectively, as shown below.

DISTRIBUTION OF ASSAM TEA-GARDEN ADULT LABOURERS
BY PLACE OF ORIGIN, 1928-29.²

Localities	Labourers	
	Number	P. C. of total
United Provinces, Bengal and Bihar	220,474	36
Chota Nagpur and Santhal Purganas	191,838	31
Central Provinces	78,558	13
Madras	61,882	10
Assam	57,498	9
Others	7,935	1
Total	615,479	100

¹ *Ass. Lab. Rpts.*, 1883, p. 26; 1928-29, *Statements*.

² Compiled from *Ass. Lab. Rpts.* 1928-29, *Statements*.

In the beginning, Bengal was the main source of labour supply to Assam. As an adjacent territory, it was only natural for Bengal to supply the demands of her neighbouring province. But as transport facilities increased and labour supply from more congested provinces became available, Bengalees were gradually replaced by immigrants from Bihar, the United Provinces, Chota Nagpur and Santhal Purganas. In recent years even Madras has begun to contribute her share to the Assam labour force and Madrasis have already reached one-tenth of the adult immigrant force on the Assam gardens, as shown above.

The reason for such a change in the composition of immigrant labour is obvious. Unless there are restrictions, cheap labour is bound sooner or later to replace dear labour. The overcrowded districts of western Bihar, the United Provinces, Central Provinces and even of Madras, which are often subjected to scarcity and famine, are more advantageous for the recruitment of labour than Bengal, where the population is better off. Both the richness of the soil and the permanent settlement of land have made the Bengalis economically more independent. Moreover, the very distance from the place of origin, although involving higher initial expense in recruitment and importation, makes immigrant labour on plantations more stable, once it is imported.

CHAPTER III

PLANTATION LEGISLATION.

The origin of plantation legislation might be traced back to the 'thirties of the last century, when at the abolition of slavery, British colonists sought the cheap labour supply from India, and a large number of Indians began to emigrate to the colonies under various forms of labour contract. The Government of India undertook legislation for regulating the recruitment, transportation and employment of emigrant labourers under the indenture system. Although the purpose of this legislation was to facilitate emigration to foreign countries rather than to regulate employment within the country, it led the way for the development of plantation legislation a generation after, when tea gardens began to grow in Assam and the importation of labour became necessary.

Plantation labour has been regulated by two distinct sets of legislation : first, emigration and labour acts enacted for regulating the recruitment and employment of labour on plantations in Assam and other provinces ; and second, the Workmen's Breach of Contract Act XIII of 1859 which, although enacted for employment in general, was taken advantage of by plantation industries.

The essential feature of plantation legislation, especially in the early stages of its development, was the regulation of contract between planters and labourers, by which the latter were bound, under penalties, to work for

the former for a certain period of time, in return for some stipulated remuneration. The purpose of the legislation was to guarantee planters the services of their recruits and to provide labourers with steady work, adequate wages and sanitary conditions. But inasmuch as this was done under the provision of penal sanction, the natural outcome of the legislation was the development of the indenture system.

What planters sought in the contract was to secure a hold over their labourers. So long as the indenture system gave them the best security, they were unwilling to employ labour under any other condition. A recommendation in favour of free labour was made as early as 1868, and legislation to that effect was enacted in 1873 and 1882, but planters declined to make use of them. The only other legislation which offered them somewhat similar security was the Workmen's Breach of Contract Act of 1859, and as the plantation legislation was gradually modified, planters resorted more and more to Act XIII of 1859, which was a much cheaper and easier form of contract.

1. HISTORICAL DEVELOPMENT.

The origin of plantation legislation dates back to 1859, when, following the boom in the tea-industry, the Secretary of State for India called for information as to the success attending the cultivation of tea in Assam. On enquiry, labour shortage was found to be the main obstacle to the further extension of tea cultivation. The Government of Bengal recommended to the planters an

organised system of recruitment, but as the planters failed to formulate any scheme for the purpose, the recommendation did not materialise.

A boom in the tea industry in the same year made it also absolutely necessary to import labour from outside and a tea-planters' association was formed to facilitate the importation of labour from Lower Bengal under the contract system. The recruitment and transportation of labour by contractors gave rise to such abuses that the Government of Bengal had to appoint, in 1861, a Committee of Enquiry, on the recommendation of which the first Plantation Act was passed by the Bengal Council in 1863. By this Act, recruiters were required to be licensed, emigrants to be registered, and sanitation to be provided on the way to labour districts. The maximum period of contract was also fixed at five years¹.

The failure of the Act to regulate the conditions of labour and the rates of wages on plantations left many abuses unmitigated. To deal with those abuses, the Act was amended in 1865. By this amendment, the terms of contract were reduced to three years, the monthly rates of wages were fixed, appointment of protectors of labour was provided, contracts were made voidable in the case of unhealthy gardens, and indolence and desertion on the part of labourers were made punishable, and planters were empowered to arrest absconders without warrants within the limits of the district. Moreover, if a labourer was sentenced to be imprisoned, the period of imprison-

¹ *Ass. Lab. Enq. Com. Rpt.*, 1906, p. 718

ment was to be added to the term of the contract. With this Act a complete indenture system was established.

The Act of 1865 neither solved the problem of labour supply nor gave protection to labourers. On the recommendation of a commission, appointed to investigate the matter, the Act was amended in 1870, providing for the cancellation of a contract after a deserter had suffered imprisonment amounting to six months, and recognizing garden sardars as a class of recruiters. The abuses of the labour shortage still continued, and the Act was again amended in 1873, introducing free recruitment, subject only to civil contract.

This Amendment, however, failed to remedy the defects, and a new Commission of Enquiry was appointed in 1881. The chief findings of the Commission were as follows : (1) lack of encouragement to free emigration ; (2) unnecessary restriction of the Sardari recruitment ; (3) absence of provision for the enforcement of contract outside the Act ; (4) insufficient protection against absence, idleness, and desertion of labourers. To give effect to some of these recommendations, the Act was again revised in 1882. The chief provisions of this Act were : the free recruitment of labour, execution of contracts in any labour district and legal recognition of local agents in recruiting districts. But uncontrolled recruitment led to some of the grossest scandals, of which the most important was the heavy mortality among the recruits on their way to labour districts. The Act was therefore revised in 1889, with a view to ensuring proper treatment of free emigrants on

the way to labour districts, and again in 1893, chiefly with a view to facilitating the administration of unhealthy gardens and the operation of penal aspects of the contract system.¹

The problems of labour supply and of the control of abuses, however, still remained unsolved. In 1855 the Government of Bengal appointed a new Commission of Enquiry, which strongly criticised some of the abuses in connection with the existing system of recruitment and recommended several remedial measures, on the basis of which was passed Act VI of 1901. The most important provisions were as follows: (1) Local Governments, subject to the sanction of the Central Government, were empowered to close any area to recruitment except in accordance with the provisions for licensed contractors and certified garden sardars; (2) a special class of garden sardars was created to recruit without registering their recruits within notified areas; and (3) Local Governments were granted option to relax any provisions relating to recruitment by garden sardars working under approved agencies or associations.

The abuses arising from the penal sanction of the law still remained, and were severely criticised by Sir Henry Cotton, the Chief Commissioner of Assam, who recommended their complete abolition. This recommendation aroused strong resentment among the planters and tea associations, who addressed a protest to the Government of India. The Government of India came to the conclusion that although abuses undoubtedly existed,

¹ *Ass. Lab. Report*, 1893, p. 1.

they were comparatively few in number, and were confined to only a very small percentage of the gardens.

In 1903, several riots occurring on tea gardens in Assam, the Government of India requested the Local Government to report on the condition of relations between employers and employees in Assam as compared with neighbouring districts of Bengal. Mr. J. C. Arbuthnott was deputed by the Assam Government to report on the conditions prevailing in the tea districts in Bengal, Madras and Ceylon. In his report Mr. Arbuthnott pointed out the absence of the indenture system and of direct management everywhere else in India and Ceylon, and recommended shortening the contract period, permitting leave of absence to workers, introducing the gang system of management, revising Act VI of 1901 with a view to simplification, and introducing a freer system of recruitment.

In the meantime the Government of Assam, in consultation with the Government of Bengal, reported to the Government of India that the increasing collisions between planters and labourers were due to abuses in recruitment, restricted freedom of labourers, penal clauses of contracts and the right of private arrest by employers, and recommended the withdrawal of Act VI of 1901 from certain districts.

In 1904 the planters in the Surma Valley petitioned the Government for free immigration of labour and for a short contract act on the lines of Act VIII of 1859. The proposal being objected to by the planters in the Assam Valley, the Government of Assam appointed a Committee in 1906 in order to investigate the matter.

The Committee found that Act XIII of 1859 was popular with employers and that it worked fairly well in practice in spite of its theoretical objections. Owing to its association with Act VI of 1901, there was a tendency to exercise the power of private arrest in the case of all absconders under its provisions, and even free labourers were often subjected to such arrests. But the benefits enjoyed by the labourers under Act VI were also generally extended to those working under it. The Committee was averse to the amendment of the Act, which was applicable to the whole of India simply, to suit the needs of a particular industry, but disapproved of any contract for a term longer than 313 days. While advocating the retention of Act VI, the Committee recommended the withdrawal of some of its provisions for ensuring greater freedom to labourers.

To give effect to these recommendations, Act VI of 1901 was amended in 1908, enabling Local Governments to dispense with or relax some of the provisions.¹ The result was that contract under Act VI, except in recruiting districts, was prohibited. Once brought into Assam as free immigrants, labourers could not be put under Act VI contracts in labour districts, nor could the time-expired labourers be re-engaged under Act VI on the expiry of their contracts. The right of private arrest was abolished and recruitment by unlicensed contracts prohibited. Facilities were created for recruitment by garden sardars working under labour supply organisations,

¹ *Ass. Lab. Report* 1909, p. 1.

to which privileges had been conceded for the purpose.¹

In the same year, the Government of India announced their intention of withdrawing Act VI from certain labour districts in Assam and appointed an agent in the recruiting districts with a view to finding a solution for removing existing prejudices against emigration to Assam. The report of the agent was that these prejudices would not disappear until the Act was withdrawn from all labour districts and recruiting through contractors was abolished.

In 1913, the Government of India decided to withdraw the provisions of the Act from the remaining districts of Assam and drafted a Bill providing employers with some remedy against enticement of labour and enabling them to receive by a summary procedure the cost of importation of a labourer from any one who wilfully employed him within three years of his arrival at the estate. But the principle of the Bill was rejected by the Secretary of State for India. In 1915, however, the Assam Labour and Immigration (Amendment) Act (VIII) was passed, by which the system of recruitment by all classes of contractors was abolished and a Labour Board for the supervision of local agents and of the recruitment, engagement and emigration of labourers to tea districts, was constituted under the Act.

While the regulation of recruitment and transportation of workers from the regions of labour supply to labour districts has been well developed, much still remains to be done to regulate working and living conditions

¹ *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 102.

on the plantations themselves, specially with regard to sanitation, hours of work and housing. Some measures in this connection have recently been undertaken by Local Administrations. In 1912, for instance, the Jalpaiguri Labour Act was passed, providing for the health of labourers on tea gardens in the district of that name. In 1923, a Bill was introduced under the name of the Bengal Tea Gardens Public Health Bill, with the object of setting up a Board of Health for tea-producing areas in Bengal, and to replace the Japaiguri Act of 1912, but it lapsed with the dissolution of the Legislative Council in that year.¹ The existing law is inadequate and defective, and requires a thorough revision, but no amendment is expected before the present Royal Commission on Labour has made its report.

2 BREACH OF CONTRACT ACT.

The Workmen's Breach of Contract Act (VIII) was passed in 1859, at the instance of the Calcutta Trade Association and the similar other interests, which memorialised the Government setting forth losses sustained by them owing to the wilful breaches of contract or desertion of service by workmen and servants and asking for the application of summary remedies. It was first proposed to limit the scope of the Act to Presidency towns, but at the suggestion of the Madras Government, a provision was made authorising all governments and administrations to extend it to any place within their

¹ Clow, A. G., *The State and Industry*, Government of India, 1928, p. 165.

jurisdiction on condition that the powers under it were to be exercised only by specially appointed officers.¹

Plantations in Assam began to make use of the Act as early as the 'sixties. Its application was first limited to locally engaged labourers and was then gradually extended to the re-engagemet of time-expired labourers, but even in the Surma Valley, it often replaced the plantation law, even in the case of new immigrants.

The legality of applying such an indefinite Act to tea-garden labourers was first questioned by Sir Charles Elliot, Chief Commissioner of Assam, who recommended its withdrawal in 1888. The Government of India, concurring with this view, made a representation to the Secretary of State for India to that effect, and at the same time, requested Sir W. Ward, the successor of Sir Charles Elliot, to make enquiries regarding the effect of the repeal of Act XIII. In a report in 1889, Sir W. Ward maintained that though indefensible in principle, the Act was harmless in actual operation.

In 1890, Mr. Quinton, then the Chief Commissioner of Assam, made some further enquiries on the working of the Act, and gave his opinion in favour of its retention. The following year, the Government of India accepted these views, and, with the consent of the Secretary of State for India, decided in favour of retaining this Act.

Since then, Act XIII of 1859 continued to gain in popularity with employers and, it is reported, also with employees. It is said that in practice the abuses under it were few in number. It had, of course, suffered from

¹ *Ass. Lab. Ena. Com. Rpt.* 1906 n. 103.

its association with Act VI of 1901, for the powers of private arrest conferred by the latter have not infrequently been illegally exercised in the case of Act XIII absconders and even of free labourers. Efforts were also made to put a stop to illegal arrest. Considering the number of labourers working under this Act, the number of those illegally arrested could not be called formidable. As a rule, contracts were generally limited to 313 days, but sometimes extended to 939 days. Such contracts were often verbal, but a record of them was invariably kept either in the garden cash book or in the advance register, and the labourer's thumb-mark was generally attached to the entry.

As noted before, the Assam Labour Enquiry Committee of 1906, which was appointed to investigate the matter advocated the retention of the Act. They did not think that agreements were obtained from the labourers by force; on the contrary contracts were fairly fulfilled on both sides. "If Act XIII were abolished tomorrow", continued the Committee, "probably most gardens would have to continue the same procedure as at present of giving advances or bonuses and taking agreements in return."

But Act XIII gradually became recognised to be unsuitable in many respects to the changing conditions, and was found to be abused by employers. By Act XII of 1920, which came into force on March 12 of the same year, the original Act of 1859 was considerably modified. But several defects still remained. In the Legislative

¹ *Ass. Lab. Enq. Com. Rpt.*, 1906, p. 106.

Assembly on September 10, 1921, a resolution was brought forward that Act XIII should be repealed. Government admitted that an Act, which included a penalty of imprisonment for breach of contract, was not in accordance with modern feeling, and consented to introduce a Bill to repeal it, if Local Governments and public opinion desired to do so, and in the meantime enquiries were to be made as to how the Act as amended had worked, and whether its repeal would materially affect the industrial progress of the country.

In 1921-22, the Assam Labour Enquiry Committee was requested by the Government of Assam to express its views on the question of retaining Act XIII. The Committee was divided in its opinion. Two members, connected with the tea industry, were in favour of its retention on the grounds that it was necessary for planters, who incurred an expenditure of Rs. 100 to 150 per recruit to have some hold on him, and also that the labourer himself seemed to favour the retention of an Act under which he received a bonus.

The majority of the Committee, however, found that there were many abuses under the Act, though amended, of which the following were the most evident : (1) illegal arrest of absconders ; (2) replacement of local agreement under Act VI of 1901 by long-term agreement under Act XIII of 1859 ; (3) placing minors under contracts and often arresting them and sending them into jail and (4) illegal return of labourers from jail to complete their contracts on gardens. The Committee considered that any penal contract was an anachronism, that the free-

dom of labourers was considerably restricted under the existing system, and that labourers had to accept wages lower than those which they could have got had they been free. Moreover, the system interfered with free recruitment of labour. They, therefore, recommended the abolition of the Act.¹

Attempts were soon made by several members in the Legislative Assembly to bring about measures repealing the Workmen's Breach of Contract Act of 1859, also those sections of the Indian Penal Code which provided for criminal penalties for breaches of contract by workmen. In 1923, the Government of India gave assurance of bringing measures to that effect, and, in 1924, introduced an official Bill repealing both the Act and the Penal Code sections, under which workers could be punished for breaches of contract. The Bill was passed in 1925, and came into force on the 1st April, ~~1926~~

While abolishing the Workmen's Breach of Contract Act of 1859, the Government of India indicated, however, that the provincial governments might give some temporary relief to employers. The Coorg Legislative Council, therefore, passed in 1926 a Bill providing criminal penalties to workers for breaches of contract employed in cultivation and production of tea, coffee, rubber and other agricultural products for five years. In the meantime, the question was also raised in the Madras Legislative Council regarding Planters' Labour

¹ *Ass. Lab. Enq. Com. Rpt.*, 1921-23, pp. 75-92.

² *Ass. Lab. Rpt.*, 1926, p. 3; Clow, *loc. cit.*, p. 163.

Act of 1903, which provided penalties for breaches of contract. A Bill repealing the Act was passed by the Madras Legislature in 1927 and became operative at the beginning of 1929. The penal sanction in labour contract will thus disappear from British India by 1931.¹

3. ADMINISTRATION OF THE LAW

Unlike factory and mining Acts, some of the plantation Acts, such as the Assam Labour and Emigration Act of 1901, and the Madras Planters' Labour Act of 1903 have been passed especially for local purposes, and the administration of the law is left entirely with Local Governments, which are empowered to make adequate rules for their enforcement, subject to the sanction of the Government of India.

For example, in exercise of the powers conferred by sections 183, 213 and 214 of the Assam Labour and Emigration Act of 1901, the Government of Bengal made several rules, the most important of which were the following.²

First, granting and regulating licences to contractors, sub-contractors and local agents, who in turn had to procure licences for their recruiters or garden sardars. Fees for licences as well as registration and medical examination were also fixed.

Second, provision by contractors, on pain of fine, of depots with separate accommodation for men and women

¹ *Ibid.*, pp. 164-65.

² *Rules, Forms and Schedules under the Assam Labour and Emigration Act VI of 1901, Calcutta, 1901.*

unaccompanied by their wives or husbands. Each depôt had to have a proper supply of drinking water, hospital and medical supply, separate cooking sheds and latrine arrangements. Similar arrangements were to be made by licenced recruiters and garden sardars for the accommodation of their recruits.

Third, supervision and inspection of depôt or place of accommodation by the superintendent of emigration and by a medical officer. Registers had to be kept of each recruit including their full particulars as well as date of admission and departure of the emigrant. Procedure was also laid down for the execution of labour contract.

Fourth, the despatch of the recruits from depôts to labour districts under the care of a person appointed or approved by the superintendent of emigration, or by local agents or registrars. Arrangements had to be made regarding accommodation, food, drinking water and medical attendance. Procedure was laid down, in the case of the outbreak of cholera, regarding segregation, medical attendance and hospital accommodation,

Fifth, licensing of the masters of vessels and certification of the suitability of all arrangements by the superintendent of emigration. If the number of emigrants exceeded 50 persons, the despatch of such emigrants had to be made under the supervision of a licenced medical officer with a special boat turned into a hospital.

The Government of Assam also undertook the formulation of rules for repatriation of emigrants and for the regulation of working and living conditions on plantations, including housing, food and water supply, and

medical and sanitary arrangements. Specific rules were also laid down for supervision and inspection of the plantations by district, sub-divisional and other officers. It was also made compulsory for plantations to keep regular registers and submit periodical returns.

Modifications have since then been made in these rules, both by the Governments of Bengal and Assam. In 1908, the Government of East Bengal and Assam made some essential changes in the area of recruiting districts, in contracts and private arrest by employers. Further modifications were made after the enactment of the Assam and Emigration Amendment Act (VIII) of 1915 and that of 1925.

4. SUPERVISION AND INSPECTION

Unlike other labour legislation, plantation legislation had until recently to regulate both the recruitment and the employment of labour. Owing to the existence of the indenture system, recruitment had to be supervised by Government. Moreover, the employment of contract labour made it necessary to provide for more than usual inspection of labour conditions on plantations. The abolition of the contract system has simplified the work of both supervision and inspection, but even now the local agents, under whose supervision recruitment by garden sardars is carried on, have to be licensed, whereas the inspection of labour conditions is as great a problem on plantations as it is in other organised industries.

Provisions for the supervision of emigration were made by the first Plantation Act of 1863. It consisted chiefly of the regulation of recruitment and the examina-

tion of prospective emigrants before registration, and of sanitary and medical arrangements in *depôt* and *en route* from recruiting to labour districts in the following ways :

First, the recruiting areas were divided into several geographical units, each under a superintendent of emigration, with a sufficient staff of assistant superintendents, medical officers and embarkation agents.⁴

Secondly, all the *depôts* were examined by superintendents as well as medical and other specially appointed officers. A responsible person, such as a contractor or his agent, had to live in the *depôt*, which also had to have a residential medical man appointed with the approval of the medical inspector.

Thirdly, before embarkation, emigrants were examined as to their physical fitness to undertake the journey, the routes were prescribed, and the despatch was made under proper escort. Vessels carrying emigrants were inspected and licensed, if they carried more than twenty emigrants. Licensed medical officers were attached to such vessels, and vessel-masters received waybills from embarkation agents. The emigrants were inspected *en route* by magistrates and detained in case of any outbreak of disease.

The main object of supervision or inspection of labour on plantations was the observance by plantations of the terms of contract. It consisted chiefly of the following: First, provision by the planters of proper housing accommodation, sanitation and medical help, drinking water food-grains and stipulated wages. Secondly, the limita-

tion of tasks, if found excessive, cancellation of contract in case of physical unfitness, and payment of wages at regular periods. It was also the duty of the supervising officers or inspectors to hear of the complaints of labourers in case of the non-fulfilment of contract by planters. Third, repatriation of labourers. It consisted of cancellation of the contract of those who were wrongfully recruited, or rendered physically unfit either by accident or disease to fulfil the contract, or whose terms of contract terminated.

In 1915 the recruitment by contractors was abolished and a Labour Board was created for supervising local agents under whom garden *sardars* had to recruit labourers. The main function of Government supervision has since then consisted only of granting licenses to the local agents on the recommendation of the Board, and of inspecting their work as well as that of garden *sardars*.

In 1928-29, there were 127 applications for the grant or renewal of licenses of local agents in British recruiting districts and 83 applications for the appointment of local agents in Indian States. At the close of the year, 41 local agencies were at work in different provinces. There were three supervisors, who visited 56 recruiting stations, 47 recruiting agencies and 10 transport agencies.¹

The procedure for the inspection of labour conditions on plantations was also first provided by the Act of 1865. The appointment of both protectors and inspectors was made compulsory. By the Act of 1870 the title of

¹ *Adapted. Ass. Lab. Rpt., 1929, pp. 1-2.*

protector was abolished and instead inspectors and assistant inspectors were appointed with the power of suspending contracts and reducing the schedule of task.¹

At first, inspection was compulsory only for the gardens employing Act-labourers, and such gardens were to be inspected at least once a year.² But, by the rules under the Act of 1882, the inspection of gardens employing more than 50 imported labourers was also made compulsory.³

In 1887, it was decided that the gardens declared unhealthy had to be inspected twice a year. Two years later a more elaborate system of inspection was laid down as to the number and season of visits.⁴ In 1893 the standing orders for inspection were revised, and the procedure of an inspection at the second or third visit to the garden in the course of the same year was restricted to some specified points, except in the case of unhealthy gardens.⁵ The system of inspection was further revised in 1895, and the Deputy Commissioner in each district was required to classify the gardens into three classes, namely, healthy or first-class, second class, and unhealthy, according to the state of health and the number of deaths. All unhealthy gardens had to be inspected twice a year by the civil surgeon or district medical officer.⁶

¹ *Ass. Lab. Rpt.*, 1978, pp. 7-8.

² *Ibid.*, 1880, p. 5.

³ *Ibid.*, 1883, pp. 16-17.

⁴ *Ibid.*, 1889, p. 50.

⁵ *Ibid.*, 1893, p. 66.

⁶ *Ibid.*, 1895, p. 84.

Further changes in the procedure of inspection were made in 1904-5. The number of gardens in the district of Cachar being unusually large, biennial inspection was sanctioned. This innovation reduced the number of gardens liable to inspection from 709 in 1904-5 to 609 in 1905-6.¹ In 1906 this biennial system was extended to other districts and it was decided that only those estates of which the management was open to question were to be annually inspected. This ruling reduced the number of gardens which became liable to annual inspection still further.² As a result of the abolition of contract labour by the Assam Labour Emigration Act of 1915, the Act-labour ceased to exist in 1919-20 and only the gardens employing more than 50 labourers became subject to inspection.

The effect of these changes in the system of inspection may be best seen in the proportional number of gardens inspected in 1928-29 as compared with those in 1883, when the records on the exact number of gardens employing Act-labourers and more than 50 non-Act labourers, or both, first became available. The number of such gardens increased from 698 in 1883 to 875 in 1928-29, while the number of gardens which became liable to inspection declined from 698 to 379 and of gardens actually inspected from 567 to 347, as shown in the table below. It is thus seen that during the 46 years under consideration there has been a decrease, both absolute and relative, in the number of gardens

¹ *Ibid.*, 1904-5, p. 8, 1905-16, p. 8.

² *Ibid.*, 1905-6, p. 8.

inspected. A similar decline has taken place in the total number of inspections, which was 815 in 1900 and only 352 in 1928-29. It must be remembered that it was mostly in the case of unhealthy gardens that regulation was made for more than one inspection.

INSPECTION OF TEA-GARDENS IN ASSAM¹

Year	Gardens employ- ing Act-labour or more than 50 labourers	Gardens liable to inspection	Gardens inspected once or more.	Total No. of inspections.
1883	698	698	567	
1900	752	752	749	815
1920-21	775	385	374	333
1928-29	857	379	347	352

The success of inspection depends largely upon the personnel. Even as early as 1878, the Assam Government was strongly of opinion that the duty of inspection should be performed as far as possible by the executive officers of each district rather than by a specially appointed officer exclusively. Both the local experience and the proximity to gardens enabled them to make most effective inspection.² In Assam such executive officers were deputy commissioners, and a fair proportion of inspection was performed by them, but the largest number of inspections were made by assistant deputy commissioners, civil surgeons and other officers.³

The relaxation of inspection is partly due to the lack

¹ Compiled from *Ass. Lab. Rpts.* for years indicated.

² *Ass. Lab. Rpt.* 1878, p. 7.

³ Out of 352 inspections in 1928-29, 173 were made by deputy-commissioners.

of responsibility on the part of Government resulting from the abolition of contract labour, and partly to the general improvement of the conditions on plantations. But that the discontinuance of inspection would be a mistake was the opinion of the Assam Labour Enquiry Committee of 1921-22. The Committee pointed out that even the biennial inspection had become a sort of routine work, being often carried out by junior and inexperienced officers, and the reports on inspection were very meagre in detail. The Committee suggested to have more information on conditions and wages of labour, and emphasised the importance of inspection of unhealthy gardens by civil surgeons, inasmuch as it related to specific points in connection with health and sanitation, and thus produced a good effect.¹

5. OFFENCES AND PENALTIES

Until very recently criminal offences under plantation legislation covered a very wide field. The violation of both the rules of recruitment and the terms of contract fell within its sphere. Moreover, the employment of labour by planters under the Workmen's Breach of Contract Act of 1859 added new duties to the plantation law. The amendment of plantation legislation in 1920 and the abolition of the Act of 1859 in 1925 have, however, greatly limited their scope at present.

The offences committed on plantations until 1925 might, therefore, be classed under two headings, namely, those under plantation legislation proper and those under

¹ *Op. cit.*, p. 105.

the Workmen's Breach of Contract Act. Since desertions formed one of the most important classes of offences, they might conveniently be considered separately.

DESERTIONS

The commonest offences among the labourers on tea-gardens in Assam were desertions. Deserters really meant those labourers who were employed under contract, and who left their work before the expiry of the terms. But up to the year 1902-3, even those labourers who were not under contract and who simply left work without permission were regarded and returned as "deserters." They were not, however, punishable by law.

No data are available on desertions among the Act or contract labourers prior to the year 1877, when the number of desertions was 2,584, and rose to 6,432 in 1897, and was only 172 in 1917-18, two years before the Act-labourers ceased to exist. As far as the proportion of desertions to the total number of Act-labourers is concerned, the percentage upon the mean strength fell from 5.65 in 1877 to 2.95 in 1900, and was 8.9 in 1917-18. Desertions among the Act-labourers were comparatively high during the last few years of the contract system.¹

Actual desertions were, however, much larger than those indicated by the above figures. Many runaways, who were caught within the immediate vicinity of gardens while attempting to escape, and even those who were recaptured by employers and were not taken to the police

¹ Compiled from the *Ass. Lab. Reports* for years indicated.

station as required by the law, were sent back to the gardens and were not returned as deserters.¹ Besides, there were also desertions among children, some of whom were employed on gardens ; for instance, in 1884, out of a total of 9,855 deserters, 1179 or 12 per cent. were children.²

There were various causes which led the labourers on gardens to desert their work. The very feeling of work under compulsion, as stipulated by the terms of contract, although entered into more or less willingly, created an impulse for desertion. This was aggravated by not often finding themselves at home in the strange working and living conditions in a distant country, or by discovering that their position was quite different from what they were often led to imagine. Desertions were thus naturally much more common among the newly arrived than among the old resident labourers. For the same reason an increase in immigration was generally followed by a corresponding increase in desertion.³

Private quarrels, personal jealousies and heavy indebtedness were also among the factors causing restlessness and desertion among labourers.

Facilities for escape formed one of the strongest inducements to desertion. Since the deserters from Cachar and Sylhet could easily escape into Bengal, where they could find some other job, or go to Hill Tippera,

¹ *Ass. Lab. Rpt.*, 1886, p. 17.

² *Ibid.*, 1884, p. 26.

³ 1888, p. XIV.

where they were welcomed as useful cultivators, the number of deserters in these two districts was much larger than in any other in Assam.¹ For the same reason, the number of men deserters was invariably larger than that of women deserters. It was harder for women to escape, hampered as often they were with children. Moreover, women labourers were generally married, and, if they wanted to desert, they had to leave gardens with their husbands and children and thus rendered themselves more easily liable to arrest.

Outbreaks of epidemics and unhealthiness of gardens were among the important causes of desertions. That increased mortality was followed by increased desertion was noticed as early as 1878. When some members of a batch of labourers died of epidemics, the remaining labourers became panic-stricken and tried to escape, if there were any possibility of doing so.² For the same reason there were more desertions among the labourers on unhealthy gardens. As early as 1891, Government called attention to the necessity of discriminating in inflicting punishment upon deserters from healthy and unhealthy gardens.³

One of the most important causes of desertion was enticement. Managers of some gardens often preferred to make up their labour force without importing. It

¹ In 1897, for instance, the percentages of desertions on the mean strength were 11.05 and 10.02 in Cachar and Sylhet respectively as compared with 4.38 for the whole province. *Ass. Lab. Rpt.* 1897, p. 26.

² *Ibid.* 1878, p. 12

³ *Ibid.* 1891, p. 25

was the opinion of several inspectors that the runaways from one garden were often secreted on another with the connivance of the manager.¹ One of the objects of the amendments of plantation legislation was to prohibit such enticement, but in spite of penalties provided for, enticement had continued to exist.

The desire to ameliorate economic conditions was, however, the strongest incentive to desertion, especially among the non-Act labourers. Even enticement was made possible through the offer of higher remuneration. In order to obtain higher wages, labourers often deserted one garden for another, or even tea gardens for other industries. During the early 'nineties, the number of desertions increased because of the fact that the Assam Bengal Railway, which offered higher wages, was under construction in the neighbouring districts of the tea-gardens.² For the same reason, the longer period of contract induced desertion. It was very hard for a man who had contracted for four or five years to resist the temptation to abscond when he saw other labourers coming up every year and receiving higher bonus as often was the case. By presenting himself in another garden, he could easily secure a higher bonus also for himself.

The terms of contract made desertion a criminal offence, and all deserters under labour contract were liable to arrest and prosecution. There were several agencies by which deserters could be arrested, namely,

¹ *Ibid.* 1883. p. 28

² *Ibid.* 1895. p. 49

summons, police, warrant and manager. The most important feature of the terms of contract was the arrest by managers, as will be noted later on. Under Section 195 of the Act of 1901, as modified up to July 1, 1910/ the employer or any other person authorised by him could arrest a deserter without warrant, unless the latter was within five miles of the residence of a magistrate or in the service of another employer, in which case a warrant was necessary for arrest. The persons authorised to arrest deserters were not necessarily connected with gardens. Even outsiders could effect an arrest with the hope of reward. Many hill tribes outside the gardens were often engaged in such work.¹ Comparatively few deserters were arrested by summons and police. Warrant as an agency of arrest was also often ineffective. By far the majority of the arrests were made by managers.

Penalties for the offence of desertion were either fine or imprisonment, or both. In the beginning, the penalties were more drastic, and imprisonment might be extended to three months for all kinds of desertions. But by subsequent amendments, they were modified. For instance, under Section 198 of the Act of 1901, as modified up to July 1, 1910, a deserter could be punished with a fine of Rs. 20 or one month's imprisonment or both for the first offence, with a fine of Rs. 50 or two months' imprisonment or both for the second offence, and with a fine of Rs. 100 or three months' imprisonment or both for

¹ In 1903-04 several ferrymen were found making arrests and illegal detention of suspected persons. The practice was, however, immediately stopped by law. (*Ibid.* 1903-04 p. 11)

the third or subsequent offence. When a deserter actually suffered imprisonment for a period amounting to six months in the aggregate, his contract could be cancelled.

As a result of prosecution, a large number of convictions took place. In 1885, for which the first data on arrests and convictions are available, out of 3,921 deserters, 558 or 14 per cent, were arrested and 482, or 12 per cent., convicted. The number of convictions was, however, the highest in 1892, when out of 1,055 deserters arrested, 992 or 94 per cent. were convicted.¹

DESERTION AMONG ACT-LABOURERS IN ASSAM

		DESERTIONS ²			
	Number	percentage in mean strength	Arres's	Convic- tion	Imprison- ment ³
1885	3,921	4.61	558	482	—
1900	3,949	2.95	362	323	294
1917-18	172	8.90	26	2	2

BREACHES OF CONTRACT.

Similar to desertions were the criminal offences under the Workmen's Breaches of Contract Act (XIII) of 1859. In fact, desertions themselves were breaches of labour contract and the offences under the Act of 1859 often involved also desertions. But the terms "breaches of contract" are here used more or less in the technical sense and imply the violations of only those contracts

¹ *Ass. Lab. Rpt.*, 1892, p. 25.

² Compiled from the *Ass. Lab. Rpts.* for years indicated.

³ The data on imprisonment are not available prior to the year 1900

which were entered into under the Act of 1859. These offences consisted of neglect or refusal by labourers to perform, wilfully or without reasonable excuse, the work which they undertook and for which they received advances of money. Under the original Act, there was no limit to the amount of these advances, but by the Amendment of 1920, the amount for which offences could be instituted was limited to Rs. 300.

No data are available on the cases instituted by planters against labourers until 1899, when the number of such cases was 418, and rose as high as 1,604 in 1920-21, as shown in the table below. That the number of cases in proportion to that of the labourers employed under the Act is rather small is indicated by the fact that even in 1920-21, where such cases reached the highest figures, there were only 1,604 cases for 270,443 contracts, *i. e.* .59 per cent.¹

BREACHES OF CONTRACT ON ASSAM TEA-GARDENS AT
SPECIFIED PERIODS.²

Year	No. of cases	No. of convictions	persons imprisoned
1899	418	149	34 ³
1907-08	1,115	523	74
1913-14	1,192	370	111
1920-21	1,604	278	63
1925-26	67	29	—

¹Ass. Lab. Enq. Com. Rpt. 1921-22, p. 83.

² Compiled from Ass. Lab. Rpts. for years indicated.

³ Includes fines.

The records on convictions are, however, available since 1887, when 87 labourers were convicted for breaches of contract under this Act.¹ The total number of convictions was 149 in 1899 and rose as high as 523 in 1907-08, as shown above. It must be mentioned that all the cases were not tried owing to the fact that many absconding labourers could not be found.

Convictions under the Act of 1859 were more of the nature of civil trials, inasmuch as in the majority of cases persons convicted were given the option of completing contracts or refunding advances,² but fines and imprisonments were also some of the features of the punishment.³ In 1913-14, for instance, the number of persons imprisoned for the breaches of contract amounted to 111, which was the highest figure on record for the imprisonment of plantation labourers under this Act.

The period of imprisonment under the Act might extend to three months, but as a rule few persons were given such long sentences. It generally varied from a few days to a month or a little over.⁴

Under the Act of 1859, the labourers were, however, entitled to sue the employers in case the latter refused to grant discharge certificates. In 1925-26, for instance there were 142 such complaints, of which 96 were successful.⁵

¹ *Ass. Lab. Rpt.*, 1887, p. 21.

² *Ibid.*, 1893, p. 31.

³ *Ibid.*, 1891, p. 22.

⁴ *Ibid.*, 1892, p. 22.

⁵ *Ibid.* 1925-26, p. 4.

Violations of the Act of 1859 by planters generally arose from three distinct sources : first, contracts taken from minors ; second, illegal prolongation of the terms of contract ; (The Amendment of 1920 limited the terms to one year, but longer contracts continued to exist in some districts.) third ; the most flagrant violation of the Act of 1859 was, however, the practice of private arrest which was permitted only in the case of the contracts under plantation legislation. The extent of such offences on the part of planters might be gauged by the fact that it became a subject of comment by the Assam Labour Enquiry Committees of both 1906 and 1921-22.¹

OTHER OFFENCES

Most of the criminal offences on tea-gardens in Assam fell, however, under the plantation law, and of these, desertions have already been dealt with. The remaining offences might be ascribed to three different agents, namely, recruiters, employers and employees. Every Act enacted since 1863 provided various penalties for the violation of its provisions. The nature of these offences and of the penalties for them may best be judged from those provided under the Act of 1901, as modified up to July 1, 1910.

The offences of recruiters, including licensed or unlicensed contractors, garden sardars, local agents and masters of transporting vessels, were of various classes, of which the following were the chief: (1) Recruitment in contravention of the law, wilful misrepresentation by

¹ *Op. cit.* pp. 105 and 86 respectively.

recruiters, removal of unregistered persons from recruiting districts and failure to provide proper food ; (2) failure of garden sardar to report himself or to comply with the instructions endorsed on the way-bill and his abandoning labourers or making them over to contractors ; (3) local agents working with contractors ; (4) vessel masters receiving passengers on board together with Act-labourers, fraudulent alteration of vessels after grant of license and non-compliance with conditions regarding food, clothing, medical help, embarkation, debarkation and stoppage. The number of complaints preferred against garden sardars was rather large in the earlier years, but improvement in the system of recruitment under the supervision of the Assam Labour Board has led to the diminution of such offences in recent years. In 1928-29, for instance, out of 44,758 sardars employed in recruiting, only 75 were prosecuted for criminal offences. ¹

Employers' offences might relate to any of the following : (1) refusal or omission to keep registers ; (2) obstruction to inspection ; (3) compelling labourers to perform work for which they are unfit ; (4) failure to provide housing and hospital accommodation ; (5) causing labourers to live on plantations declared unfit for residence ; (6) refusal to endorse labour contracts ; (7) neglect to comply with request of labourers wishing to redeem unexpired term ; and (8) failure to take deserters to police station after arrest. To these might also be added the crime of violence, intimidation or

oppressive treatment to compel re-engagement or otherwise.

Complaints of the above offences against planters were very small in number even in the earlier years and except those of refusal of discharge certificates, and they have still further diminished in recent years. The most serious complaints against planters were, however, those of intimidation, assault and confinement for renewal of engagement or otherwise. The total number of cases against planters was 666 in 1902-03, and rose as high as 804 in 1924-25, of which 775 were for discharge certificates. In 1928-29 there were only 90 complaints against them.

The offences of labourers under the plantations Acts, except those of desertion, were chiefly the following : 1) refusal without cause to execute contract at depots or gardens after having been legally registered ; (2) unlawful absence from work or absence for seven consecutive days without cause ; (3) drunkenness or neglect of sanitary regulations ; (4) desertion after having exacted labour contracts. A large number of offences committed by labourers fell under the penal code. Most of them were those of riots, illegal assembly, assault, or intimidation.

The complaints generally preferred against labourers were those for unlawful assembly, rioting, assault or intimidation, but the most common complaint against them were for non-fulfilment of contract. In 1907-08, for instance, there were 1,727 of such complaints. Taking all the cases against labourers together, the number of

complaints rose from 1,277 in 1902-03 to 1,789 in 1907-08. In 1928-29, there were only 59 such complaints.

The number of convictions in proportion to the complaints against the planters was rather small. Most of the complaints were with reference to compulsion for renewing contracts, but they could be dealt with executive under Section 155 of the Act of 1901. Out of 655 such complaints in 1925-26, 475 were similarly disposed of.¹ Other complaints were disposed of by regular processes in the court. The largest number of convictions in the case of labourers were non-fulfilment of contract. Thus in 1902-03, out of 1,115 cases, 248 convictions were effected.²

The nature of the penalties for these offences may best be judged also from those provided under the Act of 1901, as modified up to July 1, 1910. The penalties for these offences committed by recruiters or in connection with recruitment consisted of fines averaging from Rs. 20 to Rs. 1,000 or imprisonment varying from 1 to 6 months or both; for those committed by planters, consisted of fines varying from Rs. 50 to Rs. 500 except in the case of enticement, where there might be imprisonment for not more than a month, and for those committed by labourers consisted of forfeiture of wages or of fines varying from Rs. 5 to Rs. 20. But in the case of deserters, as noted before, the fine might extend from Rs. 20 to Rs. 100 or imprisonment from one month to three months.

¹ Compiled. *Ass. Lab. Rpt.*. 1925-26, statements.

² *Ibid.*, 1902-3, p. 2.

CHAPTER IV

CONDITIONS OF EMPLOYMENT

The conditions of employment form a very important phase of plantation labour. Although akin to agriculture, a plantation has peculiarities of its own: first, it is generally a large-scale capitalistic enterprise and, therefore, partakes of the nature of modern organised industry; second, it is often located in isolated places away from populous communities and thus dependent upon imported labour; third, labourers often have to live on a plantation, or in its vicinity, which is generally the property of the planter; finally, most of the plantations in India have been financed and managed by foreign capitalists, who wanted to have a hold on their labourers in their pioneer industries, as noted before. All these factors more or less contributed to the development of the indenture system or contract labour under penal sanction. ~~Although both the indenture system and penal sanction have been abolished, as shown before, their effect is still noticeable in the terms of employment. Moreover, scarcity of labour supply for plantations remains as great a problem as ever, affecting the conditions of employment.~~

I. SUPPLY OF LABOUR

In spite of immense potentiality, the supply of labour in India is quite inadequate to the demand of the organised industries. The most difficult question of labour supply

arose in connection with plantations, especially the tea-gardens in Assam. In fact, the supply of labour to Assam has been the motive force of the origin and growth of plantation legislation and of its various enquiries, committees and commissions. The impediments to the free flow of labour into Assam might be classed under two categories, namely, those which are the results of the conditions in labour districts in Assam and in recruiting districts in other provinces, and those which are related to the legislation and its working.

The distance and isolation of Assam from the rest of the provinces is itself an impediment to the free movement of labour to Assam gardens. Owing to ignorance and illiteracy, very few people in recruiting districts know of the actual conditions of work in Assam. The reported unhealthiness of Assam, high rate of mortality among immigrants and long and tedious journey, especially in the earlier years, made work in Assam very unpopular. Moreover, some of the recruiting districts were depleted by famines, epidemics and previous emigrations. The increasing demands for labour by other industries, such as those of jute, coal, docks and harvesting in Bengal and by plantation industries in Burma and Straits Settlements were also responsible for diverting the flow of labour from Assam to other provinces.

The most important causes of labour shortage in Assam have, however, been those which were connected with legislation for emigration and employment of labour. There has been a sharp resentment among all classes of the people against the mal-practices of free emigration

existing under some of the emigration Acts, such as the Act of 1882, by which irresponsible and unlicensed recruiters conveyed, by fraud and deception, many ignorant and unsuspecting men and women to Assam, and practically sold them to planters to be placed under labour contracts. The *Arcatis*, as the professional recruiters were known, were regarded by the people as "the scum of the earth" and "heartless scoundrels" and were feared as much as a "man-eating tiger." In most of the districts where free recruiting prevailed, the same tale is told of deception, of misrepresentation, of entrapping people on bazaar days, when they had something to drink, and of cajolement of single women, who were offered various inducements.¹

The working of the law itself, such as the registration of the emigrants, was a tedious process. But what irritated the labourer most was the penal contract with its accompanying restrictions on personal freedom. The very fact that so few labourers returned home after the completion of their contract in Assam kept others from going there. There was a common belief that the labourer was forced to renew his contract and was too poor to pay his journey back. Moreover, the rate of wages was too low to attract outside labour, especially as higher wages were offered elsewhere. The general public had the same opinion as the workers on these questions.

All these mal-practices in recruitment and these conditions on plantations created deep antipathy against labour in Assam. Although the indenture system and

¹ *Ass. Lab. Enq. Rpt.*, 1906, p. 23.

the Breach of Contract Act of 1859 have been abolished and the conditions of employment improved, aversion against Assam plantations exists to a large extent in the minds of the people even to-day.

2. IMMIGRATION INTO ASSAM.

Since the very beginning, tea industries in Assam have been dependent upon immigration for their labour supply, as noted before. Nothing is definitely known of the exact number of immigrants who came to Assam in the earlier years. In 1877, their number amounted to 31,897 and, rising as high as 221,171 in 1918-19, stood at 68,600 in 1928-29, as shown in the table below.

There have, however, been great fluctuations in the number of such immigrants.

LABOUR IMMIGRATION INTO ASSAM (SHOWN AT SPECIFIED PERIODS).¹

Year	Men	Women	Children	Total
1877	15,205	10,558	6,134	31,897
1897	34,842	31,486	29,603	95,931
1908-09	74,980	60,630	87,143	222,753
1928-29	37,161	16,548	15,191	68,900

Besides the immigrants mentioned in the above returns, there has always been a certain number of other immigrants. Some of the labourers were imported by employers without conformity to the legal procedure, while others, though often very few in number, came to Assam in search of work entirely of their own accord and without

¹ Compiled from *Ass. Lab. Rpts.* for years indicated.

any outside assistance. Both these classes of immigrants escaped official records and were often employed as time-expired labourers.¹

There were several causes of the variation in number of the immigrants into Assam :

First, the growth in the intensity of cultivation and the consequent increase in demand for labour were naturally followed by a corresponding increase in labour supply, of which there is always a great potentiality in India. Business depression, on the other hand, has often led to the contrary results. From 102,089 in 1919-20, for instance, the number of immigrants fell down to 25,472 in 1920-21, *i. e.*, to one-fourth of its number.²

Second, harvest failures and impending famines have always led to the increase in the supply of labour. Famine was, for instance, responsible for the rapid increase in the number of emigrants from 46,530 in 1894 to 81,115 in 1896³ and from 19,407 in 1917-18 to 222,753 in 1918-19. Had not the recruiting areas suffered greatly from the epidemic of influenza, the emigration would have been still larger.⁴

Third, the closing and opening of districts to recruitment by different provinces have also marked influence upon the variation in number of the recruits. In 1923-24, for instance, the whole of the Madras presidency was opened to recruitment, and the number of immigrants

¹ *Ass. Lab. Rpt.*, 1879, p. 9.

² *Ass. Lab. Rpt.*, 1879, p. 9.

³ *Ibid.*, 1900, p. 3.

⁴ *Ibid.*, 1918, p. 7.

into Assam rose from 21,654 in 1922-23 to 41,862 in 1923-24.

Among other factors, affecting immigration, must be mentioned industrial disputes in labour districts, the non-co-operation movement in 1921 and recruitment for the labour corps during the war.¹

The proportions of women and children in comparison with men also vary from year to year. In 1928-29, for instance, out of 68,600 immigrants, 16,548 or 24 per cent, were women, as compared with 1901, when out of 26,223 immigrants, 10,036 or 38 per cent. were women. The same is true in the case of children. In 1928-29 there were 15,191 children or 22 per cent. of the total as compared with 87,143 out of the total 222,753 or 39 per cent. in 1918-19.²

The proportions of men, women and children are influenced by several factors. In the beginning of the tea industry, most of the recruits consisted only of men. In the year 1861, for instance, only 10 per cent of the immigrants were women.³ But, as time went on, the proportion of women increased. The reason for such small proportion of women, specially in the earlier years, is that the journey was too long, the final destination unknown and the opportunity for women scarce.

The proportion of women among immigrants is also greatly influenced by the systems of recruitment. The garden *sardars* generally bring family batches with a larger proportion of women and children so that they

¹ *Report on Production of Tea in India* 1916, p. 8, and *Ass. Lab. Rpt.* 1922, p. 1.

² Adopted from the *Ass. Lab. Rpts.* for years indicated,

³ *Ass. Lab. Ena. Com. Rpt.* 1906. p. 135.

might settle down in Assam. Contractors' recruits were of different types ; they were mostly single men and women consisting of a large number of "the waifs and strays of the population." On the other hand, a large number of women among immigrants was often due to the malpractices in recruitment. Women were more easily duped than men and were more readily caught by the wily recruiters, who often made a living by every act of deception.¹

In the earlier years, most of the immigrants were imported under the contract system. In 1876, for instance, out of 34,283 immigrants, 19,913 or 73 per cent were under contract, *i.e.* Act-immigrants, as they were called. The number of Act-immigrants rose as high as 40,617, out of 95,931 in 1897, thus forming 42 per cent. of the total immigrants in that year. In 1915-16, the year before the end of immigration under contract, only 579 or less than one per cent of the immigrants were under contract, as shown below. Variation in the number of Act-immigrants was the result more or less of the same causes as in the case of other immigrants. But variation in the proportions of Act-immigrants to the whole number was due to the changes in the legislative measures relating to recruiting.

IMMIGRATION OF CONTRACT LABOUR IN ASSAM²

Year	Total immigrants	CONTRACT IMMIGRANTS	
		Number	per cent of total
1876	34,283	19,913	73
1897	95,931	40,617	42
1915-16	110,376	579	0.5

¹ *Ibid.*, pp. 36-37.

² Compiled from *Ass. Lab. Rpts.* for respective years.

3. SYSTEMS OF RECRUITMENT

The scarcity of local labour supply and the distance from the populous provinces made recruitment of labour for the tea-gardens in Assam a complicated problem, especially in the earlier years when transportation had hardly developed. Soon after the boom of 1859 the Lieutenant-Governor of Bengal recommended to Assam planters to adopt an organised system of recruitment similar to the one pursued by those in Mauritius, but they failed to respond to this suggestion and to adopt any definite policy. As a result, various systems of recruitment developed which might be considered under two general headings, namely, the contractors' system and the *sardari* system.

THE CONTRACTORS' SYSTEM

The earliest recruiting of labour for Assam tea-gardens was done by contractors. Since there was no restriction upon the contractors the system became known as the free contractors' system. It led, however, to some gross abuses, such as deception in recruitment, insanitary conditions at the depôt and on steamers and country boats, and heavy mortality on the way to labour districts.

The system of requiring contractors to be licensed for recruitment was first introduced by the Act of 1863. Under this Act the recruiter had to appear with his emigrant before the authorities of the place where the emigrant was recruited, the intending emigrant was examined as to his willingness and physical fitness to

emigrate, and was then sent to a central dépôt, where he was put under contract.¹

The commission, appointed by the Government of Bengal to enquire into the state and prospects of the cultivation in Assam in 1868, found that even licensed recruiters employed a horde of unlicensed sub-recruiters, and labourers were induced to emigrate by misrepresentation, that registration in the district of recruitment was not an effectual check on the abuses, and that mortality among emigrants was still very high, numbering, for instance, 4,750 or 3·9 per cent out of the total of 108,180 emigrants from May 1863 to January 1868.²

The policy of free recruitment still continued and the Act of 1873 withdrew any restriction upon unlicensed recruiting, but at the same time provided that no contract in the labour district should be binding for more than one year unless made and executed under the Act. Further changes for facilitating free recruitment were made by the Act of 1882, sub-contractors were recognised, and all labourers for Assam could be brought to Dhubri in Assam where they could be put under contract. Free contractors took full advantage of this provision, and in a few years the bulk of recruiting was carried on outside the Act, subject to no control, sanitary or otherwise. In 1887, for instance, out of 25,835 emigrants arriving at Dhubri, 21,323 or about 85 per cent. were recruited by free contractors.³

¹ *Ass. Lab. Inq. Com. Rpt.* 1906, p. 8.

² *Ibid.*, p. 138.

³ *Ibid.*, pp. 142-145.

The object of the Act of 1882 was to do away with the contractors' system. It had, however, the opposite effect and gave rise to many abuses. In order to remove some of these evils the Government of Bengal enacted the Act of 1889 empowering local Governments to prescribe routes of travel, accommodation, food supplies and other arrangements for labourers *en route* to labour districts in Assam. Abuses, however, continued to exist and even to increase. In 1895 the Commission appointed by the Government of Bengal to enquire into labour supply for large industries, recommended the abolition of the free contractors' system and the introduction of the system of initial registration in all recruiting districts.

The Act of 1901 giving effect to these recommendations made licensing and registration more definite by the following provision : (1) closing of any area to recruitment by unlicensed contractors ; (2) examination of intending emigrants as to their free consent to go to Assam without any coercion, undue influence, fraud, misrepresentation or mistake ; and (3) enquiry as to the consent of husband, lawful guardians or other relatives in case of a woman.¹

In 1906 the Assam Labour Enquiry Committee found that the most unprincipled of the army of recruiters were the up-country men who were responsible for most of the abuses in connection with recruitment. The Committee recommended that a certificate should be taken from contractors as to the character of the recruiters working under them, and that only the native of a district should

¹ *Ibid.*, p. 25.

be licensed for recruiting in that locality. As a result of these recommendations recruitment by unlicensed contractors was abolished by the Government of East Bengal and Assam in 1908, and the recruitment by licensed contractors was also abolished by the Assam Labour and Emigration (Amendment) Act of 1915.¹

THE GARDEN SARDARI SYSTEM

The most important system of recruitment, which has come down to the present time, is what is called the garden *sardari* system. The garden *sardar* is nothing but a common labourer employed in a garden and is called so only during the period when he is engaged in recruiting. He becomes a labourer again on the resumption of his regular work in the garden.

Garden *sardars*, including both men and women, are sent out by planters every year in the recruiting season, which generally begins in November and lasts from three to four months. They induce men and women to come to tea gardens in Assam, showing all the advantages of work and the prospects of ultimate settlement on independent holdings. Some of the prospective emigrants desire to join their relatives already in tea gardens, whilst others are forced to do so by poverty and scarcity at home. There are still others who come as adventurers. Planters prefer labourers to come with their families, as in that case they are more likely to stay permanently on gardens.

The garden *sardari* system had grown up in the district of Cachar and existed in contravention of the Act

¹ *Ass. Lab. Enq. Com. Rpt.* 1921-1922, p. 102.

of 1863. The advantages of this system were first realised by the Commission of 1868, which recommended the institution of private recruiting to be conducted by *bona fide* garden *sardars*. They were first of all to receive certificates from the magistrate of the district where the garden was located and have these certificates counter-signed by the magistrate of the district where the recruiting was to take place. This Cachar system was given legal sanction by the Act of 1870.

By this Act, garden *sardars* were divided into two classes, namely, those who were authorised to engage more than 20 persons and those who were not so authorised. The former class were subject to the same provisions as licensed recruiters and had to take their recruits to a *depôt* for medical examination and registration before the formal contract, which was to be done within thirty days of their arrival at the *depôt*. The second class of *sardars* had to take their recruits to the magistrate in the district of recruitment for registration and contract, the copies of which had to be forwarded to the magistrate of the district where the emigrants were to be employed. On return to the gardens, such *sardars* had to report to the magistrate, who was to compare the number of persons recruited with those who actually arrived.

The Act of 1882 made the issue of the certificate and its counter-signature by the magistrates in the district of employment and the district of recruitment respectively more definite. It was also provided that emigrants recruited and put under contract could be rejected at Calcutta and the rejected emigrants were to receive the

cost of their return home. At the same time penalties were provided for misbehaviour by garden *sardars*.

The Act of 1901 granted further facilities to the garden *sardari* system. Provision was made for a special class of *sardars* who could recruit labourers in notified areas without registration. They had only to report the names of the recruits three days before their departure from the district, but the system did not succeed, as three days' unnecessary detention involved additional expense.¹

The Act of 1901 also empowered local Governments to sanction further relaxation of the control over the *sardari* system in the case of particular agencies or associations of employers. Full advantage was taken of this provision by the Tea District Labour Supply Association, an organisation formed by the leading tea-firms in Calcutta as early as 1878. Local agencies were established in all principal recruiting districts, under the auspices of which *sardars* carried on recruiting for their respective gardens.

The Assam Labour Enquiry Committee of 1906 favoured granting still more increased facilities to recruitment by garden *sardars*, provided the emigrants recruited by them were not to be put under contract. They recommended that the whole responsibility for the conduct of recruitment should be placed upon the local agents, who were appointed with the approval of the Superintendent of Emigration. They also suggested that in addition to the ordinary *sardars*, a special class of

¹ *Ass. Lab. Enq. Com. Rpt.*, 1906, pp. 140-146.

sardars with higher qualifications could be employed so that they might recruit independent of local agents.

In 1908 the Government of India requested the Local Governments to give effect to these recommendations. In July, 1909, the Bengal Government exempted garden sardars under the control of the Tea District Labour Association and certain other similar organisations from some of the provisions of the Act of 1901 on condition that no persons engaged by such *sardars* should be required to enter into a labour contract under the Act.

The Assam Labour and Emigration (Amendment) Act of 1915 finally provided the establishment of a Board, called the Assam Labour Board, for the supervision of local agents and of recruitment by garden *sardars* generally. The Board was soon established. It was empowered, with the sanction of the Government of India, to levy a tax not exceeding Rs 5, on each garden *sardar* and on each labourer recruited, in order to meet the expense. Local agents are appointed and licensed on the recommendation of the Board. These local agents have replaced the Government registered officers, and are responsible for preventing abuses in recruiting. The Board has authority to appoint supervisors to assist in the supervision of the work of local agents and of recruitment generally.¹

The *sardari* system has thus survived and replaced the system of recruitment by free and licensed contractors. Even in 1876, for which the earliest records are available, about 59 per cent. of the Act-workers were recruited by

¹ *Report on the Production of Tea in India, 1915, pp. 7-8.*

arden *sardars*. This proportion declined slightly to 57 per cent. in 1901 but rose again, to 98 per cent. in 1915-16 as shown below :

VARIATION IN NUMBER OF ACT-WORKERS RECRUITED
BY SARDARI SYSTEM 1876-1915-16.¹

Year	Total Act workers	Sardari Act-workers	Per cent. of total number
1876	20,813	12,309	59
1901	14,249	8,102	57
1915-16	5,279	5,222	98

At present the recruiting of labour for tea-plantations in Assam is exclusively carried on by garden *sardars*, who work under the control of licensed local agents appointed by the Tea Districts Labour Association and individual employers enjoying certain concessions granted under section 91 of Act VI of 1901.²

The number of garden *sardars* employed varies from year to year and so also the number of the immigrants they recruit. In 1917-18, for instance, 45,227 garden *sardars* were at work, who recruited 248,343 immigrants or 5.49 per *sardar*, but in 1928-29 the number of *sardars* fell to 44,751 who recruited only 73,198 immigrants or 1.63 per *sardar*.

VARIATION IN NUMBER OF SARDARS AND IMMIGRANTS.

Year	Sardars	Recruits	
		Total number	Per Sardar
1917-18 ³	45,227	248,343	5.49
1928-29 ⁴	44,751	73,198	1.63

¹ Collected from reports and resolutions on Immigrant Labour into Assam for years indicated.

² Annual Report on Emigration to the Labour Districts of Cachar and Sylhet, 1926, p. 1.

³ Report on the working of the Assam Labour Board, Delhi, 1920, pp. 14-15.

⁴ *Ibid.*, 1929, p. 2

The remuneration of the *sardar* formerly consisted of a bonus varying from Rs. 5 to Rs. 40 according to the custom of the garden and the class of labourers recruited, but he generally received no pay while in recruiting districts. While recruiting, he received from the local agent a first advance, generally amounting to Rs. 10. As a rule no account was given of how this money was spent, as it was considered a necessary preliminary to enable the *sardar* to show some hospitality in his village. Subsequent advances, generally Rs. 10, were made when the recruitment was going on, care being taken that the total of the advances, excluding the preliminary advance, should not greatly exceed Rs. 10 per head of the emigrants brought in. In some cases the debts of intending immigrants were paid up, but this was usually done by the local agents. An account of the advances given and other expenditure incurred was then made up and sent to the garden, so as to enable the garden to settle up with the *sardar*. On return to the garden, the *sardar* received his bonus minus the advances made to him, but the way expenses were excluded. If the advances paid to him exceeded the bonus he should receive, the balance was not generally recorded.¹

4. TERMS OF LABOUR CONTRACT

It has already been noted that contract labour in India on plantations has been developed under two series of legislation, namely, (1) the Workmen's Breach of Contract Act of 1859 and the two sections of the Indian Penal Code, and (2) Plantation Legislation, or Labour

¹ *Ass. Lab. Enq. Com. Rpt.*, 1906, p. 44

and Emigration Acts for Assam tea gardens since 1863, the former leading to the contract system under penal sanction and the latter to the indenture system.

The object of the Breach of Contract Act of 1859 was to safeguard employers against "the fraudulent breach of contract on the part of artificers, workmen and labourers, who received money in advance on account of work which they had contracted to perform." It began to be taken advantage of by tea-planters in Assam in the 'sixties, as noted before, and the terms of contract under it were often mixed with those under plantation Acts.

The most important terms in favour of the employer were as follows :—First, verbal contracts were legal, whether they could be verified or redeemed. On most of the plantations a record of verbal contracts was, however, invariably kept either in the garden cash book or advance registers, or the register for the advancement of money, and the labourer's thumb impression was generally added to the entry. Second, although the contract was generally limited to a period of 313 days, it was often extended to 939 days. Third, a labourer could be prosecuted and imprisoned for breaking his agreement, though it contained no compensating provision for his protection.

Among the features more or less favourable to the labourer might be mentioned the following :—First, under the original Act, the employer had no power of arrest without warrant. Second, the magistrate was granted a wide discretion as to the reasonableness for the non-performance of the contract and the amount of punish-

ment to be inflicted. Third, when a labourer was once sentenced to imprisonment, he was no longer liable to prosecution in respect of the contract under this Act.

The Amendment of Act XIII of 1859 by Act XII of 1920 brought about certain changes, the most important of which were the following :—First, agreements could be oral as before, but the entry on advance register and thumb impressions were made the proofs. The cases were valid only on an advance of money not exceeding Rs. 300. Second, the term of contract was limited to only 313 days and complaints by employers had to be made within 3 months of the neglect or refusal on the part of the labourers. Third, the magistrate was granted discretionary power to enforce inequitable contracts, to order for the repayment of advance or the performance of contracts and to pay compensation in the case of false, frivolous and vexatious complaints.¹

In addition to the contracts executed under the Workmen's Breach of Contract Act, a large number of workers were also employed on plantations under ordinary civil contracts enforced under Section 492 of the Indian Penal Code. In 1895, for instance, 5,122 labourers were imported into various districts under this system of contract. The use of this system was, however, restricted to a few districts only.²

The indenture system on Assam tea gardens was first legally recognised by the Act of 1863, and elaborated

¹ (Act No. XIII of 1859 as modified up to Nov. 1, 1920.) With the abolition of Working men's Breach of Contract Act from April 1, 1926, contract labour came to an end.

² *Ass. Lab. Repts.*, 1895, p. 32 ; 1897, pp. 16-18.

by the Act of 1865. Among the most important terms in favour of the employer were the following :

First, a labourer was liable to a fine, including, in some cases, the forfeiture of his wages, for absence, negligence or idleness ; he was also liable to 14 days' imprisonment for seven days' absence for second conviction within three months of the first offence. Second, the employer was empowered to arrest an absconding labourer without warrant if he was found in the same district and not in the service of another employer. But the employer was bound to hand over the labourer so arrested to a police officer or magistrate within 48 hours on pain of a fine of Rs. 500. Third, the penalty for desertion was three months' rigorous imprisonment and the period of absence through imprisonment was to be added to the term of contract. Fourth, any person enticing away, harbouring or employing a labourer under contract was liable to a fine of Rs. 500. Fifth, the terms of redemption of a contract were fixed at Rs. 120, or, if the contract had less than two years to run, at a sum equivalent to the minimum rate of wages for the unexpired term.

Among the provisions for safeguarding the interests of the labourer, the most important were the following:— First, the period of contract was limited to from three to five years, the rate of wages was fixed, every estate was to maintain a hospital, and, if any estate employed over 100 labourers, also a medical officer appointed by Government. Second, a protector of labour was appointed with the power to suspend, and even to cancel, a contract on

the ground of temporary or permanent unfitness through disease or accident. The duties of a protector were afterwards given over to an inspector. The employer was bound, on pain of a fine of Rs. 500, to notify a protector of the fact that a labourer in his service wished to make complaints. Third, compensation was awarded to the labourer, in case his wages were two months in arrear, and a contract could be cancelled in case of non-payment for six months or ill-treatment by employers.

By the Act of 1870, some modifications were made in the above terms, of which the most important were the following :—First, the terms of contract were to be made in writing, including the period of service, amount of wages in money and the price at which rice was to be sold. Second, the maximum period of the contract was retained at 3 years, and the hours of work were limited to nine hours a day and to six days in a week. Third, the transport of labourers except in the case of the recruits, numbering more than 20 persons, and by garden *sardars*, was to be regulated. Fourth, indolence could not be made a ground for punishing the labourer, but for desertion a labourer could be imprisoned for one month for the first offence, two months for the second offence, and three months for the third offence. Contracts could, however, be cancelled when a labourer's imprisonment amounted to 6 months in all. Fifth, the labourer was to get three months' wages if the contract was suspended or cancelled. Sixth, provisions were made for defining the nature of housing, water-supply and sanitary arrangements.

The most important changes brought about by subsequent Acts were as follows :

(1) The Act of 1873 provided that no contract made in recruiting districts otherwise than under the Act should be binding for more than one year.

(2) By the Act of 1882, contracts might be executed in labour districts, but a copy of the contract had to be forwarded to the inspector of the plantations who, if necessary, could cancel the contract or refuse the schedule of the task. Moreover, the labourer absent owing to sickness was to receive one and a half annas a day, but if such absence exceeded 30 days in any one year the excess days were to be added to the period of contract.

(3) By the amendment of 1901, no woman was allowed to bind herself by labour contract if her husband or guardian objected. It was also provided that for the first six months of residence at the garden the labourer was entitled to receive full wages on completion of half the task unless the inspectors in charge certified that he was physically fit to perform the whole task.

(4) Following the recommendation of the Assam Labour Enquiry Committee of 1906, the Government of India issued orders abolishing the right of private arrest. Moreover, a labourer could be put under contract only in the recruiting districts, and, if he was brought to Assam as a free immigrant, he could no longer be placed under contract by the existing law, nor could a time-expired labourer be put under contract. The indenture system came to an end by 1915. Since many employers took

advantage of the Act of 1859 as having a hold on the workers, it was not until the abolition of the above Act in 1926 that indenture as a legal system was finally abolished in India.

Besides the contract under the other two systems of legislation, which could be executed either in recruiting districts or at Dhubri in Assam, there was also the system of local contracts which had already existed in the districts of Sylhet and Cachar, and which was sanctioned by the Act of 1882. The objects of the local contract system were as follows : (1) Providing the planter with the system of penal contract instead of civil contract, so that he might have better control over his labour force. (2) Securing to the planter a uniform system of contract and to the labourers a uniform system of protection. (3) Encouragement to free emigration into Assam.

Local contracts as a method for the establishment of free immigration failed to materialise. The Assam Labour Enquiry Committee of 1906 recommended its withdrawal on the following grounds : first, free emigration was impossible unless there was also free labour ; second, if an emigrant was to be put under an agreement, it was better done in his own village, where he was still a free agent, and among his own people, and could appear before a magistrate who knew his language. Moreover, there is no necessity for a local contract, as Act XIII of 1859 was sufficient to take its place.¹

¹ *Ass. Lab. Enq. Com., Rept.*, 1906, pp. 97-98.

Local contracts could be executed either without the intervention of a Government officer under section 111 or in the presence of such an officer under section 112. In the beginning, by far the majority of the local contracts were executed under section 111.¹ It afforded long time contracts on the one hand and avoided the trouble of sending labourers to magistrates who were often far away from the gardens on business on the other. The advantages of contracts in the presence of a Government officer who could explain the terms to labourers was obvious, but planters scarcely took advantage of the system until 1893, when all local contracts for more than one year were prohibited unless executed under section 112. Since planters preferred contracts for longer periods, they resorted to this section. Most of the labourers giving local contracts were time-expired labourers. The duration of this contract generally varied from one to three years.

Local contracts without intervention of the inspector added some new disadvantages to the labourers. There was no provision that the terms of contracts should be explained to them before the execution, nor was it very likely that any objection raised by them was listened to. Moreover, labourers coming to Assam from different parts of the country, where they spoke different languages, were often unable to understand the language in which contracts were executed in Assam.² In order to avert

¹ Eg. in 1884, out of 25,457 local contracts, 24,333, or 96 per cent were executed under section 111.

² *Ass. Lab. Report*, 1883, pp. 4 and 5.

some of these difficulties, provision was made that such contracts should be verified by inspectors, who were empowered to cancel any contracts executed without conformity to the law. As far as the actual work of verification was concerned, the task was, however, a very difficult one, because of the fact that tea gardens were all scattered, inspectors were few in number, and mustering all the labourers for inspection on the day fixed by an inspector was difficult. The Government, however, made it criminal on the part of planters not to comply with the request of the inspectors, and there was gradual progress in the work of verification. In the year 1892 for instance, 99 per cent. of all such contracts were verified.

5.) TERMINATION OF CONTRACTS

Along with the conclusion of new contracts, a considerable number of terminations also took place every year. These terminations were effected in the following ways :

(1) *Expiry or efflux of time.* Since all contracts were generally made for three to five years, all labourers employed under plantation legislation had to renew their contracts periodically.

(2) *Cancellation*, which was generally brought about either with the consent of one or both parties or because of defects in the matter of recruitment or contract. Cancellation could be on the grounds of physical incapacity, irregularity in recruitment, or unhealthiness of gardens. In the last case the labourers of one garden

could be transferred to another if the latter belonged to the same company and were located in the same labour district.¹

(3) *Redemption.* The cases where the labourers were able to redeem their contracts were, however, very few in number. Contracts for one year might be redeemed on the payment of Rs. 12, and every two years on the payment of Rs. 48. Most of the labourers were scarcely able to pay even such a small cash amount in case they wanted redemption.²

(4) *Dissolution by Mutual Consent.* It involved, however, some of the most difficult problems. With a view to reducing the death rate on their gardens, or to escape their obligations towards sickly and unsatisfactory labourers, planters were liable to exercise undue influence to secure the consent of labourers to such terminations.³

From 1886 to 1897 for instance, while the number of such contracts rose from 77,477 to 148,192, or doubled, the dissolution of contracts by consent rose from 155 to 2,250 that is increased by 15 times. Several inspectors, therefore, refused to recognise such terminations unless effected through Government agencies. Government however, refused to place such a dissolution on a legal basis.⁴

The most common cause of dissolution by common consent was the renewal of contracts under Act XIII of

¹ *Ass. Lab. Rpt.*, 1893, p. 25.

² *Ibid.*, 1889, p. 26.

³ *Ibid.*, 1889, p. 15 ; 1897, p. 21.

⁴ *Ass. Lab. Rpt.*, 1897, p. 21.

1859. It was a common practice in some of the gardens in Assam to cancel the original agreement on the expiry of the first three years of a four years' contract, and to substitute a fresh contract for the remaining term of the original period, the extra rupee per month which the labourers would have received for the fourth year of the contract being given in a lump sum as a bonus. This bonus often enabled the labourer to purchase cattle and other livestock, which added very considerably to his means of livelihood and to his bodily comfort.¹

Whether such a procedure was really beneficial to labourers or not came under consideration by the Government of Assam in 1900. In some cases the bonus given compensated the labourers for the loss of increase in monthly payment which they would have earned, but some of the provisions which conferred advantages upon labourers in respect of rice, sick allowance, etc., were no longer binding on the employers. Labourers lost the higher rate of pay during the last year of their original contract and although they received the bonus, they would have got a bonus all the same if they renewed until the end of their original contract.²

Cancellation of contract on physical disability often involved repatriation, which formed one of the most important provisions of plantation legislation. Under sections 158-162 of Act VI of 1901, for instance, it was provided that all labourers permanently incapacitated for the performance of work on plantations, whether engaged

¹ *Ibid.*, 1895, p. 39.

² *Ass. Lab. Rpt.*, 1900, p. 7.

under the contract or not, and all those who were fraudulently recruited, were entitled to repatriation.

The procedure usually adopted in sending persons concerned to their homes from the Assam Valley was to send them in charge of a medical man on board the steamers to Dhubri, whence the Deputy Commissioner arranged for their journey onwards. Unescorted labourers travelling by land were liable to molestation and arrest. In 1899 Government realised the importance of adopting a uniform system of repatriation ensuring safe arrival of the labourers at their homes.¹ Of course, the number of labourers repatriated varied from year to year.

An issue was raised as early as 1885 whether it was advisable to send unfit labourers back to their homes. They were often better off if left with their friends and relatives in the gardens than if sent on trying journeys in more or less helpless conditions.² In dealing with the question whether such labourers could be repatriated or not, the wishes of labourers were made, however, the main points of consideration.³ As a matter of fact, the majority of labourers preferred to stay with their relatives and friends on the gardens, and were allowed to do so.

Another important point regarding repatriation was the payment of expenses incurred in sending invalid labourers to their homes. Orders were given in 1884

¹ *Ass. Lab. Rpt.*, 1899, p. 21.

² *Ibid.*, 1885, p. 19.

³ *Ibid.*, 1896, p. 23.

and 1888 that expenses of repatriation for physically incapacitated labourers should be paid from a provincial fund which was founded by the local administration for the purpose. The amount to be awarded was the cost in excess of three months' wages paid by employers under law in case of labourers under contract, and the entire cost in the case of labourers not under contract.¹

Until the law in force before Act VII of 1893 was passed, only those labourers whose contracts were cancelled for being permanently incapacitated could be repatriated and the cost could be recovered from employers only up to a maximum of three months' wages. The extra expenditure over this maximum was borne by Government. By the Amendment Act of 1893, the entire expense of repatriating such labourers was borne by employers, whether the cost exceeded three months' wages or not. The Act also legalised the debiting of such expenditure to the Inland Labour Transport Fund.²

¹ *Ibid.*, 1888, Appendix, p. xiv.

² *Ibid.*, 1895, pp. 39-40.

CHAPTER V

INDUSTRIAL RELATIONS

One of the most important labour questions is of the relation between employers and employees. Since the beginning of the past century, there has been considerable improvement in labour conditions, but the relation between labour and capital has scarcely improved, in fact, it has become much more strained. The fundamental reason of this growing antagonism is the rise of class-consciousness and class-solidarity among the workers, which has been accompanied by an increasing demand for better conditions, higher wages and even the recognition of their status in business management. The capitalists, guided by both self-interest and vested rights, have scarcely shown any willingness to part with any of their rights and privileges. The growth of organisation on both sides has often led them to open conflict leading to industrial and social disorganisation.

In India, these conflicts are no doubt more pronounced in factories, mines and transports than on plantations, but even the latter industries have recently become subject to disputes. With increasing concerted action on the part of workers on plantations, industrial disputes are likely to increase. But the power of concerted action is still in the infant stage of development among the plantation workers.

1. EMPLOYERS' ASSOCIATIONS

Planters have organised themselves for corporate activities from the very beginning. The most important of the planters' associations in India are the Bihar Planters Association, Indian Tea Association, and the United Planters' Association of Southern India.

The 'Bihar Planters' Association dates back to 1801, when the indigo planters formed themselves into an association for safe-guarding their common interests. It was re-organised in 1905 under the present name.

The Indian Tea Association was founded in 1881 with the object of promoting the common interests of all persons concerned in the cultivation of tea in India. The membership consists of proprietors, managers and agents of tea estates. Since 1900, the Association has maintained a scientific department for research in the interest of the industry, and nominates one member to the Bengal Legislative Council.

The United Planters' Association of Southern India (Incorporated) was organised in 1893 with a view to promoting the interests of various planting industries carried on in Southern India. The Association maintains a scientific department and four experimental stations, and also publishes a weekly paper called *The Planters' Chronicle*. It elects an additional member to the Madras Legislative Council. The Association has also a labour department with six divisional officers and agents throughout India.¹

¹ Cotton, E. W. E. *Handbook of Commercial Information for India*, Calcutta, 1924, pp. 31, 45.

All these planters associations were organised for preserving their own business interests, namely, research, cultivation, marketing and other facilities. On the question of labour they have a common policy. The Tea Planters' Association and the United Planters' Association of Southern India act together in demanding uniform law and regulations for recruitment of labour, conditions of employment, and terms of contract. By their representatives on the Legislative Councils and also in the various Commissions and Committees appointed on the question of plantation labour, they influence the policy of the Government towards labour.

2. LABOUR ORGANISATION

In contrast with the employers, the labourers on plantations are nothing but incoherent and unorganised masses. They have no knowledge of the place and nature of their work, nor do they understand their relationship with their employers. They have been quite unable to take organised action for promoting their common interests.

There are several hindrances to organised activities on the part of the workers :

1. They are illiterate and ignorant and are unable to organise themselves into trade unions for concerted action.
2. The very composition of plantation workers makes such combinations rather remote. They are mostly recruited from the poorest and most ignorant classes of the people. It is their helpless condition rather than any spirit of adventure that leads them to emigrate. Moreover, most of the labourers are recruited

during a time of famine or scarcity, and when they arrive in the gardens they are often in debt and in a helpless condition.

(3) The very nature of plantation industry is detrimental to labour organisation. Plantations are scattered over a large area, giving scarcely any opportunity to the labourers in one garden to come into contact with those of others.

(4) The condition of living is still another detriment. Most of the workers live on the plantations and any strike on their part means eviction with their families.

(5) The remoteness of the plantations from cultural centres including the places of industrial and political activities and the difficulty of labour leaders and political workers in entering plantations are also among the important reasons for the absence of sufficient activity on the part of plantation labourers.

(6) Finally, precautions and vigilance on the part of the planters against any concerted action by the labourers form still another hindrance to the growth of concerted action and organised activities on the part of the labourers.

In spite of all these difficulties, the feeling of cohesion and consciousness of class interest have been growing among the workers on various plantations, as indicated by the rising disputes between planters and workers, especially during recent years.

3. INDUSTRIAL DISPUTES.

Nothing is definitely known about industrial disputes between employers and employees in the early years of

the plantation industry except for the frictions in the form of assaults and riots already referred to. Considering the strength of the labour force, which, for instance, amounted to 323,000 in 1887, there was bound to be, to quote the official report,¹ "a certain amount of harshness and oppression, at times possibly even of downright cruelty, on the one side, and of turbulence, conspiracies and maliciously concocted charges, on the other," which there were "criminal courts strong enough to deal with." "Speaking generally," continued the same report, "the relations between the employers and the labourers seem to be fairly good."

All these assaults and riots, especially the latter, which amounted to 106 in number in 1891,² could not, however, be regarded as ordinary crimes. Organised opposition and "combination" among plantation labourers were noticeable as early as 1884,³ and some of these frictions were originally nothing but industrial disputes and became "riots" only for the lack of capable leadership among the illiterate and isolated groups of labourers working under the indenture system. The very fact that labourers could be punished for "illegal assembly" shows that planters took ample precaution to prevent any concerted action on the part of labourers to redress their grievances, and that this provision of the law was effectively utilised by planters is indicated by the fact that in 1902-03, 82 labourers were imprisoned for illegal assembly including rioting.⁴

¹ *Ass. Lab. Rpt.*, 1887, p. 6.

² *Ass. Lab. Rpt.*, 1887, p. 6.

³ *Ibid.*, 1891, p.

⁴ *Ibid.*, 1884, p. 4.

Whatever might have been the case in the earlier years, there have grown up in recent years both consciousness of class interests and power of concerted action among plantation labourers. The first sign of such consciousness and power was seen at a tea-garden in Assam on September 6, 1920, when different sections of the labour force refused to turn out to work. It was soon followed by numerous strikes in various gardens in different parts of the province. The climax of these disputes, was, however, reached in what is called the "Chargola exodus" early in May, 1921, when following a dispute 750 labourers walked out of a garden and were soon joined by labourers in other gardens. In a few days, 8,799 labourers out of a total of 20,250 in different gardens of the district left work. Some of these disputes were accompanied by assaults, riots and lootings in which both plantations and Government officials were attacked.¹ Of ~~167~~ labourers imprisoned for illegal assembly and riots in 1920-21, the majority were the victims of these industrial disputes. The number of labourers imprisoned for similar offences declined to 96 in 1921-22 and to 24 in 1925-26.² But these strikes and assaults are still in abundance. In 1929, a number of strikes involving from 100 to 672 workers took place both in the Surma and Assam Valleys and lasted from one to nine days.³

The principal causes of these frictions and disputes

¹ *Ass. Lab. Enq. Com. Rpts.* 1921-22. pp. 6-20.

² *Ass. Lab. Rpts.* for years indicated.

³ *Ass. Lab. Rpts.* 1929, Parts I and II, pp. 2, 3.

were economic, especially in recent years. The rate of wages in the tea-garden was low in the very beginning and had remained unchanged for a quarter of a century or more. It failed to respond to the great increase in the cost of living soon after the War. Moreover, owing to the depression in the tea-industry, the first item of work to be reduced was the *ticca* or overtime earnings. The situation was still more aggravated by the fact that *pari passu* with decreased earnings, the prices of the so-called concession paddy went up. For example, previous to 1920, the price was fixed at R. 2.25 a mound and immediately onwards of that year it was raised to R. 3.37. The result was the decrease in the real wages and in most cases, the labourers were worse off than they had been 10 years ago. Even in the case of the Chargola exodus, which was generally ascribed a political cause, it was found that in many gardens the labourers were not earning a living wage before the exodus.¹ In September 1929 a party of 85 Bombay labourers, including women and children, left the gardens in the Surma Valley on account of not receiving a living wage and flatly refused to return. Although the manager lodged a complaint of rioting against them, the Superintendent of Police on enquiry established the truth of the workers' contention and found that they were insufficiently paid.²

Among the other economic causes of local character the following might be mentioned to be the chief: First

¹ *Ass. Lab. Enq. Com. Rpt.*, 1921-22, pp. 6-20.

² *Ass. Lab. Rpt.*, 1929, Part 2, p. 3. Most of the strikes reported above were due to inadequate wages.

enforced work on Sundays, excessive work and inadequate leave, whenever there was a shortage of labour supply : second, fines for bad work,¹ illegal deductions by the clerk from the wages and occasional withholding of wages by managers for keeping a hold on the workers. Third, short weights in measuring paddy, poor quality of paddy and high prices of food and clothing. Most of these allegations were found to be true by the Assam Labour Enquiry Committee of 1921-22.²

There was a feeling among labourers that justice was not duly and impartially administered by Government in the controversies between the planters and themselves. "Europeans being administrators of justice in all disputes between European planters and labourers, it was impossible for them to be altogether uninfluenced by their natural feelings towards their fellow countrymen," as the official report put it in 1900.—"There is an undoubted tendency among magistrates in Assam," continues the report, "to inflict severe sentences in cases in which coolies are charged with committing offences against their employers and to impose light, and somewhat inadequate punishments, upon employers when they are convicted of offences against labourers."³ This feeling of injustice often goaded the labourers to take the law into their own hands in cases of grievances and to strike work.

¹ Some 200 labourers in a tea-garden in Teipur struck work on 10th May 1929 because the manager fined some women, Rs. 1 each for not planting "pates" properly. *Ass. Lab. Rpts.*, 1929, Part I, p. 3.

² *Loc. cit.*, pp. 6 to 20, *Ass. Lab. Rpt.*, 1902-03, p. 12.

³ *Ibid.* 1900, n. 23.

Personal insults in the form of kicks, blows or corporal punishment were still another cause of friction between planters and labourers, especially in the earlier years. The existence of such insults by planters to labourers was admitted by the Government. "The Chief Commissioner is not so sanguine", says the Report on Labour Immigration into Assam for 1899, "as to look forward to the day when Englishmen will altogether abandon the regrettable habit of giving a cuff or even a kick or a blow with a cane to natives of the labouring classes."¹ That some of the riots were caused by such personal insults was also admitted by the Official Report the following year. "Blows given by managers," continued the Report, "or more commonly assistant managers, to coolies, either for bad work or refusal to work, were the immediate causes of most of the rioting cases which occurred during the year."² The striking and kicking of the labourers by managers exists even to-day.³

Of the contributory causes, especially in recent years, the most important was the success of a strike in 1920 on the Dibra-Sadiya Railway, which runs through the tea-gardens where the first of the industrial disputes took place. Similarly important is the political condition of the country in 1920 and 1921. Although all of the disputes and disturbances did not result from the incite-

¹ *Loc. cit.*, p. 42.

² *Ass. Lab. Rpt.*, 1900, p. 23.

³ For example, in 1929, the Acting Manager knocked down a man, another struck a woman with a cane, and still another struck a man for abuse, etc. *Ass. Lab. Rpt.*, 1929, Part I, p. 3.

ment from outside agitators, some of them, especially the exodus of labourers, were influenced by the non-co-operation movement, which swept all over the ~~country~~ during the period.

The fundamental cause of the industrial disputes and unrest, especially in recent years, was the growing consciousness among the labourers themselves. A change in the attitude of the labourers not to pocket the insults at the hands of planters or other officials was noticeable even over a generation ago. "There was a growing tendency among the coolie class" observed the Report on Labour Immigration into Assam in 1899, "to resent a blow by striking a blow in return, and this soon leads to serious results, as coolies act in combination among them and are armed with formidable weapons—the implements of their industries; but this very tendency exercises a healthy influence in restraining the hot-headed and impetuous European assistants from raising their hands against them."¹ This spirit of self-assertion in the case of personal grievances has gradually developed into power of concerted action for the furtherance of class interests. In recent years, strikes, assaults and riots have their origin in the spirit of retaliation for the abuse and misuse of their power to which the workers have been subjected by managers and other high members of the Staff.²

The factors which have contributed most to the growth of class consciousness and concerted activities among

¹ *Ibid.*, 1899, p. 42.

² *Ibid.*, 1928, Part 1, p. 3.

labourers might be classified under three headings : First, legislative measures, by which the Government have gradually ameliorated labour conditions and abolished contract labour, especially since the inauguration of the International Labour Organisation in 1919. Second, the public attitude against contract labour, bad conditions and unjust treatment on plantations, as expressed especially by the vernacular Press in earlier years and both by the Press and Platform in recent years. Although there were often "exaggerations and misrepresentations," "bitter hostility" towards the planters, and "indiscriminating opposition" towards emigration, as the Chief Commissioner of Assam pointed out in 1887,¹ these agitations could not fail but to awaken a new consciousness among the labourers themselves. Third, the labour movement itself has been the most important factor in giving the labourers on plantations, though unorganised, a new viewpoint and in creating a new outlook.

Industrial peace on plantations as in other organised industries depends therefore upon full realisation by employers of this new situation and upon sympathetic appreciation by them of this new attitude.

¹ *Ass. Lab. Rpt.*, 1887, p. 6

CHAPTER VI

SANITATION AND HEALTH

Sanitation for plantation labour involved, until very recently, a twofold function, namely, that *en route* from recruiting to labouring districts, and that on plantations themselves, where the labourers are actually employed. Plantations as a rule are worked with immigrant labourers, most of whom in the beginning were under the contract system. Government, therefore, as a party to the contract system, had more than ordinary responsibility for the health and safety of such labourers.

1. SANITARY PROVISIONS.

The regulation of recruitment and transport of intending emigrants was one of the main objects of the earlier legislation. The Assam Labour and Emigration Act of 1901, as modified up to July 1, 1910, for instance, provided among other things sanitary arrangements for accommodating places, detention depots, and transporting vessels. The enforcement of these rules was entrusted to inspecting, medical and other officers.

In spite of these rules and regulations, the death-rate among immigrants, both at depots and *en route* were appalling in the beginning. In 1885 great improvement was made in the transportation system by the introduction of swift steamship services. Out of 18,046 immigrants entering the Assam Valley in that year, 15,503 or 85

per cent. were conveyed to the ports of debarkation by daily mail steamers and the death rate *en route* was greatly reduced. The accelerated steam ship service for the Surma Valley also led to the decline of the death-rate from 95 per mile in 1884 to 52 in 1885.¹ Although such death-rates somewhat increased in 1892, this was due partly to the improved registration and partly to the outbreak of cholera.² With gradual improvement in sanitary arrangements and transportation systems, the death-rate gradually diminished among emigrants.

What is more important is the provision for sanitary arrangements on plantations where most of the labourers permanently live. These provisions have also improved since 1863, when the first Plantation Act was enacted. By the Act of 1901, for instance, provisions were made for housing, drainage and drinking water. Every estate employing more than 50 persons was to have a medical officer with the hospital accommodation at a suitable distance and with proper hospital and dispensary supplies.

How far these rules and regulations providing sanitation on plantations were carried out in practice is difficult to ascertain. According to the annual official reports, both the hygiene and the comfort of the workers were attended to by the inspectors.³ In 1888, for instance, the Sanitary Commissioner stated that considerable attention was paid to sanitation, medical service, housing and water-supply. His observation was, how-

¹ *Ass. Lab. Rpt.* 1885, p. 2.

² *Ass. Lab. Rpt.* 1882, p. 8

³ *Ibid.*, 1887, p. 46

ever, applied to a comparatively few gardens which he himself visited.¹ The efficiency of sanitary arrangements can, however, be best shown by vital statistics to be discussed later on.

Another important question in connection with sanitary arrangements was that of the latrine system, attention to which was drawn as early as 1884.² In spite of the fact that the plantation industry has been in existence for over half a century, the installation of a conservancy system has scarcely advanced beyond the experimental stage. Most of the tea gardens in Assam, for instance, lack an adequate system of conservancy and it is due to this fact that there prevail several diseases, such as hookworm. In the opinion of several authorities, hookworm is contracted on the gardens and the anæmia and inefficiency arising out of it cause a good deal of loss to the gardens. Contrary to the prevailing notion, the Assam Labour Enquiry Committee of 1921-22 have found the worker willing to take advantage of latrine accommodation and have noted that wherever the latrines have been provided the result has been accompanied by appreciable fall in the incidence of anæmia.³

The existing system of latrine accommodation might be classed under four headings :—first, the bucket system, which is liable to become insanitary and for which there is always a necessity for keeping a class of

¹ *Ibid.*, 1889, p. 64.

² *Ass. Lab. Rpt.*, 1891, p. 30.

³ *Op. cit.* p. 97

sweepers; second, the trench system, which often runs the risk of infection by flies; third, the aqua-privy system, which, although very convenient and sanitary, is very much limited in scope, being dependent upon the availability of streams and rivers; fourth, the septic tank system, which is the ideal system of conservancy. There are two difficulties in the installation of this system:—In the first place, lack of sufficient water supply, since it requires about 4 or 5 gallons of water per person using it. In the second place, the high initial expenses. But according to some medical authorities the septic tank system is the cheapest in the long run, as it secures the sanitary condition, which is essential for the exertion of human energy.¹ Only a very few of the gardens in Assam have, however, installed the latrine system, especially the septic tank.

A very effective method of controlling insanitary conditions on Assam gardens was to declare those gardens unhealthy or to put them on the "black list", on which there had been ten or more deaths during the year and on which death-rates had exceeded 70 per thousand. These figures were more or less arbitrary, but they were fixed with a view to excluding gardens with a small force of workers from too easily falling into this category and at the same time to including those gardens where death-rates had been large enough to justify such declaration.²

No reliable data are available on the number of

¹ *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 97

² *Ass. Lab. Rpt.*, 1883, p. 33

unhealthy gardens prior to the year 1880. In that year there were 48 unhealthy gardens out of a total of 1,055 or 4.5 per cent. In 1884, the number of such gardens rose to 93 or 9.6 per cent. A question of revision of the system of classifying unhealthy gardens was therefore raised.¹

In 1888, it was pointed out that the existing system of counting mortality on the strength of Act-labourers alone was misleading, especially in the case of a garden where the number of such workers was small as compared with non-Act workers, the death-rate among whom was rather low. It was, therefore, decided to declare a garden unhealthy on which the average mortality, either for the garden population as a whole or for the Act or the non-Act labourers taken separately, exceeded 70 per thousand and the number of deaths from the average struck exceeded 10.² The introduction of this system raised the number of unhealthy gardens to 119 in 1889, which would have otherwise been only 69.³

In 1891, a considerable number of gardens remaining on the list of unhealthy gardens, the Government of Assam issued orders for strict application of the law relating to the matter. In order to give effect to these orders, all district officers were required, first, to include in their annual reports a description of every garden which had been on the unhealthy list for more than two years, and secondly, to show what steps, if any, had

¹ *Ass. Lab. Rpts.* for respective years.

² *Ibid.*, 1888, p. 65

³ *Ibid.*, for respective years.

been taken by such gardens to carry out the recommendations made by the committee appointed on such occasions under section 128 of the Act.

In spite of these regulations, the number of unhealthy gardens rose from 119 or 12.2 per cent. in 1889 to 143 or 16.4 per cent. in 1892. The question of the stricter enforcement of the law was at once raised, but it was found that the Government had no power to close an unhealthy garden unless it could be attributed directly to the neglect of observing the recommendations made and the estates were thereby rendered unfit for the residence of labourers. Even a district officer could not summon a committee relating to an unhealthy garden without a written report of an inspector to the effect that the garden in question was unfit for the residence of labourers.¹

In 1893 the Act of 1882 was, therefore, amended in order, among other things, "to strengthen the control of the local administration over unhealthy estates and to enable local authorities more readily to enforce sanitary improvements on them."² The orders were also issued by Government for the strict application of the provisions of the law relating to unhealthy gardens, pointing out, first, not to accept as valid excuse the argument that high mortality on gardens was due to the presence of "bad batches", i. e., newly imported labourers supplied by contractors, as provisions were made for the medical examination of such labourers; secondly, not to accept

¹ *Ass. Lab. Rpt.* 1895, p. 81

² *Ibid.* 1893, p. 1

the occurrence of epidemics as the cause of a garden's becoming unhealthy without due examination. Further regulations were also made so that, as soon as the unhealthiness of a garden was ascertained, the coercive procedure of the Act might be put into force as a matter of course, and if necessary the garden could be closed to Act or other classes of labourers. Steps were also taken to prevent wrong description of labourers as to the place of their origin.¹ The revised Act also gave powers to the district officer to order medical examination whenever the mortality on a garden exceeded 70 per thousand and to summon a committee on his own motion to make recommendations as to the method of dealing with such gardens.²

Some modifications were also made by the Act of 1901 in provisions for health on plantations. As a result of these amendments and stricter enforcement of the provisions, there has been gradual diminution in the number of unhealthy gardens, except in some years, *e. g.*, 1897, 1908-09 and 1917-18, owing to an abnormally large number of new immigrants and the unhealthy character of the seasons, the death-rate went up higher than usual and the number of unhealthy gardens also increased. In 1928-29 no garden was declared unhealthy.³

2. BIRTHS AND DEATHS.

Since the health of a people is best indicated by vital statistics, the birth and death rates on plantations

¹ *Ass. Lab. Rpt.*, 1892, p. 35, 1893, p. 50.

² *Ibid.*, 1895, p. 81.

³ *Ibid.*, 1928-29. Statements.

as compared with those outside will give a clearer idea of the conditions of health of plantation labourers. It must, however, be mentioned that the system of calculating statistics is much more accurate on plantations than that outside and any comparative study based on such data is liable to involve a certain amount of error.

Complete statistics on birth and death rates in Assam tea gardens are available since 1878. Owing to the fact that the number of women in the earlier years was very small as compared with that of men, the birth rates have been shown both per thousand women and per thousand total population. On the basis of women population, the birth-rate fell down from 101.3 per mille in 1878 to 70.1 per mille in 1920; and on the basis of total population, the birth-rate fell from 31.9 per mille in 1878 to 19.3 per mille in 1920 and was 31.5 per mille in 1928-29, as shown in the table below.

BIRTH-RATES ON ASSAM TEA GARDENS¹
(*Shown only at specified period.*)

Year	Birth-rate per 1,000 women	per 1,000 of total population
1878	101.3	31.9
1900	80.2	27.6
1919-20	70.1	19.3
1928-29	—	31.5

An important feature of the birth-rate on Assam tea gardens is its variation. There are several causes of this variation :

¹ Compiled and adapted from *Ass. Lab. Rpts.* for respective years.

First, periodical unhealthy seasons induced by excessive rain and prolonged drought, or by the outbreak of epidemics, reduce productive power on the one hand and induce miscarriage on the other.¹

Second, variation in the number of immigrants has some influence on the birth-rate. It is a known fact that acclimatised women are healthier than the new arrivals and are, therefore, more prolific.²

Third, the composition of the immigrants as to the local sources of supply has also an effect upon the birth-rate. In 1897, for instance, while the general birth-rate per thousand women for all Assam garden workers was 77.4, the birth-rate varied from 94.6 in the case of the immigrants from Bihar to 48.5 in case of those from the Central Provinces.³

Fourth, the distribution of the immigrants over different parts of the province is still another cause. In 1895, for instance, the birth-rate per thousand varied from 56.8 in the district of Darrang to 105.6 in the district of Kamrup.⁴ It must be mentioned that in addition to the differences in the climatic conditions of these two districts the sanitary arrangements in different gardens has also an important effect upon the birth-rate.

Another important feature of the birth-rate in Assam gardens is that there has been almost a steady decline except in very recent years. Negligence in registration

¹ *Ass. Lab. Rpt.*, 1898, p. 27.

² *Ibid.*, 1899, p. 27.

³ *Ibid.*, 1897, p. 30

⁴ *Ibid.*, 1895, p. 55.

of births and declining vitality among plantation labourers, as suggested by some, can scarcely be accepted as valid reasons for such a phenomenon. As suggested by the Assam Labour Enquiry Committee of 1906, the changes in the character and the composition of the immigrants, which are partly the results of the changes in the recruiting system, might possibly account for this gradual decline of the birth-rate.

Until very recently, however, a low birth-rate was the outstanding feature among the labourers of Assam tea gardens. In the earlier years the number of women was much smaller than that of men and the birth-rate was consequently very low, but even in 1901, when the number of women exceeded that of men (for instance, there were 204,150 women as compared with 200,088 men), the birth-rate on the gardens was 29.1 per thousand total population and 93.2 per thousand adult women, as compared with 33.9 and 101.6 respectively in the whole province.¹ This lower rate continued to be the case until 1923-24 when the birth-rate on the tea gardens reached the same level, or was even a little higher than that in the whole province, that is, 31.11 in the case of the former as compared with 31.04 in the case of the latter.²

There has been a good deal of speculation as to the causes of this lower birth-rate on Assam tea gardens:—

First, as pointed out by a Deputy Commissioner

¹ *Ibid.*, 1901. p. 8; also of *Ass. Lab. Rpt.*, 1919-20, p. 3.

² See *Ass. Lab. Rpt.* 1898, p. 363; see also *Stat. Abs.* for ten years.

in 1899, the women lack adaptability to the changed conditions of food and climate on arrival from a different country and their whole strength seems to be required to resist the insidious effect of the climate of Assam, so that there is left scarcely "sufficient vital force to allow them to reproduce their species with success."

Second, hard work, on which women were often employed, was not calculated to raise the birth-rate, as pointed out by the Chief Commissioner of Assam in 1908.¹

Third, the character and composition of the immigrants had also great influence upon the birth-rate. The recruitment of starving and diseased people from famine and pestilence-prevailing regions was liable to bring to Assam such women as were most probably unable to retain their normal fecundity,

Fourth, the age as well as the capacity and willingness for motherhood were among the factors of the low birth-rate. A large number of immigrant women recruited by contractors were infertile. This was due to the fact that the interest of contractors was to get any class of women for their recruits as they were paid per head, whereas the immigrants recruited by sardars mostly came with their families and were more prolific.

Fifth, miscarriage and still births were also among the causes leading to a low birth-rate. Miscarriage was often the result of syphilis and anaemia, and of the lack of sufficient care bestowed on women while pregnant.

In 1918 there were 113 stillbirths in five divisions

s compared with 569 infants born alive.¹ In the earlier years even infant mortality affected the report on child-irthis, inasmuch as the death of children shortly after their birth was not reported.²

Sixth, abortion was still another cause of the low irth-rate. It was a well-known fact that abortion was performed by professional women permanently living n the gardens, the main objection to child-bearing by ea garden women being the trouble caused by having o work and look after children as well. The loss of wages during the period following child-birth and often before was an additional reason.³

Finally, irregularity in the marriage or union of men and women was still another cause. In the contractor's depôt single men and women were sometimes paired off, regardless of caste and inclination, and sent off as "family coolies." These "depôt marriages," as they were generally called, were rarely fruitful. The system of herding men and women of different castes in the lines also led to irregular and fruitless unions.⁴ Moreover, single women frequently refrained from settling down finally with one man till they had been for some time on the gardens. It is an ascertained fact that there was scarcely any offspring from temporary and irregular unions.⁵

Ibid., 1917-18 ; p. 95

¹ *Ibid.*, 1896 p. 31

² *Ibid.*, 1888, pp. 39-40.

⁴ *Ass. Lab. Eng. Com. Rpt.*, 1906, p. 86.

⁵ *Ass. Lab. Rpt.*, 1897, p. 30.

The most important effect of the lower birth-rate was that it was insufficient to cover the annual loss by leaths among the total labour population, as will be discussed later on.

The outstanding feature of the birth-rate on Assam tea gardens is that it was very low until recent years. What aggravated this situation was that this low birth-rate was accompanied by a high death-rate. In the earlier years the mortality on Assam gardens was appalling. In four years from 1863 to 1866, 30,000 immigrants out of a total of 84,915 who landed on the two districts died of various causes.¹ The excessive death-rate on Assam gardens is best shown by the fact that it was much higher among the immigrants than among the population in the Provinces from which they are recruited. In 1891-1893, for instance, while the death-rate varied from 22·9 per mille in Madras to 29·7 in the North-Western Provinces and Oudh, it was as high as 37·3 per mille in Assam.²

In recent years there has been a considerable diminution in the death-rate except for some special years, such as 1908-09, 1918-19 and 1919-20, when these rates were 34·3, 61·4 and 48·4 per mille. Thus from 66·1 per mille in 1878, the death-rate fell down to 21·5 per mille in 1928-29, as shown below :—

¹ *Ass. Lab. Enq. Com. Rpt.*, 1906, p. 146.
Ass. Lab. Rpt., 1894, p. 43.

VARIATION IN DEATH-RATE IN ASSAM TEA-GARDENS¹
(AT SPECIFIED YEARS)

Year.	Death rates per mille			
	Act-workers.	Non-Act workers.	Children.	All Persons.
1878	106·2	38·9	63·1	66·1
1900	43·5	26·2	25·4	29·4
1920-21		31·9	21·1	27·3
1928-29		22·5	20·2	21·5

There are several reasons for the heavy mortality on Assam tea-gardens :—

First, the general unhealthiness of the Province, especially in the earlier years, when the gardens were first opened and the sanitary arrangements were inadequate.

Secondly, the change from one to another climate. It is a recognised fact that mortality varied among immigrants of various Provinces. The death-rates for several years tend to show that the native Assamese were healthier than the imported labourers, and immigrants from Bengal were healthier than those from more distant Provinces. In short, the greater the change in climate between the recruiting and the labouring districts, the greater is likely to be the death-rate among the immigrants.²

Thirdly, change in diet. This is specially noticeable in the case of workers from Upper India where most of

¹ Death-rates among children are given separately in the earlier years, namely, for infants up to two and children between the ages of two and sixteen. Compiled and adapted from *Ass. Lab. Rpts.* or respective years.

² *Ass. Lab. Rpt.*, 1887, p. 25.

them were accustomed to a wheat diet and the sudden change to a diet consisting of rice probably has as much to do with the high mortality amongst them as the change from a dry to a damp climate.¹

Fourthly, the composition of immigrants. The immigrants of poor physique and coming from poverty-stricken districts,² e. g., United Provinces and the Central Provinces, had little stamina left when they arrived at the gardens, and fell easy victims either to the rigour of the new climate or to an outbreak of epidemics.³

Fifthly, "the want of proper houses, over-crowding, unhealthy sites, insufficient and unsuitable food, impure water and want of proper medical attendance," especially in the earlier years, were all important causes of high death-rate, as pointed out by the Government of Bengal in 1868.⁴

Finally, despair and melancholy, to which the majority of the immigrants fell victim. The disillusion often falling upon immigrants' first arrival in Assam was aggravated by the feeling that they were bound to remain perhaps for ever in a distant country, doing unfamiliar work, and among unknown people, and had a prejudicial effect upon their health and contributed to their ill-health and early deaths.⁵

The variation in the death-rate is another noticeable

¹ *Ibid.*, 1896, p. 34.

² *Ibid.*, 1891, p. 30.

³ *Ibid.*, 1891, p. 29 : *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 93

⁴ *Ass. Lab. Enq. Com. Rpt.*, 1906, p. 138.

⁵ *Ibid.*, 1921-22, p. 93.

ature on Assam tea-gardens. This is due to several factors, namely :—

1. The exceptional unhealthiness of some years resulting from heavy floods or a long period of drought naturally affects the death-rate.

2. An outbreak of epidemics which every now and then visit the tea-gardens is also responsible for a variation in the death rate, especially for such years as 1918-19, referred to above.

3. The proportion of the newly arrived as compared with the older section among the total labour force is also an important cause. It is a well known fact that the death-rate is higher among the newly arrived immigrants and falls greatly as the length of residence increases. "Garden mortality," says the Report on Labour Immigrants in Assam for 1893, "rises or falls *ari passu* with the proportion of new immigrants to the total population."¹

Another important feature of the death-rate in Assam tea-gardens is the gradual decline compared with those of the whole Province. The death-rate for recent years might be said to show great improvement. The average annual death-rate from 1912 to 1915 was, for instance, 1'37 per mille on the gardens as compared with 27'74 per mille in the whole Province.²

This decline in the rate of mortality in recent years has been brought about by several factors of which the most important are the following (1) The gradual

¹ *Op. cit.*, p. 15.

² Adapted from *Ass. Lab. Enq. Com. Rpt.* 1921-22. p. 94.

clearance of jungles ; (2) a closer supervision and better provision of sanitary arrangements ; (3) the gradual adaptation of workers to the physical and social conditions, a large number of whom have gradually settled down in the tea districts of Assam ; and (4) the comparatively small number of new immigrants. The increasing facilities in travel and the abolition of contract labour have also their indirect effect upon mortality.

One of the important features of the death-rate is that it was very excessive among the Act-workers as compared with the non-Act workers. From 1877 to 1916-17 while the death-rate per mille among Act-workers varied from 34.2 to 106.2 that among non-Act workers varied from 21.6 to 41.0. Except in the very early years this death-rate in the former case was generally from 50 to 100 per cent. higher than in the latter. It must, however, be remembered that the statistics of the Act-workers were more carefully compiled and scrutinised than those of non-Act workers. The main reason for higher mortality among Act-workers is that they consisted mostly of newly imported immigrants who were not only un-acclimatised but were often in a sickly and famished condition and thus fell victims more easily to disease. Moreover, it was mostly the unhealthy and isolated gardens which employed Act-labourers and the death-rate was bound to be higher in them than if they employed non-Act labourers.¹

There has also been a great variation in the mortality among children, that is, all persons from birth to the age

¹ *Ass. Lab. Rev.* 1886. n. 19.

of sixteen as shown in the table above. The causes of this variability in the death-rate among children are practically the same as in the case of the general death-rate.

As compared with the total labour force, the death-rate among children was rather low but the registration of deaths was more incorrect in the case of children than in the case of adults. As noted before, in the case of all short-lived infants, both births and deaths remain unrecorded. The greatest number of omissions to register occurred in connection with non-working children.¹ Even the Chief Commissioner of Assam doubted the accuracy of such statistics, and in the report on immigrants it was pointed out that no death-rate for children could be accepted as correct which fell below 35 per mille.² In recent years, there has been, however, much improvement in the registration of deaths among children.

The reason for the heavy death-rate among children on tea-gardens in earlier years is quite clear. The conditions of child-life on tea-gardens was scarcely favourable to health involving as they did much exposure to chills and wets.³ Moreover, neglect on the part of mothers, who were unable to do their daily work and at the same time look after their children, and who could not afford to remain without work, accounted in a great measure for the high mortality among children.⁴

¹ *Ass. Lab. Rpt.*, 1889, p. 27 ; 1890, p. 28 ; 1892, p. 34'

² *Ibid.*, 1893, p. 47 ; 1898, p. 30.

³ *Ibid.*, 1890, p. 28.

⁴ *Ibid.*, 1888, p. 45.

The most important question in connection with vital statistics is that of the surplus of births over deaths. This is especially significant in connection with labour on Assam gardens, which had to depend perpetually on immigrants. As a rule the death-rate exceeded the birth-rate and it was not until 1922 that the birth-rate began to exceed the death-rate and in 1928-29 there were 31.5 births per mille as compared with 21.5 deaths per mille.¹

The consideration of the birth-rate and the death-rate shows that the general health on Assam gardens has been anything but satisfactory in past years, but there has lately been a decided improvement. What is equally important is the fact that the birth-rate has already begun to exceed the death-rate and if it is maintained, the question of labour supply will be partially solved.

3. PREVALENT DISEASES

The immediate causes of death are usually various diseases of which the most prevalent on Assam tea-gardens are—cholera, diarrhoea, dysentery, malaria, hookworm and various respiratory complications, causing, for instance, 13,044 deaths out of a total of 22,581 deaths in 1928-29, as shown in the table below. The table also shows the variation in the number of deaths caused by different diseases.

¹ Cf. Table above.

CAUSES OF DEATH ON ASSAM TEA-GARDENS¹
(SHOWN AT SPECIFIC PERIODS)

Causes	1893	1900	1918-19	1923-29
Cholera	2,301	1,754	5,288	375
Diarrhoea	1,155	1,994	2,647	1,373
Dysentery	3,217	3,760	4,145	2,512
Malaria	2,122	2,825	3,380	3,038
Hookworm	1,339	1,854	2,361	1,448
Respiratory Diseases	572	2,398	6,310	4,398
Other causes	5,276	5,015	38,045	9,437
Total	15,982	19,603	62,176	22,581

Diarrhoea and dysentery are common diseases in India, especially in Bengal and Assam, and a large number of deaths are attributed to them every year. They have long been known to be among the chief causes of deaths in Assam tea-gardens, causing respectively 2,447 and 4,145 deaths in 1918 and 1919 when influenza was also most prevalent. The number of deaths caused by these diseases are generally higher on the tea-gardens than in the whole province of Assam. In 1920, for instance, the death-rate caused by them was 6.95 per mille on the gardens as compared with 1.84 per mille in the whole Province.²

The most common disease in Bengal and Assam is however, malaria, and it is also prevalent on the tea-gardens. In fact, there are few labourers on the gardens

¹ The records of the cause of death on Assam tea-gardens are available since 1878, but the present classification was not made until 1923. Compiled and adapted from *Ass. Lab. Rpts.* for respective years.

² *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 99

who at one time or other do not suffer from it. In 1928-29, 3038 deaths, over 13 per cent. of the total, were caused by malaria alone, but the sufferings and devitalising effect of malaria are more common than the actual deaths. Attention has been drawn to the high spleen index on certain gardens especially among children. Prophylactic doses of quinine, especially during the rainy season, are often administered to check its growth.¹

About a generation ago *kala-azar* was one of the causes of the high mortality among the workers on Assam tea-gardens. Even now it is liable to become an epidemic and to play havoc on plantations. Between 1916 and 1929, for instance, 270 workers out of about 550 attacked died of it in one single garden, causing a loss of between Rs. 40,000 and Rs. 50,000 to the garden. Hundreds of infected houses had to be burnt and new lines erected and a hospital established.²

Among the epidemics cholera is the most important as it appears about every year, though in different degrees of severity. Formerly, it was often introduced into the Assam tea-gardens by the new immigrants, who contracted it in insanitary detention depots in Bengal. On some gardens unrestricted communication between new arrivals and old workers was followed by severe outbreaks.

With regard to deaths from cholera, it must be remembered that when once it appears in the neighbourhood it causes, in spite of sanitary precaution, great mortality in the lines of tea-gardens where people are more closely

¹ *Ibid.*, p. 99

² *Ibid.* n. 97-98

congregated together than in an ordinary village. The highest number of deaths was caused by cholera in 1918-19, the year of the influenza epidemic, the number of deaths amounting to 5,288.

In recent years influenza has become one of the most vital epidemics in India as all over the world. The number of deaths caused by influenza on plantations was 28,552 in 1918-19. Accompanied by cholera, dysentery and respiratory diseases, it raised the total number of deaths from 23.5 per mille in 1917-18 to 61.4 per mille in 1918-19.¹

Anæmia is another common disease on Assam gardens. In 1888, *beri-beri*, another common disease in Bengal, was found to be identical with anæmia. It is caused, however, by several diseases, such as malaria, dysentery, and hookworm. The most severe type of anæmia is, however, that caused by hookworm, as it is very difficult to get rid of the initial infection.²

The majority of the cases returned as dropsy, and anæmia is really due to hookworm infection.³ It has been estimated that about 71.3 per cent of the population in Bengal is infested with hookworm. The number of cases amounted to 3,001 in the Duars tea-garden in Bengal in 1918 and 4,028 on the Assam tea-gardens in 1919-20.⁴

The most important method of controlling diseases consists of prevention of infection and direct treat-

¹ *Ass. Lab. Eng. Com. Rpt.*, 1921-22, p. 96

² *Ibid.*, p. 96

³ *Ass. Lab. Rpt.*, 1918, p. 4

⁴ *Ibid.*, 1888, p. 66; *Ass. Lab. Eng. Com. Rpt.*, 1921-22, p. 96

ment. Prevention means simply the regulation of the latrine system so that the ova of the worms cannot spread and contaminate drinking water. The treatment consists of the administration of thymol in 30 grain doses by which dead parasites are discharged by hundreds and the patients are found to be rapidly restored to health.¹

Other diseases taking a heavy toll of life are the various respiratory complications, which caused 4,398 deaths or about one-fifth of the total in 1928-29. The death of 9,437 persons or about 44 per cent. of the total were caused by various other diseases, a number of which remain unidentified.

Provisions have been made, under plantation legislation, for adequate treatment of labourers suffering from the above diseases on Assam tea-gardens and some of the gardens have qualified physicians and adequate hospital supplies, as noted before. It has often been said that workers do not take advantage of hospital service even when such is provided free of cost, and that hospital treatment is the last resort to be taken advantage of by them. But when a hospital is attractive and where good and careful treatment is provided, there seems to be no reason why in-door treatment should not be more popular.

In spite of provision for medical attendance to the workers, there is a need for further extension of the service, especially for those who are living in the lines. It is revealed by the fact that a large number of time-expired labourers resorted to Government dispensaries for treatment. In a number of cases, workers whose contract

¹ *Ibid.*

id not expire are also sent to these dispensaries for treatment. In such cases, the expenses of food were borne by the gardens on which the contract workers were employed.

An unfortunate aspect of labour conditions on Assam gardens is borne out by the fact that a considerable number of workers became infirm and destitute even after long service. "It is impossible to visit an estate," says the Report on Labour Immigration to Assam for 1897, "without noticing the number of infirm persons who are supported practically by the charity of their employers."¹

Although consideration and sympathy were displayed by the great majority of planters towards labourers who had worn themselves out in the service of tea-gardens, some planters were "shortsighted and unkind enough to turn such persons out of their gardens."

CHAPTER VII

HOURS OF WORK

Unlike other agricultural industries, the question of hours of work is an important one on plantations. This is due to the fact that it is an organized and large scale industry and a capitalistic enterprise. The very fact that labourers live on or near the plantations with their wives and children suggests that there is a possibility of overwork on the part of both adults and children, unless there is a specific provision against it.

1. LEGAL HOURS

The hours of labour on plantations, especially on tea gardens in Assam, were in fact regulated from the very beginning. The Plantation Act of 1870, which amended the terms of the indenture system for Assam tea gardens, fixed also the hours of labour at 9 a day. Subsequent amendments and re-enactments of this Act made scarcely any alteration in the hours of labour. The indenture system has been abolished, but the standard of the hours of work once established still remains.

The legal hours of work fixed for Assam tea gardens applied to men and women alike. Children or persons under the age of sixteen could not become indentured or contract labourers, but they often worked the same number of hours as adults.

2. OVERTIME WORK

The actual hours of work are, however, quite different from those limited by the law. There are three important factors which influence the actual length of work on plantations.

First, the basis of remuneration on plantations is piece work or task, and in order to earn the full wages, the task must be completed irrespective of the time. The fact that many labourers cannot earn the regular wages, as to be noted later on, indicates that the task is by no means an easy one. In fact, Section 5 of Act VI specially laid down that during the first six months labourers shall be entitled to full pay on the completion of half the daily task, unless the inspector testified that the labourer was physically fit to perform the whole task. That the task is still heavy is also proved by the fact that on the 5th September 1927, 80 Munda workers of a garden left work and returned to it only on the assurance that their wages would be reduced, which was ultimately done by the manager.¹

Second, as in other agricultural industries, the work on plantations undergoes variation according to season. The possibility of engaging labourers for overtime work was stipulated by the terms of contract from the very beginning and a good part of the labourers' income depended upon overtime work. During the cold weather, however, there is a great depression in plantation industries and many labourers have to depend in part on subsidiary industries.

¹ *Ass. Lab. Rpt.*, 1928, p. 3.

Third, in addition to their regular work most of the labourers on plantations have private plots of land to cultivate and domestic animals to attend to. It must be mentioned that they are sometimes granted leave of absence for attending to their private work, such as planting and harvesting, but there are also times when they have to attend to both during the same day. This naturally leads to overwork.

3. WEEKLY HOLIDAYS

Like the hours of work during the day, the days of work on plantations were also regulated by the terms of contract as early as 1870. It was provided that there should be a day of rest once every week. The day of rest, however, varies from place to place according to local conditions, although most of the plantations observe Sunday as a holiday.

It must be remembered that work on plantations, as in fact in all agricultural industries, is extensive and can be spread over a longer period of time during the day and the week, but being organized and capitalistic in nature, there is a need for regular days of rest, especially in the rush season, when there is the possibility of overwork. In fact, Sunday work still exists, although limited in extent. In 1829, there was a strike of drillers in a garden in Lakhimpur against Sunday working, although "the strikers were satisfied with bonuses given for the Sunday work and returned on the following Sunday without any more trouble."¹

¹ *Ass. Lab. Rpt.*, 1929, Part I, p. 3.

There is still another reason for weekly holidays. Most of the plantation workers depend partly on subsidiary industries, and regular holidays give them a chance to attend to them without being absent from their duties on plantations. Moreover, they have household duties to attend to.

The main purpose of weekly holidays is, however, rest, which means not only cessation from work for recuperation, but also enjoyment of sociability and other amenities of life. Nothing is more important to labourers on plantations, who are mostly immigrants and live in isolated communities on hillsides, than the companionship of their friends and relatives on the same or neighbouring plantations.

It was perhaps the realisation of this fact that led Captain Mackie, President of the Darjeeling Planters Association, to suggest that, in addition to the weekly holiday, there should be half holiday on Saturday, specially during the non-manufacturing season. "In all countries," said Captain Mackie, "the working man has a half holiday on Saturday, and there seems no reason to deprive the tea garden coolies of this privilege."¹ This suggestion has not received any serious consideration by the plantation industries. In fact, the labourers are compelled to work even on Sundays, as noted before. It would be much better for them to have a full holiday once every week.

It is needless to say that long hours do not necessarily lead to a larger income. The task or overtime work, as once stipulated by the contract, and as is still in vigour on

¹ Quoted *Ass. Lab. Enq. Com. Rpt.* 1921-22, p. 100.

most plantations, does not in reality help the workers to earn higher wages, although it appears to do so. Had it not been for this stipulation, the rate of wages for regular work would have been much higher from the very beginning. What is true of the shorter hours is also true of Sunday or holiday work. The workers, including one or two members of the family, have to earn a certain sum of money to meet their family expenses, and if they do not work overtime or on holidays, they have to earn the same amount during the regular hours of the day, and the fixed days of the week. Both overtime work and holiday work are disadvantageous to the workers.

CHAPTER VIII

INDUSTRIAL EFFICIENCY

One of the most important phases of the labour question is industrial efficiency. Efficiency not only makes an enterprise successful and lucrative, but also gives the worker the chance of earning higher wages and developing both his body and mind.

There are not, however, sufficient data on plantation labour for arriving at any definite conclusion on this subject. Some rough idea may, nevertheless, be had of the subject by considering the absenteeism and turnover, vigour and skill, supervision and management, and comparative productivity.

1. ABSENTEEISM AND TURNOVER

Regularity of attendance is one of the essentials of industrial efficiency. A great defect of the Indian labourer is his constant absence from the place of work. This is true in the case of labourers on plantations as in any other organized industry in India.

The study of average daily working strength on Assam tea gardens as compared with the total number of workers on the books for several years shows that the regularity of attendance varies from 75 to 77 per cent. in the case of men, from 71 to 74 per cent. in the case of women, from 68 to 73 per cent. in the case of children, and from 72 to 74·5 per cent. in the case of all the workers taken together, as shown in the table

below. It is thus seen that from 25.5 to 28 per cent. of the workers, that is, over one-quarter of the total, are generally absent from work.

ABSENTEEISM ON ASSAM TEA GARDENS¹ (AT SPECIFIC YEARS)

Year	Percentage of average daily working strength to total number on the books			Percentage of absenteeism	
	Men	Women	Children	Total ²	
1906	76.5	71	68	72	28
1914	75	72	73	73	27
1922	77	74	72.5	74.5	25.5
1928-29	76	73	69	74	26

The absenteeism of the workers on Assam tea gardens, however, may not be altogether voluntary. In the first place, plantation is an agricultural industry and a large number of workers may not be required in the off-season. In the second place, part of the income of tea garden workers is derived from cultivation of their own land and they have to remain absent from plantation work in order to attend to their own work. Finally, the heavy rains which are very common in Assam, and the prevailing diseases to which the workers are often subjected, also prevent them from regular attendance.

Next to absenteeism, labour turnover, or the number of labourers who are discharged every year in comparison with the annual labour strength, is an important obstacle to the achievement of efficiency. The number of labourers annually discharged, including transfers and deaths,

¹ Compiled and adapted, *Ass. Lab. Enq. Com. Rpt.*, 1921-22 p. 119; *Ass. Lab. Rpts.* 1928-29, Statements.

² The figures for 1906, 1914 and 1922 are unweighted averages.

amounted as high as 192,541 in 1920-21, as compared with the total labour force of 1,060,948, giving the labour turnover of 18 per cent, as shown in the table below. The labour turnover in 1928-29 amounted only to 11 per cent, as compared with 14 per cent. in 1902-03.

LABOUR TURNOVER ON ASSAM TEA GARDENS.¹
(at specified periods)

Year	Annual strength	Annual discharge (including transfer and deaths)	Per cent of turnover
1902-03	547,870	76,934	14
1910-11	736,955	86,817	12
1920-21	1,060,948	192,541	18
1928-29	1,046,441	116,632	11

In proportion to the working strength, as against the total labour population, labour turnover is still higher. In 1928-29, for instance, the total number of labourers on the books, that is, the actual working population as against the number of people living on plantations, amounted to 577,943, and the number of those whose names were struck off the roll amounted to 116,632, giving a turnover of 20 per cent.

In comparison with other industries, the labour turnover on plantations cannot be said to be very high. The reason for this low rate of turnover is the fact that these labourers are generally appointed permanently and live on plantations or in the vicinity. But even a very small

¹ Compiled and adapted from *Ass. Lab. Rpts.* for respective years.

rate of turnover involves a high cost for the plantations, especially the Assam tea gardens, as noted before, and interferes with the rate of wages, on the one hand, and with the achievement of skill on the other.

2. VIGOUR AND SKILL

While attendance and steadiness are preliminary conditions, the efficiency of labour depends mostly upon vigour and skill. Regarding vigour, it has already been pointed out that the efficiency of the labourers on plantations is greatly diminished by the frequent outbreak of epidemics and the presence of other diseases, especially anæmia. The average labourer without sufficient vigour cannot be expected to do a day's work, and the cultivation of gardens must suffer or additional labour force must be imported.

Still greater is the problem of skill. Practically all the workers on plantations, as in fact in all other industries in India, are illiterate and untrained. Plantation workers, as noted before, are generally drawn from agricultural labourers, casual workers and peasants and artisans who are, as a rule, not only illiterate but also untrained in any industrial career. Plantations scarcely give them any chance of achieving any general or technical education, the labourers as a class, therefore, remaining unskilled on plantations. It has been estimated that not more than 2 per cent. on tea, coffee and rubber plantations are skilled, even in the very broad sense of the word.¹

¹ *Census of India, 1921, Report I, p. 268.*

3. SUPERVISION AND MANAGEMENT

The most important condition of industrial success is, however, business administration, which consists, among other things, of supervision and management. There are not, however, sufficient data on the supervision and management of plantations for drawing any conclusion.

The two most important features of plantation industries in India are that they are mostly the property of joint stock companies, and that most of them are financed by Europeans, as noted before. Out of 795 tea plantations in Assam in 1921, for instance, 632, or 70 per cent, belonged to joint stock companies. The coffee plantations in South India are, however, smaller concerns and are owned by private individuals. Out of 127 and 242 plantations in Madras and Mysore respectively, 104 and 232 were owned by private individuals.¹

The size and ownership of the plantations also determine the nature of management and supervision. Most of the tea gardens in Assam and Bengal, and the coffee and rubber plantations in Southern India, are managed by Europeans. In 1921, for instance, 215 out of 340 tea gardens had European managers. The tea, coffee and rubber plantations employ also a good deal of European supervision, the number of Europeans being about 1 to 642 workers in tea gardens.² From the viewpoint of the business interest, both the management and supervision of plantations are efficient, in view of the fact that planta-

¹ *Census of India*. 1921, Report I, p. 266.

² *Ibid.*, pp. 247, 267.

ions, especially tea gardens, are very profitable, as noted before.

4 COMPARATIVE PRODUCTIVITY

One of the best indications of industrial efficiency is increasing productivity. Productivity is, however, the result of several factors, namely, land, labour and capital; and a comprehensive study of efficiency must take into consideration the part played by each of them. Other factors being equal, the increasing productivity of land, or what is still more preferable, the productivity per acre in one country as compared with that in other countries, cannot fail to give some idea of industrial efficiency.

The area and yield of rubber varied from 118,536 acres and 13.6 million lbs. in 1919 respectively to 167,016 acres and 26.6 million lbs. in 1928, showing an increase from 143 lbs. to 159 lbs. per acre.¹ Similarly the area and yield of the coffee industry varied from 116,411 acres and 21 million lbs. in 1919-20, respectively to 160,848 acres and 27.7 million lbs. in 1928-29, showing a decrease per acre of production from 183 lbs. to 172 lbs.² It must, however, be remembered that the yield varies greatly from year to year due to the climatic fluctuations, such as heavy rain and drought. The decrease in the productivity of the coffee industry in 1928 was due mostly to bad weather.

The most important countries for the production of coffee are Brazil, Columbia, Dutch East Indies and Salvador, which

¹ Refer to dry rubber. *Indian Rubber Statistics*, 1928, pp. 4, 5.

² *Indian Coffee Statistics*, 1928-29, pp. 4, 5.

produced in 1927-28 10.8 million quintals, 1.5 million quintals, 630,000 quintals and 842,000 quintals respectively as compared with 140,553 quintals in India. The yield per hectare of coffee was only 2.4 quintals in India as compared with 4.5 quintals in Brazil, 6.7 quintals in Columbia, 5.3 quintals in Dutch East Indies and 5.4 quintals in Salvador.¹

The productive power of the tea industry in India is best indicated by the production per acre of tea in recent years. As compared with the decennial average of area and production from 1901-1910, while the area increased by 5 per cent., in 1910, 31 per cent, in 1920 and 44 per cent. in 1928, the production of tea increased respectively by 15 per cent, 51 per cent, and 77 per cent, showing an increasing productivity of the industry in these years, as shown below.

VARIATION IN PRODUCTION OF TEA IN INDIA²
(at specific years with decennial average
from 1901-1910 as base).

Year	Area	Production
1910	103	115
1920	131	151
1928	144	177

In connection with this increasing productivity, it must be remembered that there are several factors which affect the production of tea from year to year, namely, climatic

¹ *International Year Book of Agricultural Statistics, 1927-28* p. 163. The figures per hectare production refer to different years.

² *Compiled from the Report on the Production of Tea in India 1920, and Indian Tea Statistics, 1928.*

change, market condition and labour supply. Although these factors are liable to bring about variation, the productivity of the tea industry has, nevertheless, made steady progress during the past two decades.

As already noted, India is one of the largest tea producing countries in the world. The comparative productivity of the industry in India is also among the highest. In 1927, for instance, while the per hectare yield of tea was 821 kg. in Japan, 576 kg. in Ceylon, 492 kg. in Dutch Indies, 484 kg. in Annam and 253 kg. in Formosa, that for India was 582 kg. as shown below. Thus, except that for Japan, the yield per hectare was the highest in India.

COMPARATIVE PRODUCTIVITY OF TEA INDUSTRY, 1927¹

	Area in 1,000 hectares	PRODUCTION	
		Total in 1,000,000 kg.	Per hectare
India	305	177	582
Ceylon	179	103	576
Dutch Indies	136	67	492
Japan ²	44	37	821
Formosa	45	11	253
Annam	15	7	484

With reference to the higher productivity in Japan, it must be pointed out that tea growing is a small-scale farming industry in Japan. The small farmers produce tea on a very intensive basis and the yield is consequently

¹ Compiled from *International Year Book of Agricultural Statistics* 1927-28, p. 161.

² For 1926.

very high. There are also small localities in India, such as Madura, where two plantations of 40 acres produced 876 pounds of tea per acre in 1928 as compared with 572 pounds per acre for the whole area. Madura was followed by Lakhimpur which produced 771 pounds of tea per acre¹

Besides the quantity, Indian tea also enjoys the reputation of being among the best products on the market. It is not only the quality of the raw tea but also the methods of curing and grading which add to the quality of Indian tea.

¹ *Indian Tea Statistics*, 1928, p. 2.

CHAPTER IX

INDUSTRIAL REMUNERATION

Plantation industries are scattered all over the country, where both business conditions and standards of living differ from one another. The system of remuneration, including rate of wages, bonus and concession and earnings and incomes, therefore, varies from place to place.

1. BASIS OF RATE-MAKING

The rate of wages on plantations, especially on tea gardens in Assam, is mostly based upon piece-work and is determined by both the quality and quantity of the work. Whether expressed in terms of daily or monthly wages, the rate is contingent upon the execution of a certain daily task, which is called *nirikh* and the full payment of which is called *hazira*. In addition to this regular work, the worker may perform other tasks, the payment for which is called *ticca*.

The unit of rate-making on tea gardens varies according to the season, location, and type of work. As the most important types of the work on plantations are those of hoeing and plucking, some idea of rate-making may be had from their detailed accounts. Hoeing is of two different kinds, namely, light or surface hoeing and deep or medium hoeing. The former is done from five to seven times a year and the latter only once a year. The unit of measuring hoeing is a *nal* which is equivalent to

twelve or thirteen feet. The day's work consists of from 25 to 30 square *nals* in the case of light hoeing and from twelve to sixteen square *nals* in the case of deep hoeing.

In plucking, the day's work varies from 20 to 24 lbs. of leaves, depending upon the quality, season of the year, methods of plucking and species of tea-bushes. In weighing the leaf deductions are made for the weight of the basket, wet leaf and wastage of manufacture, called "factory charges." The calculation is generally made on the supposition that four pounds of green leaf make one pound of manufactured tea. The usual rate of payment for fine plucking is one pice per pound of leaf collected. Any quantity plucked over and above this fixed quantity is paid for proportionately and sometimes at an increased rate.

A modified system of *hazira* and *ticca* occurs in what is known to be the unit system. It is based on the one-anna unit in the case of hoeing and pruning and one-pice unit in the case of plucking. Sometimes the extra work is paid by so much for an anna or about a penny. The time unit system is also resorted to in the beginning and end of the season when leaf is scarce. Irregular work such as forking, transplanting and jungle-clearing is performed on a time unit basis.

The basis of rate-making has been criticised on two main grounds:—first, on some gardens the total amount of leaf brought in is divided by the number of pluckers and the result is taken to be the daily task and any weight in excess is paid for at a proportional rate. This practice does not give the worker a chance to know

beforehand how much he has to pluck per day and thus penalises the efficient worker ; second, the most serious objection to the system is the method of deduction. The Assam Labour Enquiry Committee of 1921-22 found it difficult to understand the principle upon which the system of deduction was based on some of the gardens and recommended the adoption of a standard system based on the average estimate loss of the weight throughout the year.¹

A still more fundamental issue has been raised as to whether the task of the labourers is fair and moderate. The task was fixed by the terms of contract and based on the nature of work generally performed by the ordinary cultivator. In the actual working of the system, the task, for which the minimum rate of wages was paid, was, as a rule, considerably less than that which the experienced labourers could easily accomplish. But after depression in the industry, it was said to have been increased and in a memorial to the Government of India a complaint was made to that effect as early as 1883. The Government of Assam made, therefore, an enquiry as to the fairness of the task and to the length of time required by a new immigrant to do the full task.² This task was found to be more than a new immigrant could do in the allotted time and the Act of 1901 made the half task of a new immigrant as equivalent to the full task for the first six months, as noted before. This provision brought some relief only in the case of new

¹ *Ass. Lab. Eng. Com. Rept.*, 1921-22, pp. 31-34.

² *Ass. Lab. Enq.* 1888 Appendix n XVI

immigrants, and that also for a short time only. The task remained as heavy as before.

In recent years, the question has centred round the rate of wages rather than the task. If the rate is high, even a partial completion of the work may ensure the workers an adequate income.

2. MODE AND TIME OF PAYMENT

Since the wages of workers on plantations, especially on tea gardens in Assam, consist of both money rates and concessions, the payment is also made both in cash and kind. Formerly, when rice was sold to contract labourers at a fixed rate, payment in kind was more common than in cash. On many gardens in Upper Assam the daily payment was often made in brass tokens which were cashed weekly on the gardens or commissioned to a shop. But with the gradual disappearance of the rice concession, except in the time of high prices, payment in kind has also begun to disappear.¹ In cases where the rate of wages was fixed by the month and paid by the day or week, sometimes the worker did not get the full share of his earnings. The Assam Labour Enquiry Committee of 1921-22 noted several such cases, especially among the labourers working under Act XIII of 1859 contract.²

The period of wage-payment similarly varies on plantations, especially on tea gardens. In the Assam

¹ Cases are known where the tokens were not honoured at the face value. The extent of such abuse is, however, not known. *Ass. Lab. Rpt.*, 1921-22.

²*Op. Cit.* p. 35.

valley the wages are paid monthly in respect of *hasira* or regular day work, but *ticca* or overtime is paid daily in some gardens and weekly and fortnightly in others. But in the Surma valley, about 90 per cent of the workers are paid weekly and the remaining 10 per cent either daily or fortnightly. In Bengal, the wages may be paid monthly, weekly or daily, while the prevailing system of payment is weekly in Madras and monthly in the Punjab.¹

The cases of withholding wages for more than a month are also known, especially in the case of contract labour. Provisions were made under various Acts to counteract such practices, but workers have scarcely been in a position to have their grievances rectified by any means.

3. VARIATION IN WAGE-RATES

The rate of wages on plantations, especially in Assam, has been determined by several factors : First, the contract system, under which practically all labourers in the beginning and a considerable number until recently, were employed ; second, the possibility of earning *ticca* or wages for over-work ; third, bonus and concession which all labourers are granted in the form of housing, fuel, medicine, rice at reduced prices, and land for cultivation and grazing. All these elements should be kept in mind, in order to have a correct idea of the wages received by labourers on plantations.

¹ *Bulletin of Indian Industries and Labour*, No. 34, Calcutta, 1925, p. 28.

The rate of wages of Act or contract labourers on Assam gardens was first prescribed by the Act of 1865, which fixed the monthly wages at Rs. 5 for a man, Rs. 4 for a woman and Rs. 3 for a child. The Act of 1872 revised the rates by providing for an increase of one rupee per month for both men and women for the last two years. These rates were increased by the Act of 1901 to Rs. 5.5 for a man and Rs. 4.5 for a woman for the second and third years, and to Rs. 6 for a man and Rs. 5 for a woman for the fourth year of the contract.

The payment of these rates was, however, made contingent upon the completion of daily tasks, and a considerable number of labourers never earned their full contract wages. It was an invariable custom, as conditioned by the law, that when labourers did not perform the full task, corresponding deductions were made from the wages.¹ In practice, the actual amount of wages earned by average labourers, therefore, fell considerably below the standard.²

As might be expected, there has been a great variation in the rate of wages on Assam tea-gardens. It is, however, difficult to estimate this variation for several reasons: first, the data on the rates of wages are not available for the earlier years; second, there is a lack of uniformity in the methods of collecting the data even in the later years. Some of the rates, for instance, refer to busy seasons and others to slack seasons. Wages for overtime work, bonus and concession were included

¹ *Ass. Lab. Rept.*, 1879, p. 24.
Ibid., 1902-13 p. 7.

in some and omitted in others. Moreover, the method of dividing the whole wages paid by the total number of labourers on the books instead of those who actually presented themselves to work also made a great difference in the rate. As a rule, from one-fifth to one-fourth of the workers were absent from work, and their inclusion in the calculation of wages was likely to make a great difference.

In 1904-05, it was finally decided that information sufficient for all purposes and of a more reliable character, would be obtained, if the wage rates were based on the returns for two typical months, namely, March and September, and the calculations of the wage averages were based both upon the number of total force on the books and upon that which actually turned out to work.¹

There are several reasons for variation in wage-rates. The season of the year is, of course, one of the important causes. Like agricultural industries, plantations are bound to have both slack and busy seasons, the earnings in the former being smaller than in the latter. It is seen in the case of wage-rates on tea-gardens in Cachar Sadar in 1896, when the average monthly wages were Rs. 4.25 during the cold season as compared with that of Rs. 4.75 in the rainy or busy season. The chief reason for higher wages in the rainy season is the fact that the labourers have the chance of earning wages for extra work.

The contract system has been a factor in determining

¹ Compiled from *Ass. Lab. Rpt.* for 1893.

the rate of wages. As a rule, Act-labourers earned less than the non-Act or free labourers. In 1900, for instance, the monthly wages of men and women under contract were Rs. 4.65 and Rs. 3.51, as compared with Rs. 5.14 and Rs. 3.62 respectively in the case of men and women not under contract.¹ Moreover, free labourers, being acclimatised, and having longer experience, were employed in better paid posts.² The reverse was often the case as far as Act-women were concerned. They were often married, and, depending partly upon the incomes of husbands and children, did not feel the necessity of extra work. Moreover, being free labourers, non-Act workers, both men and women, often gave new agreements under Act XIII of 1859 and thus received bonuses amounting to Rs. 12 in the case of men and Rs. 10 in the case of women for each year of engagement.³

The influence of age and sex on wage-variation is self-evident. The differential wage-scales for men, women and children were fixed by contract; the wages of women and children were respectively 20 per cent. and 40 per cent. lower than those of men. But the actual earnings of women and children were often much less than the legally-fixed rates.⁴ In 1900, for instance, the wages of women were from 25 to 30 per cent. lower than those of men.⁵ The wages of children, of course, varied according to the age, ranging, for instance, from Rs. 1.5 to Rs. 4 in 1901.⁶

¹ *Ass. Lab Rept.*, 1900, p. 3.

² *Ibid.*, 1902-1903, p. 8.

³ *Ibid.*, 1902-03, p. 8.

⁴ *Ibid.*, 1901, p. 7.

⁵ *Ibid.*, 1901, p. 7.

⁶ *Ibid.*, 1902-03, p. 8.

The distribution of plantations over such wide areas of the province with differences in prices is bound to make the actual rate of wages different in different districts. Thus in 1928-29, while the average wage rate was Rs. 14.08 for men, Rs. 11.26 for women, Rs. 7.36 for children in the Assam Valley, those in the Surma Valley were respectively Rs. 10.82 and Rs. 8.29 and Rs. 5.49.¹

The fundamental factor of variation in the wage-rate has, however, been the time element. Although the rate might decrease for the time being, the general tendency of the wage movement is to rise. The increasing standard of living on the one hand and the rising level of prices on the other, are the dominating forces in the wages movement. From Rs. 7.18 a month for men and Rs. 6.16 for women in 1905-06, for which accurate data are available, the rate of wages for Act-workers rose respectively to Rs. 10.2 and 9.28 in 1917-18 or the year before Act-labour ceased to exist, showing an increase of 42 and 50 per cent. respectively in a period of 13 years, as shown below :—

VARIATION IN WAGE-RATES OF ACT-WORK WORKERS IN ASSAM²
(MONTHLY RATES IN RS.)

Workers	1905-06	1917-18	Percentage of increase
Men	7.18	10.20	42
Women	6.16	9.28	50

¹ *Vide infra.*

² Compiled from *Ass. Lab. Rpts.* for respective years.

Similarly from 1905-06 to 1920-21 the monthly rate of wages increased from Rs. 7.11 to Rs. 8.97 or 23 per cent. for men, from Rs. 5.54 to Rs. 7.46 or 36 per cent. for women and from Rs. 3.48 to Rs. 4.67 or 31 per cent. for children among non-Act labourers in the course of 16 years.

VARIATION IN WAGE-RATE IN ASSAM TEA-GARDENS.

1905-6 to 1920-21 ¹

(MONTHLY RATES IN Rs.)

Class of Workers	1905-06	1920-21	Percentage of increase
Men	7.11	8.97	23
Women	5.54	7.46	36
Children	3.48	4.67	31

From 1921-22 the wages of labour in Assam gardens are shown separately for the Assam and Surma Valley. From 1921-22 to 1928-29, the monthly rate of wages rose from Rs. 10.57 to 14.08 or 33 per cent. for men, from Rs. 8.11 to Rs. 11.26 or 38 per cent. for women and from Rs. 5.40 to Rs. 7.38 or 35 per cent. for children in the Assam Valley, and from Rs. 8.04 to Rs. 10.69 or 34 per cent. for men, from Rs. 6.42 to Rs. 8.69 or 35 per cent. for women and from Rs. 3.98 to Rs. 5.49 or 39 per cent. for children in the Surma Valley, thus showing a variation of from 33 to 39 per cent., as in the table below. The total unweighted rate of wages for all workers thus increased by about 36 per cent.

¹ *Ibid.*

VARIATION IN WAGE-RATES ON ASSAM TEA-GARDENS¹
FROM 1921-22 to 1928-29 (MONTHLY WAGES IN Rs.)

	Assam Valley			Surma Valley		
	1921-22	1928-29	Variations in percentage	1921-22	1928-29	Variations in p.c.
Men	10.57	14.08	33	8.09	10.82	34
Women	8.11	11.26	38	6.42	8.69	35
Children	5.40	7.38	35	3.97	5.49	39

4 BONUS AND CONCESSION

Besides regular wages, bonus and concession are also common in almost all plantation industries. These terms are used to mean any payment over and above the stipulated rate of wages. But while the former usually implies consideration of some special service or condition, the latter means payment without such consideration. Moreover, unlike bonus, concession has some element of gratuities and is often called so. There exist various kinds of bonuses on Assam gardens, but the bonus on profits, though granted to the managers and other members of the staff, is never granted to the labourers. In the opinion of planters, such bonus is difficult to operate on plantations, as the withdrawal or reduction of it in bad years is liable to be misunderstood by labourers.²

The term "bonus" was, however, frequently used in the case of advances made to the labourers working under Act XIII of 1859. The labourers were held responsible for these advances, which were meant to be taken out by

¹ Adapted from *Ass. Lab. Rpts.* for respective years.

² *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 73.

the planters from the wages falling due to the labourers.¹ But, as a matter of fact, these advances were scarcely recovered, and they actually became bonuses.

The number of tea-garden workers in Assam working under the Act of 1859 amounted to 190,022 in the Assam valley alone in 1921-22, and the total sum of advances amounted to Rs. 17 lakhs. On the proposition of abolishing Act XIII of 1859, the number of such contracts began to decline, and, in 1925-26, there were 117,979 such contracts and the total amount of bonus advanced to the labourers amounted to Rs. 11.7 lakhs.²

Besides wages and bonus, the most common form of industrial remuneration in India is the payment of gratuities or concessions. It has been in existence since the beginning of organised industries and is the most wide-spread practice all over the country to-day. There are different forms in which concessions are made, such as free or cheap housing, wholesale or cheap rate of grain and other necessities, and free fuel and medicine.

Concessions form, however, one of the most important sources of income to the labourers in Assam tea-gardens. Formerly, they were made under contract and formed a part of the wages. Under the sections 132-136 of the Act VI of 1901, for instance, provisions were made for housing accommodation, water-supply, sanitary arrangement, hospital service and medical attendance free of charge for all workers.³ With the abolition of this Act,

¹ *Ass. Lab. Rpt.*, Assam Valley, 1926, p. 3.

² Compiled from *Ass. Lab. Rpts.*, for years concerned.

³ The Assam Labour and Immigration Act VI of 1901.

ome of these concessions were withdrawn, while others were retained by employers out of enlightened self-interest, so that a solid block of labour force might always be available on the gardens. The very nature of plantation work requires the granting of some of these concessions.

Under both the Plantation Acts of 1882 and 1901, the supply of rice at a price not exceeding Rs. 3 per maund was made compulsory. But the main provisions of the latter Act were repealed in the Surma Valley in 1908 and in the Assam Valley in 1915, so that rice concession has now come to mean rice sold to the labourers by the employer at a rate below the current market price when it exceeds Rs. 5 a maund. In recent years, when rice became very dear, many gardens sold rice at rates below those ruling in the local market. In 1921, for instance, the grain, including both rice and paddy, thus sold by different gardens in Assam amounted to 1,117, 675 maunds, of which the market price was roughly Rs. 75 lakhs, but for which the workers were charged only Rs. 52 lakhs, thus granting a concession of Rs. 23 lakhs to the workers.¹ This concession is granted only in emergency cases. Thus, even in 1922-23 the amount of rice and paddy granted reached 37,694 maunds, for which the market price was Rs. 27 lakhs, and the price charged to labourers was

¹ *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 27. (See also *Resolution Immigrant Labour in Assam*, 1920-21).

Rs. 16 lakhs, the concession thus granted amounting therefore to Rs. 11 lakhs only.¹

The leave of absence to pregnant women with allowances is also a kind of concession to women workers.² Before the war many gardens used to give blankets free of cost or at reduced rates to the new workers or to the sick. When the prices of clothing rose during and after the war, the concession was extended, but at present free or cheap clothing is not given to any large extent. Of other similar concessions, the most important are free firewood and advance of money without any interest.³

The reduced rate of rent for land held by labourers from tea-gardens is still another form of concession. In 1928-29, for instance, the labourers held 139,207 acres of land from tea-gardens at the rent of Rs. 180,734 or Rs. 1.28 an acre as compared with 11,295 acres held from other land-holders at the rent of Rs. 74,011 or Rs. 6.55 an acre. Granting that the former land was of the same productivity, including both soil fertility and marketing value, the estimated amount of the savings would amount to Rs. 733,362, which sum might be regarded as concession.⁴

Owing to reduction in land rent, a considerable number of labourers are able to cultivate land and to settle down in Assam. In 1921-22, for instance, 248,988 acres were held by such labourers directly under Govern-

¹ The statistics for other years are not available. Compiled from *Ass. Lab. Rpt.*, for that year.

² *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 98.

³ *Ibid.*, pp. 21-28.

⁴ Compiled and adapted from *Ass. Lab. Rpts. for 1928-29.*

ment, and 17,502 acres as sub-tenants in the Assam valley. Since then there has been an increase in the acreage of such land, rising respectively to 309,231 and 19,466 in 1928-29.¹

Free grazing of cattle is still another important concession. It helps them to own domestic animals, mostly buffaloes and cattle for the purposes of cultivation. The number of such domestic animals is not known for earlier years. In 1921-22, an attempt was made to collect information from a few typical gardens in different parts of the Assam valley. It was found that 83,338 labourers on 86 gardens owned 4,767 buffaloes and 48,610 cattle, or a total of 53,377 or 64 heads of cattle and buffaloes per 100 labourers. In 1928-29 98,258 labourers on 105 gardens owned 72,842 cattle and 6,075 buffaloes, i. e., 81 heads of animals per 100 labourers.²

The actual benefit to workers of some of these so-called concessions has, however, been questioned. The allotment of garden land for cultivation, for instance, can scarcely be termed concession. In a desire to encourage settlement in certain areas, the Government of Assam itself rents land at concession rates, and in 1928-29 ex-garden workers held 309,231 acres of such land directly from the Government. In most cases, the gardens themselves secure this land from the Government at concession rates and allot it to the workers for retaining a constant source of labour supply near at hand. While working in their own land, the workers do not receive any wages from

¹ Compiled from *Ass. Lab. Rpts.* for respective years.

² *Ibid.*

gardens. Moreover, only a section of the workers can avail themselves of such concession.

The most objectionable feature of some of the concessions is the demoralising effect upon the attitude of labourers. The accommodation of workers on the premises of gardens, and various other concessions instead of payment in the form of money wages, especially the grant of rice at reduced prices, help in making the labourers subservient to the gardens. The Assam Labour Enquiry Committee of 1921-22 was constrained to admit that, owing to the system of rice advances, the labourer was reduced to what was practically a condition of servitude, in that, although he was fed by the estate, he was unable to pay for his food and received no cash wages at all at the end of the month, with sometimes an increasing load of debt accumulating round his neck.¹ Although such extreme cases were quite exceptional, the general effect of it upon the mind of the labourer could not be minimised.

One of the questions which the above Committee was asked to consider was whether it was possible and desirable to convert various concessions into an equivalent in money wages. The general reply given by the planting community was in the negative. The Committee held that the principle of payment in kind was open to objection in that it was optional, uncertain and liable to abuse. As regards housing, medical attendance and land for cultivation, the Committee concluded that their conversion into a money equivalent was "impracticable and undesirable both from the point of view of the labourer

¹ *Op. cit.*, p. 17.

and of the garden," but as regards rice and clothing, the Committee recommended that the "labourer should have the opportunity of earning a sufficient wage without working overtime to enable him to buy rice and clothing in the open market."¹

5. NOMINAL AND REAL WAGES

The most important question in connection with industrial remuneration is that of real wages, which alone can indicate the welfare of workers. There are, however, some difficulties in making any definite statement on real wages in India, owing to the fact that there are scarcely any definite data on the rate of wages or on the index number for the cost of living except in a few industries.

Efforts have, nevertheless, been made from time to time to ascertain the well-being of workers in certain industries, especially of those in Assam tea-gardens, and some of the findings throw considerable light on the real wages of labourers. Taking all the cash wages, concessions and subsidiary incomes into consideration, the question has been whether they were sufficient to maintain workers in "health and reasonable comfort," meaning by the last terms "the possibility of saving a little," as the Assam Labour Enquiry Committee of 1921-22 defined it.²

It must be remembered that the rate of wages for labourers on Assam tea-gardens was fixed by the Act of 1865. But there was very little appreciable change in the wage rate until the year 1901. "During the forty

¹ *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 29.

² *Op. cit.* p. 40.

years that have elapsed", observed the Report on Labour Immigration into Assam for 1896, "since coolies were first imported from Bengal, the prices of all commodities in Assam have risen greatly, but wages are at almost the same level now as they were then."¹ Although rice was still granted at the reduced price of Rs. 3 naund, the prices of other commodities were higher than before. On some gardens, there was a tendency on the part of planters to pay a little higher wages, but on most of the gardens, the minimum wages were closely followed.²

During the same year, the attention of the Government of Assam was directed to the question of labourers' standard of living, and the sufficiency of wages, specially in the case of newly arrived labourers, who had no subsidiary income, was doubted by the Government. There seems to be very little doubt," continued the Report on Labour Immigration into Assam of that year, but that the offer of higher wages would have attracted a better class of labourers, and that not only would the death-rate be thereby reduced, but that the employer would also gain in the long run by the reduction in the cost of medicines and diet for the sick and by the greater capacity of his labour force for continuous and sustained labour."³

Even these low rates of wages fixed by the law were not often earned by labourers, as pointed out by the

¹ *Ass. Lab. Rpt.* 1896, p. 24.

² *Ibid.*

³ *Ibid.*

Government of Assam in 1900. Judged by the money wages alone, there was a drop in the wages of labour from 1895 to 1900, and even some of the concessions were withheld. There was left no doubt in the mind of the Assam Government that employers were endeavouring to effect economy in working at the expense of the labour force. "Such cases show," continued the Report on Immigrant Labour into Assam for that year, "the ease with which employers, when they are so disposed, can set aside the provisions of the law for the protection of labourers . . . These figures and facts, when they are considered in connection with the annual expenditure of some thirty lakhs of rupees for acquiring coolies—an outlay which would have been unnecessary if the wages offered were sufficient to attract labour—leave the Chief Commissioner more and more convinced that the insufficiency of wages is the most serious of the troubles from which the industry in Assam is suffering."¹

The money wages of the labourers somewhat increased from 1900 to 1905, as shown later on. The conditions of the labourers seemed to have improved, as attested by the Assam Labour Enquiry Committee of 1906. "Though some labourers owing to ill-health and indolence earn insufficient pay," continued the Report of the Committee, "the Committee are of opinion that on the whole the wages paid to labourers are sufficient to keep them in comfort, and even enable them with the practice of a little thrift to save money."² This statement does not seem to be corroborated by other investigations.

Considered from the money wages alone, there was a continual decline in the real wages of Assam garden labourers, as pointed out by Mr. Datta in his *Report on the Enquiry into the Rise of Prices in India* in 1914. Taking the figures from 1890 to 1894 as the base, the money wages of the Assam labourers rose to 105 in 1895, declined to 103 in 1900 and then gradually rose to 120 in 1912, as shown in the table below. It is also seen that it rose only by 21 per cent. as compared with 89 per cent. in the case of agricultural labourers during the same period¹ :—

VARIATION IN NOMINAL WAGES OF AGRICULTURAL
AND TEA-GARDEN LABOURERS²

	1895	1900	1905	1912
Agricultural Labourers	105	125	147	189
Tea-Garden Labourers	106	103	106	120

There was a decline, however, in the real wages. This was due to the fact that from the year 1905, Indian prices entered a new phase of rapid rise, following the general upward movement in price levels throughout the world.³ As compared with the basic wages, the average real wages for 1905-09 fell by 10 per cent. and although there was a slight increase in 1912, they still fell below the basic wages by 5 per cent., as shown in the table below. During the same period the real wages of agricultural labourers increased by 38, as also noted below.

¹ Report, *op. cit.*, pp. 169-170.

² *Ibid.*, p. ix.

³ *Ibid.*, pp. 169-170.

VARIATION IN REAL WAGES OF AGRICULTURAL AND
TEA-GARDEN LABOURERS.¹

Classes of Labourers	1895 to 1899	1905 to 1909	1912
Agricultural Labourers	103	123	138
Tea-garden Labourers	101	90	95

These discrepancies in the reports on the well-being or real wages in 1905 might be partly explained on the ground that while the one calculated them on the basis of cash wages only, the other took the concessions and subsidiary incomes into consideration.

The latest authoritative investigation of the variation in the real wages of tea-garden labourers in Assam was made by the Assam Labour Enquiry Committee of 1921-22. Taking the standard of an average working family as consisting of one working man, one working woman and three-tenths of a child, and basing the figures for 1914, on the average earnings of September 1913 and 1914, and for 1922 on the average earnings of September 1921 and March 1922, as already referred to, the Committee came to the conclusion that the rise in family earnings was 22.3 per cent. for the Assam Valley, 12.3 per cent. for the Surma Valley, and 19.2 per cent. for the whole province.²

Regarding the prices of commodities the budget of an adult male labourer was Rs. 7.31 in March 1921, as compared with Rs. 5.21 in March 1914, *i. e.*, 39.95 per

¹ *Ibid.*, pp. 169-170.

² *Op. cit.* p. 67-68.

ent. higher. In other words, while the prices increased by 39.95 per cent., the nominal wages increased only by 9.2 per cent. The Committee came to conclusions that real wages of labourers had been lowered in recent years.¹

Since 1922 there has, however, been an increase in the real wages of the Assam tea-garden workers. It has been shown that from 1921-22 to 1928-29 their nominal wages increased by 36 per cent. As to the movement of retail prices in Assam, there exist no data to offer any basis for accurate estimation of real wages. The wholesale prices in Calcutta may, nevertheless, give some rough idea on the subject.

Taking into consideration such articles as cereal, pulses, sugar, other food articles and cotton manufactures, which are generally consumed by the labourers, it will be seen in the following table that the average price of all these commodities declined to 83 in 1929 as compared with that in 1922, thus showing a decrease in prices by 17 per cent. during the period.

INDEX NUMBERS OF WHOLESALE PRICES IN
CALCUTTA 1922-1929.²

<i>Articles</i>	1922	1929
Cereals	100	91
Pulses	100	100
Sugar	100	73
Other food articles	100	87
Cotton manufactures	100	66
Average	100	83

¹ *Op. cit.*, pp. 67-68

² Adapted from the index numbers of wholesale prices in Calcutta. See *The Indian Trade Journal*, Calcutta, September 25 1930, p. 779.

It must, however, be remembered that the sharp fall in the wholesale prices is not immediately reflected in the retail prices and also that the lower prices in Calcutta cannot affect, to the same extent, the prices on the plantations in the out-of-the-way places in Assam, where "the garden shop-keeper waxes fat on the coolies' earnings".¹ Moreover, since the abolition of the indenture system and of Act XIII of 1859, some of the concessions have been withdrawn, thus lowering the total earnings of the labourers. But there cannot be any doubt that the real wages of the labourers on Assam tea-gardens, as indicated by their cash wages, have increased by 19 per cent. in 1929 in comparison with those in 1922,

CHAPTER X

STANDARD OF LIVING

The most important phase of the labour question is, however, the standard of living. The object of all production is consumption, and material welfare as indicated by the standard of living is a preliminary condition to intellectual and moral progress. While an industry may not concern itself with anything outside the material aspects of life, it must share, in order to justify its existence, a part of its profit with the workers, who contribute to its success and who are thus entitled to a decent standard of living.

The standard of living is, however, a vague term. It varies in time and place. It contains, nevertheless, several elements which need taking into consideration. In the first place, any kind of standard must provide the *necessities* of life, without which life is impossible. Moreover, with the progress of society there also arise new desires and aspirations, the satisfaction of which leads to new necessities of life. In the second place, a standard of living must also provide for those *decencies*, which are needed for the increasing craving for finer things in conformity with both the increasing personal taste and social ideals. In the third place, the instinct of self-display also leads to *luxuries*. While there is no limit to "conspicuous consumption," a certain amount of it is still essential for the gratification of human nature.

It must be remembered that there is no sharp line of demarcation between *necessaries*, *decencies* and *luxuries*, and what are luxuries to-day become decencies or even necessities to-morrow. Finally, to save for the future is also a natural impulse in man, and one must also have chances for *savings* after meeting the annual expenditure. In judging the standard of living, all these factors must be taken into consideration.

1. HOUSING CONDITIONS

The first question in connection with the standard of living is that of housing. The housing of labour population is, however, a part of the organisation of plantation industries. This is due to the fact that most of the plantations are located in isolated localities and are worked by imported labour. To supply housing accommodation to workers and their dependents has, therefore, become a general policy of the plantations.

By far the largest number of plantation labourers, in fact, live on or near the plantations. It has been noted before that out of 1,053,944 workers on tea, coffee and rubber plantations in 1928-29, 834,588 workers, or about four-fifths, were living on the plantations themselves. Including their dependents, the number of labour population on plantations must be much larger. On the Assam tea gardens alone, for instance, the number of dependents amounted to 45 per cent. of the total labour population. On that basis the total number of plantation workers living on all plantations would be about 1,517,432.

The labour population on plantations are housed in

"lines" or colonies. The greatest defect of these "lines" is the fact that they are overcrowded. The houses are built very close to one another, without a proper outlet for conservancy and ventilation, thus subjecting them to insanitation and epidemics. This is one of the main reasons for the high rate of mortality on plantations until very recently. Regarding water supply, sanitary arrangements, and other aspects of the labour "lines" much has been already said in a previous chapter.

Besides overcrowding, insufficiency of accommodation for all the members of the family is a great defect. In most cases, several members of the family sleep in the same room. Very few, if any, houses have separate accommodation for children and adult people. Decency, convenience and comfort are thus lacking in most of the houses on the plantations.

The labour population living outside the plantations would amount to about one-fifth. It has been the policy of the plantations to grant or secure land for the workers so that when settled, they might become a source of labour supply. In 1928-29 the area of land settled by Assam garden labourers, for instance, amounted to 303,231 acres directly held under Government and 19,166 acres held as sub-contracts.¹ The average area occupied by a family is about two-fifths of an acre for dwelling and cultivation.²

The dwellings of the labour population living outside

¹ *Ass. Lab. Rpt.*, 1928-29, pt. I, p. 2.

² See *Report on Labour Conditions in India* by A. A. Purcell, M. A., and J. Hallsworth, London, 1928, p. 35.

the plantations resemble more or less those in the villages. Although overcrowding is avoided, convenience, comfort and decency are as much lacking in these settlements as in the "lines." As regards sanitation and water supply, there is scarcely any improvement in the former as compared with those in the latter.

2. FOOD AND CLOTHING

A still more important question is that of food and clothing. Besides sanitary, convenient and comfortable dwellings, what the workers need is wholesome and sufficient diet. Insufficient nourishment is a national calamity in India, and the workers on the plantations are no exception to this rule.

In the study of diet as an element of the standard of living, three things must be taken into consideration, namely, quantity, quality and the proportionate value in the whole family budget. While the first two items contribute to the health and vigour of the workers, the last one indicates the relative value of other elements in the standard of living.

What is the exact amount of food necessary for the normal growth and the power maintenance of the body is a question which it is difficult to determine. It depends not only upon the quantity but also on the quality of the food. The quantity of food can, nevertheless, give some rough idea of the condition of the standard of living. According to the census estimate of 1921, a family of three adults and two children (one of whom was working), or roughly four "adult" persons, consumed 41 maunds 16

seers of food, i. e., 10 maunds 14 seers, or 849 lbs., per person a year, as shown in the table below. Besides, milk also formed an item of the dietary, amounting to 30 lbs. a year.

ESTIMATED *per Capita* FOOD CONSUMPTION
ON ASSAM TEA GARDENS.¹

(A family of 3 adults and 2 children
or 4 "adults")

Items.	Total quantity		Per capita quantity	
	Maunds.	Seers.	Maunds.	Seers.
Rice	29	16	7	14
Pulse	1	32	0	18
Salt	0	36	0	9
Oil	0	12	0	3
Sugar or <i>gur</i> ²	Rs. 12 or 1	20	0	15
Fish or flesh	Rs. 7-8 or 1	20	0	15
Vegetables	Rs. 6 or 3	0	0	30
Total			10	14
Milk	Rs. 6 or 1	20	0	15

In the same year, the food consumed by a Madras prisoner was 741 lbs.³ In comparison with the Madras prisoner, the Assam garden labourers were getting better food. About the same period, the national diet of Japan amounted to 903 lbs. per person a year, and that of America to 1,904 lbs of solids a year, besides 760 lbs. of liquids or milk.⁴

Clothing is as meagre as food, if not worse, in India, amounting in value, only 8. per cent of the budgets of the 13 families under consideration. It not only verges towards the indecency line, but is often insufficient for

¹ Based on the Census Report, 1921. See *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 123.

² Sugar or *gur*, fish and flesh, vegetables and milk have been calculated at the rate of Rs. 8, 5, 2 and 4 a maund.

³ See the Author's *Factory Labour in India*, p. 162.

⁴ See Author's *Factory Labour in India*, p. 162.

health and comfort. Although the winter is not severe, most of the people suffer from cold owing to the lack of sufficient warm clothing. It is for this reason that the granting of blankets formed a kind of concession on plantations in the earlier years, as noted before.

Food and clothing form by far the largest part of the family budgets of the labour population. A study of the family budgets of 13 families shows that the average expenditure for food and clothing amounted to 81 per cent. or over four-fifths of the whole budget, thus leaving only one-fifth for the other expenses.

EXPENDITURE FOR FOOD AND CLOTHING OF
ASSAM GARDEN WORKERS.¹

(Annual expenditure in rupees in round numbers.)

No. of Budgets	Total Expenditure.	For food		For clothing	
		Amount.	per cent. of total.	Amount.	per cent. of total
1	422	314	74	46	10
2	200	146	73	17	8
3	254	174	68	43	16
4	149	127	85	8	5
5	183	151	82	12	7
6	294	229	78	21	7
7	315	224	71	21	6
8	282	214	75	35	12
9	312	238	76	24	6
10	407	268	65	24	6
11	224	132	60	16	7
12	492	397	81	52	10
13	463	309	66	34	7
Total average	—	—	73	—	8

One of the essential differences between the expenditure of the Assam tea-garden labourer and that of the

¹ Compiled and adapted from the Census Report of Assam for 1921. See *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 124.

factory worker in cities like Bombay is that there is no expenditure for house rent and fuel in the case of the former. Housing accommodation on the plantations is supplied by the planter, and the fuel is gathered from the neighbouring forests. The expenditure of a typical family, including husband and wife, a working boy of 12 and two other children, amounted to Rs. 282 a year, consisting of Rs. 214, or 75 per cent., for food ; Rs. 35, or 12 per cent., for clothing ; Rs. 12, or 4 per cent., for lighting ; and Rs. 21, or 9 per cent., for miscellaneous items.¹

According to the Report of an enquiry into the working class budgets in Bombay in 1923, the average expenditure of 3076 families, including 603 single men's budgets, amounted to 56.8 per cent. for food, 9.6 per cent. for clothing, 7.4 per cent. for fuel and lighting, 7.7 per cent. for house rent, and 18.5 per cent. for miscellaneous items.²

In comparison with Bombay workers, some workers perhaps pay proportionately more for food and clothing but they are worse off in respect of the miscellaneous expenditure, which is the real indicator of the higher standard of living.

3. ALCOHOL AND NARCOTICS

One of the worst features of the labour conditions on plantations is the consumption of liquors and narcotics. The habit of consuming the country-made liquors, opium and *ganja* (an intoxicating preparation of Indian hemp) prevails extensively among different classes of the population, although varying in extent and kind according

¹ *Ass. Lab. Enq. Com. Rpt.*, 1921-22, p. 130.

² *Loc. cit.*, pp. 14, 41.

to the races and castes. Drinking is a common practice among the aboriginal races, but it is interdicted among the Mahommedans. The consumption of opium is more common among the Assamese than among the inhabitants of any other province. The smoking of *ganja* is, however, a widely spread practice among a large class of the people.

The extent of the use of liquors and narcotics can best be judged by an analysis of the family budgets of the working population on Assam tea gardens. Thirteen family budgets out of nineteen collected by the census of 1921, showed that the expenditure on liquors, opium and *ganja* varied from 3 per cent. to 23 per cent., with an average of 8 per cent., as shown in the table below :

CONSUMPTION OF LIQUORS AND NARCOTICS ON ASSAM
TEA GARDENS¹

(Rupees in round numbers)

Number of family budgets	Total Expenditure	Expenditure on liquors and narcotics	
		Amount	Per cent. of total
1	200	15	7
2	48	2.5	5
3	36	6	16
4	255	15	6
5	183	6	3
6	19	2	10
7	16	1	6
8	294	21	7
9	315	24	7
10	312	13	4
11	406	52	13
12	223	52	23
13	462	19	4
Average	199	17.5	8

¹ Compiled from the *Assam Census Report*; see also *Ass. Lab. Eng. Com. Rpt.*, 1921-22, pp. 124-32.

In some of the families the expenditure was limited to liquors alone, while others consumed opium or *ganja*. There are still other families which consumed all three of these products. The family no. 12, for instance spent 52 rupees, or 23 per cent. of its total expenditure, on liquors ; the family no. 5 spent 6 rupees, or about 3 per cent. of total expenditure, on opium ; and the family no. 4 spent 15 rupees, or 6 per cent. of total expenditure, on opium, *ganja* and liquor during the course of a year.

While the habit of drinking has often been taken from homes to plantations, the opium habit is mostly acquired in Assam. The tea garden workers are generally conservative and do not easily change their habits. Yet once they acquire it, it is hard to make them give it up. An alarming feature is the fact that the opium and *ganja* habit seems to be increasing. Out of 201 managers of tea gardens in Assam to whom an enquiry was recently addressed on this subject, 83 managers reported an increasing consumption of *ganja* and 53 managers of opium.¹ "Our evidence is not sufficient to speak positively," says the Assam Congress Opium Enquiry Report, 'but there are signs in certain parts of the Assam valley that the habit is actually growing among them'²

That the use of liquors and narcotics is injurious to health and interferes with the efficiency and welfare of the workers needs scarcely any discussion. The problem is how to discourage the growth of this habit. The Assam

¹ *The Assam Congress Opium Enquiry Report*, Calcutta, 1925, p. 33.

² *Ibid.*, p. 32.

Congress Opium Committee has recommended the restriction of the consumption of opium to the medical and scientific needs and the creation of public opinion against its use by education and by agitation in the Press, platform and educational system.¹

4. LOANS AND SAVINGS

Indebtedness is another hardship from which the majority of the workers suffer on plantations. The high rent of land and exorbitant rate of interest are two of the evils from which all the Indian masses suffer more or less. Even before going to the Assam tea gardens, a large number of emigrants are in debt and one of the most difficult tasks of recruitment is to settle the debt before embarkation. Even after arrival at the gardens, most of the labourers remain in debt.

The system of payment often leads the worker into debt. The rice advances, which are common on plantations, are sometimes kept outstanding against the labourer for a series of years. From time to time, when his earnings permit, deductions are made with a view to reducing the debt. As purchase on credit has a greater tendency to consumption beyond means than that on cash, most of the labourers remain in debt from the time they enter the gardens until the end, in spite of the fact that the labourers often work overtime to pay off the debt. The Assam Labour Enquiry Committee of 1921-22 had no hesitation in condemning the system of rice advances on credit as pernicious. Many cases are known where the labourers could not get discharge certificates from

¹ *Ibid.*, pp. 51-52.

the planters on the ground that they owed money to the estates.¹

One of the reasons of heavy indebtedness on the part of the labourers, as, in fact, of all classes of people in India, is extravagant expenditure on the occasion of births, marriages and deaths. The money on such occasions is generally advanced by the money-lender at an exorbitant rate of interest. Though it is difficult to estimate the extent of such advances on plantations, the existence of them cannot be denied.

Another sign of a decent standard of living is that after balancing the income and expenditure there is left some savings. In this world of constant economic struggles, nothing cheers a man so much as the fact that he has been able to save something from his income for his old age or unforeseen events. In fact, the importance of savings as a part of a reasonably comfortable standard of living was admitted by the Assam Labour Enquiry Committee of 1921-22.²

An examination of the seventeen family budgets quoted by the Census Report of 1921 shows, however, that only three of them had savings of 3, 10 and 13 per cent³. Whether other families had saved anything or not is not known, but when most of the families are in debt, as shown above, it is scarcely possible for any of them to save anything out of their meagre income.

¹ *Loc. cit.* p. 74.

² See *Nominal and Real wages*, above

³ Adapted from the *Ass. Lab. Enq. Com. Rpt.*, 1921-22 p. 122-33.

5. EDUCATION AND RECREATION

One of the most important questions of plantation labour is that of education. The very fact that most of the children on plantations live with their parents means that their education must be provided on the plantations themselves if they are to be educated at all. But up to the present there is scarcely any provision for their education on the plantations, nor do the workers spend anything for the education of their children, as indicated by their family budgets. None of the family budgets on the plantations have any item for education.

Some years ago the Assam Government deputed to an official the special duty of enquiring into the question of educating tea-garden labourers and the possibility of establishing schools on tea-gardens. As a result, several schools were started on various tea-gardens, but the attempt did not succeed¹ due to the lack of encouragement from both parents and managers. As long as children are profitable both to planters and parents alike, there is scarcely any chance of success for voluntary education.

The greatest hindrance to the success of primary education is the lack of the free and compulsory education system. No country has yet been able to solve the problem of illiteracy among the masses without free and compulsory education, and India cannot be an exception. Although local Governments have been permitted to do this, very few of them have yet been able to take any definite step in that direction.

¹ *Ass. Lab. Enq. Com. Rpt.*. 1921-22. v. 100.

Like education, recreation is also an essential requirement of life. The existing provisions for making the life of the labourers on plantations more interesting are very limited. In the remoter districts there are opportunities for hunting and fishing, which appeal to the aboriginal races. On some gardens football has become popular, and an itinerant bioscope show is given in some districts in the cold weather. Some of the estates also contribute towards national festivities, such as Durga Pujah; but the provisions for recreation are very limited in scope. The family budgets of the workers show that there are few items for recreative purposes; and they could not, therefore, afford to spend money for recreation out of their meagre family incomes. Moreover, to devise such methods of recreation as will recuperate the body and elevate the mind at the same time is not easy.

Both education and recreation should be provided for by the plantations, and they might be conveniently organised in connection with the welfare work. It must be remembered that nothing will make plantation work more attractive than a proper provision for education and recreation.

6. WELFARE WORK

One of the most important methods of ameliorating the conditions of labour is welfare work. The importance of welfare work becomes all the greater in India, where social legislation still lags behind, and workers specially on plantations, are still unable to ameliorate their own conditions. The most important phases of welfare work on plantations, specially in Assam, are sick (*lazira*) payments, pensions and maternity benefits.

According to the Assam Labour Enquiry Committee, some of the gardens give adequate assistance to men and women who are not able to work owing to sickness. Under the contract system, the total number of the days due to absence through sickness was added to the contract under Act XIII of 1859, when they were employed in terms of working days. Under section 130 of Act VI of 1901, this was permissible only when the total number of days absent exceeded thirty days in any one year, and the inspector in charge had given his sanction to that effect. But with the abolition of the contract system, these conditions do not exist any more. The present system is to give the sick half pay or hospital diet. In the case of the labourers employed on a weekly basis, it is usual in many gardens to give them light work on full pay until they recover full strength.¹

Another important question is the provision for old age in the case of labourers who have spent all their life on plantations. Some of the gardens give small pensions in cash to deserving workers who have earned them by long and faithful service, but such practices are rare. As a rule, old workers are given light work, and sometimes allotments of garden land for cultivation.² While this system of pensions is very much appreciated, its scope is very much limited. The provision of superannuation on a large scale can only be undertaken by the State and it will be long before India will be in a position to

¹ *Ass. Lab. Enq. Com. Rpt.*, 921-22, pp. 99-100.

² *Ibid.*, p. 101.

undertake this system of old age pensions on a nation-wide basis.

Maternity benefit is still another system of welfare work on plantations. The question is becoming important not only because of its international significance since the inauguration of the International Labour Organisation, but also because of its practical and economic value. The difficulty and expense of recruiting labourers for plantations have led the planters to become more generous and liberal in the treatment of women during and after confinement. The maternity allowance is granted in three ways : first, a woman can get free meals, if she goes to hospital, but as a matter of fact very few women do that ; second, pregnant women are granted an allowance only when absolutely necessary, that is, when there is no working member in the family ; third, some of the gardens give leave of absence three months before and after confinement with full pay for the whole period while others give a similar period of leave of absence and ten pounds of rice a week free of cost and Rs. 1·5 a month in cash. But this generous treatment is not common. There is, however, a tendency towards increased liberality in granting leave of absence to women before and after childbirth, and also some kind of remuneration during the period.¹

The question of maternity benefits can scarcely be solved by philanthropy or welfare work. The importance of adequate legislation has been realised by almost all advanced countries, and such legislation has been passed

¹ *Ibid.*, p. 98.

even by the Government of Bombay in the case of the women employed in factories. Legislation should be enacted by the Government of India for maternity benefits to women in all industries, including plantations, where are employed the largest number of women labourers in India.

The scope of welfare work is much wider than that which can be covered by payments to the sick and to the old, or the maternity benefits. The provision for medical help and medicine is an important item in welfare work, but since the labourers work and live on plantations, this is a part of plantation organisation. As noted before, education and recreation offer special opportunities for welfare work, which can be easily undertaken by plantations for the benefit of the workers as well as for themselves.

CHAPTER XI

PROBLEMS AND CONCLUSIONS

In the foregoing chapters the origin, growth and conditions of plantation labour have been discussed. Although the space here will not permit the full discussion of the various problems, some of the outstanding ones may, nevertheless, be pointed out.

1. OUTSTANDING PROBLEMS

One of the most important problems of plantation labour is recruitment. It has already been noted that, in spite of the vast population, the labour supply for organised industries, specially for plantations in Assam, is quite inadequate. There are several causes for the scarcity of labour supply, namely: first, unhealthy and uncongenial climate of the country, and the distance and insolation of the plantations from the sources of labour supply; second, universal illiteracy, which keeps nine-tenths of the population in ignorance about industrial opportunities, and lack of impartial and adequate information; third, penal sanction and the indenture system under which labourers were employed, and deception and falsification in recruitment, discomfort, and suffering in transportation and disease and mortality on the plantations, which characterised plantation labour until recently; fourth, insanitary conditions, long hours, heavy work, and low wages, which still exist in most of the tea gardens.

The ~~solution of the problem~~ depends upon several factors, namely : first, the improvement of the general level of culture among the masses, which will enable them to take advantage of the industrial opportunities on the one hand, and to guard themselves against exploitation and undue advantages by employers on the other ; second, the establishment of public employment bureaus for giving impartial advice on industrial opportunities and for helping in securing employment abroad ; third, a cheap transportation system, for helping the emigration of the working people from the places of residence to those of work—the work of transportation may be conveniently combined with that of employment ; and fourth, the betterment of the conditions of work and life on plantations themselves, by legislation or otherwise, so as to make them more attractive to the prospective workers.

It may be said that the provision of employment bureaus and cheap transportation will imply the introduction of class legislation. Inasmuch as finding employment for workers leads to the material prosperity of the people as a whole, they must be regarded as public services, and the cost must be borne by the State. If necessary, employers might be charged a fee towards partial payment of the expenditure. It must be remembered that the planters spend an immense amount of money for recruitment. In 1928-29, for instance, 44,751 sardars were employed for recruiting only 73,198 emigrants, that is, 1.63 workers per sardar. It has been estimated that the expenditure for recruitment amounts to from Rs. 100 to Rs. 125 a worker recruited.

The improvement of the working and living conditions, including better sanitation, shorter hours, higher wages, and better living, is, however, the most important problem. Although sanitation has been improved, as indicated by the lower death-rate, in recent years, much still remains to be done. In most of the gardens in Assam the system of conservancy is still insanitary, the supply of drinking water inadequate, the "lines" of the workers overcrowded, the dwellings inconvenient and uncomfortable, and provisions for medical help and medicine insufficient. The hours of work are long, inasmuch as the labourers have to work overtime and occasionally on Sundays. Children begin work at a very early age, and receive no education. A system of wages which requires the worker to depend upon the earnings of his wife and children or upon a subsidiary industry just in order to earn the *necessaries* of life, not to speak of *decencies*, *luxuries* and *savings*, can scarcely justify its existence from the point of view of social welfare or national economy.

The solution of the problem depends upon four agencies, namely ; (1) intelligent public opinion, (2) progressive legislation by the State, (3) enlightened self-interest of the employers, and (4) concerted action of the workers. The greatest dynamic force in modern society is public opinion. While scientists and philosophers can study a new social condition and create a new ideal of social justice, it is public opinion or the national will that can enforce the incorporation of this ideal into social and legislative institutions.

The most effective agent for ameliorating the social and industrial conditions is, however, the State, which is the most important institution in modern times for carrying out the social will into social action. This is specially true in the case of India, where social consciousness has not yet fully developed, public opinion is ineffective, and private organisations for social welfare are undeveloped. Moreover, social legislation is primarily the duty of the State, and it is the legislative measures through which progress has been achieved in the labour conditions. As a member of the International Labour Organisation, which is a most potent force in ameliorating labour conditions, India has given effect to several of the Conventions and Recommendations adopted by the International Labour Conference. But plantation labour is still more or less outside the scope of the International Labour Conference, and improvement in this direction must be effected by a higher sense of social justice among the educated classes.

That the employer is an important agent for ameliorating labour conditions requires scarcely any discussion. Health, education, recreation, and even the higher standard of living, lead to the efficiency and contentment of the workers, which are bound to increase production and decrease cost. In fact the ideals of progressive legislation in many cases were first set up by the employers themselves. This enlightened view is not, however, shared by most of the employers, and an industry is very often nothing but a means of exploiting the working class.: The plantation industry, especially

in Assam, is a conspicuous example of this statement. Only a strong public opinion and a progressive system of labour legislation can make the employers take an enlightened view of the question.

The most important agent for improving labour conditions is, however, the workers themselves. As they are the actual sufferers, it is they who can really ameliorate their conditions. Both public opinion and State intervention have their limits. Most of the employers will not part with their profits and privileges unless they are forced to do it under the pressure of the workers' demand. But in order to be in a position to make an effective demand and ameliorate their conditions, the workers must be intelligent enough, and must know how to organise themselves for concerted action.

One of the most important labour questions is, therefore, the development of organisation. Both the general illiteracy among the workers and the isolated nature of the plantations are great hindrances to the growth of labour organisations on plantations. There is no doubt that the workers often undertake concerted action out of fellow-feeling, class interest, and common grievances, but they have not yet developed the power of sustained activity, nor that of organisation, which is required by a modern trade or labour union.

As a result of the national awakening, workers even on plantations, however, have been giving up the century-old inertia and inactivity, and have been realising the significance of their existence and the value of their service to society. The growing conflict between themselves

and the employers has also been making them self-conscious. What they need is leadership for mobilising their activities into organisations.

Labour organisation is essential, both for the benefit of the labourers themselves and for that of society. That the planters are opposed to such organisations among their workers can be easily understood. The workers on tea gardens in Assam have been until recently employed under the indenture system or penal sanction, and their status was scarcely better than that of the serfs. To receive them on equal terms, through their organisations, could scarcely be expected all at once. Moreover, labour organisation is bound to lead to a demand for shorter hours, higher wages, and better housing, which would mean lower profits. But labour organisation is not without benefit to the planters themselves. It is only through the organisation that they can acquaint themselves with the real grievances of the workers, thus removing misunderstanding and frequent riots and assaults on the one hand, and gaining their confidence on the other.

It is, however, improbable that the planters themselves will encourage the growth of labour organisations, specially by outside influence. The first step in this direction must, therefore, be taken by the State in providing, by legislation, some kind of workers' council, the members of which should be elected by the workers themselves in each garden. The object of the council should be to negotiate directly with the management on all important questions concerning the working and living conditions. In addition to these plantation or local

councils, there should also be district, provincial, and even national councils of plantation labour. They should also be brought into existence by legislative measures, that is, by giving the plantation or local councils representation in District Boards, Provincial Legislative Councils, and the National Legislative Assembly. The local councils should appoint the district councils, and the latter the provincial council, and so on. Moreover, the plantation labourers must have representation in the International Labour Conference, which can be done by giving their councils power to nominate their representative either as an adviser or a delegate, though such representation may be made directly through the All-India Trade Union Federation.

2. CONCLUDING REMARKS

One of the most important industries in India to-day is plantation, in which has been invested 54 crores of rupees,¹ and the products of which form about one-tenth in value of the total export trade of the country. The plantation system affords to India a great opportunity for developing the waste and neglected areas in the hills and jungles into orchards, gardens and fields for the production of such articles as flowers, fruits, honey, tea, coffee, and rubber, and thus increasing national wealth.

(Equally important are the plantation industries for developing industrial enterprise and mobilising capital resources for productive purposes.] Plantations were started

¹ Including 12'86 crores of rupees in India and 30.56 million pounds sterling outside.

by foreign enterprise, and are still mostly financed and managed by foreigners, but indigenous enterprise and capital have already begun to pour in, and will certainly increase with the nationalisation of the Government and the growth of the policy of national economy.

The most important effect of the growth of plantation industries will be the creation of a new outlet for the employment of India's vast labour forces, including both technical knowledge and other forms of skilled and unskilled labour. The creation of new industrial enterprises and the extension of the present industrial opportunities are the only ways of solving the question of increasing unemployment and under-employment among India's growing population.

The first step in the development of the plantation industries is the establishment of a Department of Agriculture under a Responsible Minister in the new constitutions of both the Central and Provincial Governments. A country in which about three quarters of the people depend upon agriculture can not afford to neglect having a Department of Agriculture. A division should also be created for plantation industries, both because of its importance to the national economy of the country, and also because of its technical nature. One of the functions of this division of plantation industries should be to establish experimental stations for research and education in different parts of the country, and the work of the Indian Tea Association and the United Planters' Association in Southern India may serve as an example.

While the encouragement of plantation industries should receive due attention, the most important work of the State in this connection will be the improvement of the recruiting, working and living conditions of the labourers. The plantations have been the source of the suffering and degradation of a large number of the Indian population. "Our view is that," say Messrs. Purcell and Hallsworth, "despite all that has been written, the tea-gardens of Assam are virtually slave plantations, and in Assam tea, the sweat, hunger and despair of a million Indians enter year by year."¹ This observation, which brought in protests from the tea planters, might be said to be somewhat exaggerated ; but the substance of truth in the statement cannot be denied. This remark was made after the abolition of the indenture system, and after the amelioration of the conditions by legislative measures for fifty years. What the conditions were when unlicensed contractors recruited the labour supply and marketed them to the highest bidders among Assam planters can be better imagined than described.

While the legislative measures and welfare work already referred to might ameliorate the recruiting, working and living conditions, the real solution of the problem lies in elevating the social, political and industrial status of the Indian masses. It is their colossal ignorance, abject poverty and utter helplessness which have made them subject to exploitation. These can be removed

¹ *Report on Labour Conditions in India*, by A. A. Purcell, M. P. and J. Hallsworth, British Trades Union Congress Delegation to India. London, 1928. p. 36.

only in the following ways : namely, first, the introduction of free and compulsory education, both general and vocational ; second, the removal of all barriers to social equality *e.g.*, the caste system and untouchability ; third, the granting of universal suffrage to all men and women ; and fourth, the development of industrial enterprise and creation of new industrial opportunities, where men and women, as intelligent, efficient and independent labourers, can find employment and can freely make a favourable bargain for their own welfare as well as that of society of which they are a part.

BIBLIOGRAPHY

*(Refers to documents only, with abbreviations
wherever used)*

1. Reports on Immigrant Labour in the Province of Assam (*Ass. Lab. Rpt.*) from 1878 to 1928-29. They are annual reports, but the exact titles varied in different years. For example, they were called Report on Labour Immigration into Assam from 1878 to 1901, Resolution on Labour Immigration into Assam in 1902-03, Resolution on Immigrant (or Immigration) Labour from 1903-04 to 1920-21, and the present title as above from 1921-22.
2. Indian Tea Statistics. (Annual, called by various names in former years, such as Notes on the Production of Tea in India.)
3. Indian Coffee Statistics. (Annual, also called under various names in the earlier years.)
4. Indian Rubber Statistics. (Annual, also called under various names in the earlier years.)
5. Assam Labour Enquiry Committee Report (*Ass. Lab. Enq. Com. Rpt.*), 1906 and 1921-22.
6. Rules under the Assam Labour and Emigration Act VI of 1901 made by the Government of Assam in 1923.
7. Annual Report on Emigration to the Labour Districts of Cachar and Sylhet.

8. Report on the Working of the Assam Labour Board. (Annual)
9. Annual Report on the Working of the Jalpaiguri Labour Act.
10. Planters' Labour Act I of 1903 (Madras) and the Annual Administration Reports up to 1928.
11. Act No. XIII of 1859 as modified up to 1st November, 1920.
12. Census of India, 1911 and 1921.
13. Census of Assam, 1921.
14. Imperial Gazetteer of India, 1908.
15. Statistical Abstract for British India. (*stat. abs.*, Annual.)
16. Review of the Trade of India. (Annual)
17. Agricultural Statistics of India. (Annual)
18. International Year-book of Agricultural Statistics. (Annual)
19. Bulletin of Indian Industries and Labour, 1903-4, 1925.
20. Handbook of Commercial Information for India, by E. W. E. Cotton, Calcutta, 1924.
1. The State and Industry, by A. G. Clow, Calcutta, 1928.

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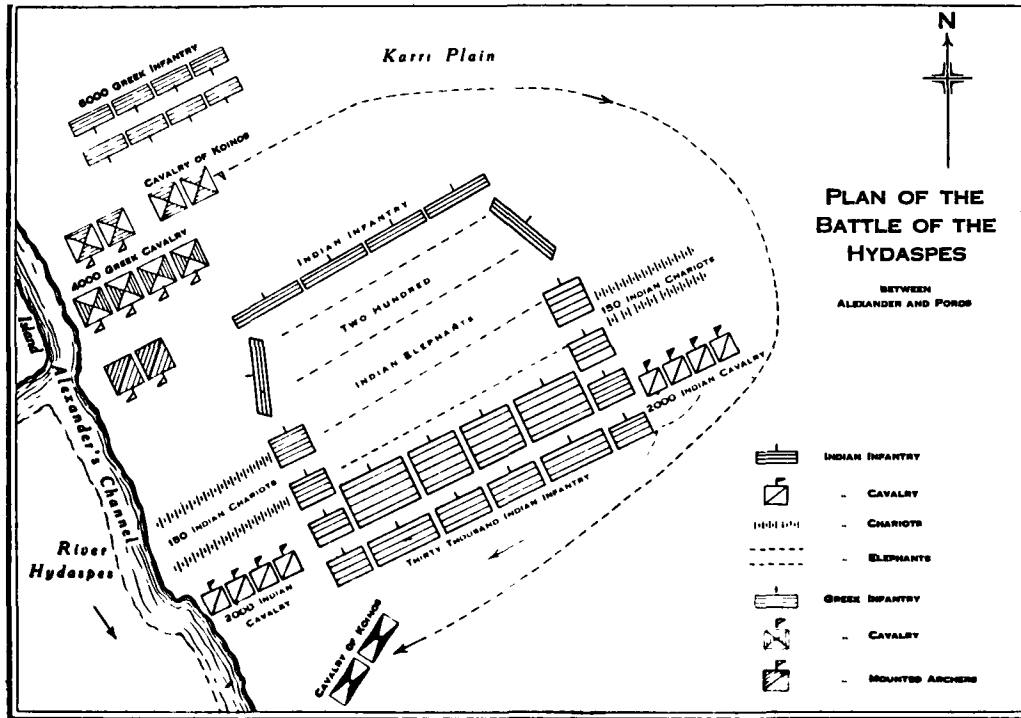
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THE ART OF WAR IN ANCIENT INDIA

Being the Vishvanath Narayan Mandlik Gold Medal Essay, 1926

BY

GOVIND TRYAMBAK DATE, M.A.

इदमुच्छ्रेयोवसानभागां शिवे मे यावा पृथिवी अभूताम् ।
असपलाः प्रदिशो भवन्तु न वै त्वा द्विष्यो अमयं नोस्तु ॥

—अथर्व १९ : १४.

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To
THE SACRED MEMORY
OF
MY PARENTS

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CHAPTER I

INTRODUCTION

THE introduction to any work is usually the first and, at the same time, the last word on the subject under survey. It is the first word, because by it the reader is made acquainted with the general outline of the theme. It is the last word which the author pronounces on the completion of his cherished design. But the present writer is unwilling to pronounce the last word, for he is alive to the faults of omission and imperfections which any such work is sure to contain. There are limitations to every human effort and, in spite of sincere attempts, it becomes virtually impossible for a scholar to carry his labour to a point of perfection. Something ahead always remains to be done, and looking behind he realizes, to his utter chagrin, that there are several missing links he has failed to supply. Then there are certain materials in which he thinks he is sadly lacking, and he has therefore either to touch some points incidentally or omit them deliberately from the discussion. Even the casual observer will be able to lay his finger on the glaring defects of this treatise, and so it is all the more necessary that they should be pointed out in the beginning.

SCOPE OF THE WORK

The Art of War, as it is treated in the following pages, deals with field warfare, and omits altogether the consideration of naval engagements. The latter does not find its place in this work because, in the first place, no naval war was ever fought in Indian waters in the early stages of history. Secondly, piracy, with which the Indian seaboard abounded, can hardly be regarded as the art of fighting. It becomes a mockery of the term 'war' if pirates and robbers can be dubbed heroes of a fight. Dr. Radha Kumud Mukerji has scarcely made any mention of sea fighting in his famous book, *A History of Indian Shipping*, and, agreeing with his considered opinion, I have passed over the subject altogether.

But certain additions have been made to atone for the omission. The last two chapters have little to do with the direct form of

fighting, but they have an intimate connexion with the subject matter. It is of great interest to the Indian nation to learn the causes of the military disasters suffered by their forefathers, in spite of their high level of chivalry, morality and, to a certain extent, efficiency. Then, in the seventh chapter, the general conduct of diplomacy is treated, since it is a natural and an essential adjunct of war. In fact, diplomacy and war are inseparable variants. Diplomacy has succeeded, where war failed, to terminate a standing dispute between two nations. It was true then as it is now. Geneva is slowly becoming the pivot of world politics, and international disputes are settled there by friendly discussion. The contents will show that other chapters are perfectly pertinent to the subject.

PERIOD

Of our title, 'The Art of War in Ancient India,' the meaning of the first three words is defined in the above paragraphs. The period covered by Ancient India must be likewise approximately stated. At one end of the period no limit need be placed. The time may be carried far into the past, as far as the dawn of humanity in India. At the other end, however, a line of demarcation ought to be put to distinguish it from mediæval and modern times. In my opinion, the line should be placed at A.D. 1000, because till then the general nature of Indian culture continued to be the same, although some new ideas were introduced into society by a number of foreign hordes that entered the country from time to time. After A.D. 1000 conditions were quite different. India had to experience a rival form of civilization, which was new to all classes of people in the country. The Muhammadan invasion and consequent conquest of a greater part of the land inaugurated a new era—the mediæval period which joined the ancient with the modern. For this same reason the history of Muhammadan India is appropriately named *Mediæval India* by Dr. Stanley Lane-Poole. Mr. C. V. Vaidya takes the period from A.D. 600 to 1200 as the mediæval age. He has his own reasons to support the contention, but, for all practical purposes of our subject, A.D. 1000 is a very convenient point to close the ancient period of our history.

GEOGRAPHY

The geographical limits of Ancient India should also be defined, and its military significance gleaned from it. Ancient India, unlike the

modern, included the valleys of Afghanistan and Baluchistan. They formed a bone of contention at different times between the Persians and the Greeks on the one hand, and the Indians on the other. But these trans-Indus provinces were reclaimed by Hindu India from the foreigners, and retained till the hurricane of Muhammadan inroads burst upon the world. Afghanistan, like Switzerland in Europe, formed then a separate political and geographical unit behind its mountain ramparts. From ancient India the provinces of Assam and Burma (Kāmarūpa and Suvarṇabhūmi) must be left out. Racially and culturally they formed a nation by themselves, and contributed little to the development of real Indian civilization. No doubt they embraced Buddhism, but this did not do much to establish exchange of ideas between the two nations. The western nations of Asia were in constant communication with India much more than the eastern. If India has at all borrowed new ideas, it is certainly from the west, and very rarely from the east. The peninsular part of the country was also racially and culturally separate from its northern neighbour. But, unlike Assam and Burma, it was incorporated in the orthodox Hindu faith, and did much for the development of Hindu civilization. I have laboured under a great deal of disadvantage, as I could not tap the original sources of Tamil and Telugu pieces dealing with war. I have depended mainly upon the *Kurral*, as translated by Rev. G. U. Pope, and a small volume on *Dravidian India*, by T. R. Sesha Iyengar. *The History of the Deccan*, by Dr. R. G. Bhandarkar, can give but little help in the compilation of the military history of Ancient India.

The northern part of India is enveloped on all sides by walls of mountains. The greater part of it is a plain, and on the southern side it is bordered by a triangular piece of the plateau of Malva. The mountain tribes had a method of fighting suitable to local conditions. They could not make a considerable use of war cars and elephants. Horse and infantry naturally formed the bulk of their army. The warriors of the plains and tablelands, on the other hand, attached great prominence to chariots and elephants, and the cavalry and infantry were regarded with scorn. But it is common knowledge with students of ancient Indian history that the light forces of mountaineers bore down the opposition of the fighters of the sunny plains of India. This phenomenon was witnessed all over India. Even the mountain warriors of Mahārāṣṭra put up

a stout resistance to the people of the plains, and enjoyed their freedom almost unfettered by other tribes. The Mauryan and Gupta kings temporarily defeated the southern tribes, but they could not long enjoy the supremacy; and the south regained its lost liberty, and even ventured to defy the authority of Harṣa, who had begun his ambitious project of conquest. Pulakeśin II, as is well known, put a brake on the wheel of Harṣa's ambition by defeating him.

Like the mountains, rivers were protective barriers for many Indian potentates whose capitals were built near mighty streams. Pāṭaliputra was situated on the junction of two rivers. Several towns of the Punjab had found similar favourable situations. Porus tried to make the best use of the Jhelum in preventing the army of Alexander from crossing it. In the north, and also to a great extent in the south, we find big towns built in the sectors of two rivers. The historic rock fort of Trichinopoly has a double advantage. It is near the two arms of the Kaveri and has also a natural high position on the rock. The military significance of rivers was rightly understood by Indians, and they called a river fortification *ambudurga*. But the protection afforded by rivers is not half so formidable as that of the mountains, and so the mountaineers withstood the attacks of enemies much more stubbornly than the warriors of the plains.

The political geography of Ancient India is very chequered. But the reader will have a sufficient idea of the tribes that inhabited India from maps given in standard works on Ancient India, e.g. *Vedic Index*, by Macdonell and Keith; *Epic India*, by C. V. Vaidya; *Cambridge History of India*, vol. I; *Ancient India*, by Dr. V. A. Smith, etc. It would be an unnecessary elaboration of the subject if the fighting quality of each tribe were separately dealt with. Researches in the history of each Kṣatriya tribe in Ancient India have been satisfactorily carried out by Dr. B. C. Law, whose volumes on the subject are masterpieces.

MATERIAL

Every effort has been made to use the original sources in building up a satisfactory account of the military history of Ancient India. But certain defects are apparent, and no useful purpose will be served in hiding them. It was quite impossible to study the original

Avestan or Pehlavi texts within the short space of a year. I could not even study the English works on Iranian civilization. But I attach little importance to Zend studies, because of the fact that they are useful simply as supplying corroborative evidence of Vedic culture. *Civilization of Eastern Iranians*, by Gieger, served my purpose pretty well, and I did not feel any inconvenience for want of a specialized study. Besides *The Cambridge History of India*, vol. I, was always ready to supply any deficiency. For other foreign authorities McCrindle's volumes have been very freely used. I have drawn very considerably from the indigenous sources, and, in the list of books and authorities consulted, the reader will find that all the Sanskrit works on politics and religion that were likely to give requisite help in the compilation of this treatise have been included. Of my inability to deal suitably with the southern culture, I am fully conscious myself. For sculptural evidence I have consulted Dr. Smith's *History of Fine Arts*, which, I believe, is by far the most authoritative work on the subject. Cunningham's *Bhilsa Topes* has also rendered material help. Likewise C. J. Brown's small volume on Indian coins, and Rapson's work on the same, have been of capital assistance.

No pains have been spared in using the positive and imperative sources. If certain materials were not available they were of secondary importance, and my lack of them has not done much harm to the general treatment of the subject. Besides, I have not absolutely neglected them, and their scanty insertion in this work does not altogether disfigure it.

CHAPTER II

IN THE CRADLE OF HUMANITY

MAN to-day is the result of a long process of evolution. In the cradle of human existence the conditions were not the same that we witness in the complexities of modern life. Our hopes and fears, wants and their satisfaction, ideals and their achievement, all are of quite a different order from those that were obtainable in the dim past, where history can hardly penetrate beyond the confines of conjecture into the domain of reality. All we can say about them is the product of guess-work from the known data which certain sciences have laid bare before us.

The lowest stratum of mankind had a hard struggle for existence. Their chief care was to obtain fuel to keep the flame of life ablaze. They had also to afford security to themselves, and to those for whom they felt natural affection, from the attacks of wild animals and the ferocity of their own kind. So these primitive men, who were in 'the food-gathering stage of culture',¹ had to invent suitable instruments to satisfy their needs, and the materials with which they made fighting implements were those that were abundant and easily procurable. The first advance which they made in the science of war was registered in the making of stone—hard stone, usually flint—instruments. They supplemented the muscular strength on which the savages primarily depended. The flints in their first stage of manufacture were very rough as in the beginning greater fineness could not be expected in their workmanship. They also made use of sticks of wood, and it may be safely asserted that it was the ancestor of the bludgeon, club, mace, etc., which came into vogue at a later period. In the *Rāmāyaṇa* the monkeys, who were the allies of Rāma, are said to have used only trees and sticks as weapons. Sometimes the leaders of the monkey army did use instruments of an advanced type; but, speaking generally, they hurled trees, crags, stones and any other thing they could conveniently catch hold of. Direct evidence of the

¹ W. G. Perry, *Growth of Civilization*, chap. II.

primitive person using trees and wood as war weapons is not available. But our guess about their application is approximately correct when we examine the condition of tribes who were quite recently in the 'food-gathering stage of civilization', e.g. the aborigines of America, Tasmania and Australia. The account of Columbus is especially interesting. He says, 'They had no weapons like those of Europe, neither had they any knowledge of such; for when our people showed them a naked sword, they ignorantly grasped it by the edge. Neither had they knowledge of iron; as their javelins were merely constructed of wood, having their points hardened in the fire and armed with a piece of fishbone.'¹ The scientists are not in a position to give us any definite information about the Tasmanian human species, as the last man who was in a semi-barbaric state was killed in 1848. But archaeological finds seem to prove that the Tasmanian and Australian breeds had not far advanced in civilization for three hundred years.² Civilization in all countries of the globe has proceeded on parallel lines, though mankind did not go ahead on the road of culture at one and the same time.

The palæolithic culture in India has left behind it several traces in the southern and peninsular part of the country, much more than in the northern. From the recent finds of the most primitive instruments of warfare scientists have selected some that are assuredly the earliest specimens of palæolithic workmanship.

For the sake of clearness the development of primitive culture may be divided roughly into five stages:³ (1) *prechellean*, (2) *chellean*, (3) *acheullean* and *monsterian*, (4) *neolithic* and (5) *bronze* or *copper*. These ages differ from each other according to the degree of fineness exhibited in the manufacture of implements. The *prechelleans* used heavy stone instruments to defend themselves from the attacks of the giant mammalia of those times. These stones have been recovered from the valleys of the Narbada and the Godavari. The latter variety shows a superiority of craft over the former. The Narbada celt is pointed and can be carried in the hand, but the Godavari specimen is slender, has a sharper edge and a suitable handle. The colonies of these palæolithic human beings were established near

¹ Woodrow Wilson, *History of the American People*, vol. I, p. 198.

² N. W. Thomas, *Natives of Australia*, pp. 11, 12.

³ *J.D.L.*, I, pp. 130 ff.

suitable rocks, which supplied them with material for the manufacture of celts. The *prechellean* and *chellean* peoples had crowded habitations in Cuddapah, Guntur and Nellore. The *chelleans* had made considerable advance over their predecessors in making stone instruments. They show a great variety of shape, and it is evident on their faces that much effort was needed to finish them. *Chellean* celts have also been recovered from Bundelkhand and Jeypore (Nos. 145 and 167 of the Indian Museum). The celts of these progressive men were used for throwing and cutting. Some of them have suitable holding places. The next advance was made by the *acheuleans* and *monsterialians* of the Chingleput district. The new specimens show different sorts of colour (commonly pinkish), and a great deal of change in shape is also detected. Some of them have an elongated oval shape with sharp edge; others are truncated, and one has a projection on one side. They represent the earliest axes, grasped by both hands and driven into the body of the enemy. There are more than ninety specimens in the Indian Museum (Nos. 572-670) of stone implements, such as wedges, axes, cleavers, knives, scrapers, digging, casting and piercing instruments, having different colours and well-chipped and flaked surfaces. They, however, maintain the rough style of the early *palæolithic* age. Many bone implements have been unearthed from the Karnul caves, and they include awls, gouges, wedges, axe heads, arrow heads, daggers, scrapers, chisels, etc. The dagger was truly a formidable weapon in the hands of a strong man.¹ Men slowly began to understand the use of grinding and smoothening, and at length passed into the *neolithic* stage of civilization. The weapons became light, and are therefore styled 'pigmy flints'.² They were used with wooden handles or holders.³ It is curious to note that *neolithic* instruments are found in large numbers beyond the Narbada and in central India. It shows that civilization was moving from the south to the north. The *Neoliths* also lived in Salem, Madura and Bellary districts. Their stone weapons were beautifully fashioned and highly polished. At this stage the *Neoliths* of India had a hard struggle with a new race with superior culture. The legendary invasion of Rāma in the south seems to have taken place during this period. He found the so-called monkeys living in caves.⁴ A great

¹ *Records of Geo. Survey of India*, vol. XVII, part II, p. 201.

² Smith, *Ind. Ant.*, 1906. ³ *Ibid.* ⁴ *Kiṣkīndhā Kāṇḍa*, canto II, śl. 19.

sense of curiosity was excited in them when Rāma used bows and arrows.¹ They mainly fought with wooden weapons or exhibited boxing contests.²

Southern India never passed through a *copper* or *bronze* age. It directly leapt into the iron age on account of the influence of foreigners.³ In northern India the connecting link between stone and iron ages was a copper age. There have been a few finds of bronze weapons.⁴ But they do not warrant the conclusion that there was a regular bronze age in the country. The most important bronzes in India are the 'Ellot Sword', 'Ellot Harpoon' and 'Norham Harpoon'. They have different compositions of copper, tin and lead. Copper weapons are obtained from almost all the provinces of northern India. From thirteen localities a large number of flat celts, bar celts, swords and daggers, harpoon heads and arrow heads have been recovered. The most interesting collections come from Gangaria, Balaghat, Central Provinces. They include weapons wedge-shaped with apex truncated, with broad lunette edge and with narrow step and expanded splayed edge. (The figures of these weapons are given in *Indian Antiquary*, 1905.)

¹ *Ibid.*, canto XII, §1. 5. ² *Ibid.*, §1. 18.

³ J. C. Brown, *Cat. Pre-Hist. Ant. Br. Mus.*, p. 12.

⁴ Smith, *Ind. Ant.*, 1905, p. 244.

CHAPTER III

APPARATUS OF WAR

IN the last chapter the weapons used by the primitive tribes have been mentioned. They were crude implements that indicated beginnings of human civilization. Those earlier specimens of humanity do not seem to have proceeded beyond stone and copper for the fabrication of their war instruments. The real and most important advance was made by the Indians of the Vedic age, who discovered iron in the bowels of the earth and forged it into weapons of various types. Herein lies the line of demarcation between the men of the *neolithic* age and the people of the Vedic times.

The classification of weapons adopted by different writers is not the same. Some give the descriptions of weapons without classifying them; others give us well-marked divisions of the instruments of warfare, but do not adopt the same classification. The *Arthasāstra*'s¹ classification is defective; we cannot clearly make out the line of division between one group and the other. It requires some effort to bring out some form of classification from the work. Kauṭilya divides weapons into : (1) immovable machines, (2) movable machines, (3) weapons with edges like ploughshares, (4) bows and arrows, (5) swords, (6) razor-like weapons, (7) miscellaneous weapons, (8) armours, (9) minor instruments used in self-defence, (10) ornaments for elephants, chariots and horses, as well as goads and hooks, (11) delusive contrivances and powders of destruction. The *Agniṣurāna*,² however, is more precise and logical than other works. It divides the implements of war into two groups : (1) *astra* (missiles), and (2) *sastra* (non-missiles). The former is subdivided into four varieties : (1) *yantramukta* (cast by machines), (2) *pānimukta* (thrown by hand), (3) *mantramukta* (discharged with the force of spells), (4) *mukta-sandhārīta* (thrown and again retracted). The second group is subdivided into two (1) *khaḍgādīkam* (spears, etc.), (2) *viḡatāyudham* (natural weapons, such as the fist). Like the *Agniṣurāna*, Śukra's³ primary division of weapons is *astra* and

¹ pp. 101, 410 ff.

² pp. 396 ff.

³ p. 235.

śastra. But he divides the former into tubular and charmed missiles, and the latter is mentioned only in one single group. Vaiśampāyana's¹ classification is fourfold: (1) *mukta*, (2) *amukta*, (3) *muktā-mukta*, (4) *mantramukta*. All the different methods of classification given above are more artificial than real. They, however, help us in understanding the nature of these weapons.

The enumeration of different weapons of war given in the following pages will not afford interesting reading. The subject is rather dry, and it becomes much more so when the nature of the instruments becomes unintelligible. But we cannot avoid this inconvenience, however unpleasant it may be. However, those weapons whose nature cannot be ascertained with any approach to accuracy will be classed in one group, so that the reader may pass over the list without paying it any attention. The arms described in this chapter are divided into four groups, for the sake of convenience and consistent treatment: (1) bows and arrows, (2) other offensive weapons, (3) oils, sands, powders, etc., (4) defensive weapons and armours. In addition, two more items will be dealt with as they are natural accessories of the above four classes: (1) flags, and (2) war music and musical instruments.

A. THE BOW AND ARROW

The bow attracted the imagination of all warriors of the world in the early stages of civilization. Throughout the course of ancient Indian history the bow was used as the main offensive weapon, and the man who showed a considerable degree of skill in wielding it was highly honoured. *Dhanurdhara* was a term of great distinction, and almost all the well-known warriors of Ancient India, with few notable exceptions, were expert shooters with the bow. With unerring aim they could clearly shoot at any object even in darkness. The story of Śravaṇa in the *Rāmāyaṇa* relates how Daśaratha took the aim by hearing the sound of water when Śravaṇa was filling his jar. Arjuna's skill in archery has become proverbial. It is well known to the readers of the epic, how the great warrior shot his arrow at the metallic fish suspended above by looking at its reflection in water. And those stories are not quite mythical. We can see such things even to-day. The Snātaks of Gurukula, run by the Āryasamāḥ, have demonstrated to the world in their recent perform-

¹ Oppert, p 11.

ances at Bombay and Poona that they can accomplish perfect mastery over the bow and arrow, and can translate into actual practice the feats described in the great epics of this country. It was the belief of all sages of old that by practice everything was possible.¹

During the Vedic times the bow was made of a strong and elastic staff after the fashion of the Eastern Iranians.² The bow used by these two branches of the Aryan stock was wonderfully similar. They bent the staff into a curved shape (*vakra*)³ and joined the two ends (*ārtni*)⁴ of it with a string (*ivyā*) made of cowhide.⁵ The weapon was strung only at the time of shooting; ordinarily it was left loose. The method of using the instrument is very accurately described in the *Vājasaneyī Samhitā*:⁶ the stringing (*ātam*) of the bow, the placing of the arrow (*pratidhā*), the bending (*ayam*) of the bow, and the shooting (*āsa*).

As with the bow, the two cousins of the Aryan family used a similar arrow. It was made of a reed or thin twig (*śara*).⁷ The head of the shaft was made of horn (*ruruśirṣni*),⁸ copper, bronze or iron (*ayomukham*).⁹ The arrow was feathered¹⁰ to accelerate its speed, and it was stretched as far as the ear at the time of its discharge.¹¹ The end of the arrow was besmeared with poison (*ālāktā, dīgdhā*).¹² Its length was about three feet. The arrows were stored up in the quiver,¹³ which was carried on the back into the battlefield.

The weapon did not undergo any material change in the epic and post-epic periods. But the subject is treated more scientifically in later Sanskrit literature. The epic heroes used the bow made of *kārmuka* wood or horn,¹⁴ the latter being accepted with greater favour. The weapon was probably six cubits in length, and was heavier than the one used by the Greeks, who saw that the foot soldiers had bows 'made of equal length with the man who bears it'.¹⁵ The string of the bow was prepared of *murva* grass.¹⁶ Like the

¹ *Br. Śā. Pad.*, p. 274; *Agni.*, 402. ² *East. Iran.*, p. 27.

³ *Atharva*, IV, 6, 4. ⁴ *Rgveda*, VI, 75, 4; *Atharva*, I, 1, 3.

⁵ *Rgveda*, VI, 75, 11; *Atharva*, I, 2, 3. ⁶ XVI, 22.

⁷ *Atharva*, I, 2, 1; 3, 1. ⁸ *Rgveda*, VI, 75, 15.

⁹ *Av.*, IV, 6, 7; V, 18, 8, 15. ¹⁰ *Av.*, X, 18, 14.

¹¹ *Rv.*, V, 175, 3; II, 24, 8. ¹² *Rv.*, VI, 75, 15.

¹³ *Rv.*, I, 33, 3; VI, 75, 5; X, 95, 3; *Vāj. Sam.*, XVI, 10; *Śat. Br.*, VI, 3, 1, 11. Arrow in *East. Iran.*, p. 27. For fuller information on the subject see *Mah. Jñān.*, vol. III, pp. 339 ff.

¹⁴ *J.A.O.S.*, vol. XIII, pp. 270 ff. ¹⁵ *Arrian*, p. 220. ¹⁶ *J.A.O.S.*, p. 273.

Vedic arrow, the epic one was also made of reed or iron. Sometimes bone arrows were also used. They were similarly feathered, and the feathers commonly used were those of hawks, flamingoes, herons, etc. Poison continued to be used along with the arrow, and oiled shafts were not uncommon. Sometimes fire was applied to the oiled end of the arrow at the time of shooting. The skill of the archer consisted in discharging a number of arrows at one and the same time,¹ and swiftness in doing it was much appreciated.

It is hard to agree with Hopkins, that 'quickness and lightness' (not sureness) are what the epic heroes are famous for.² Instances have been given above in which sureness of aim was demonstrated to a very high degree. The *Agni-purāna*³ has very clearly shown, beyond a shadow of doubt, that steadiness in aim was above all else the most important element of success. Quivers were filled with ten to twenty arrows in each, and expert warriors carried two of them fastened together.⁴

Four kinds of bow are mentioned in the *Arthasāstra*,⁵ each being made of material quite different from the other three. The *kārmuka* bow was made of *tāla* (palmyra) wood, *kodānda* of *cāpa* (bamboo), *druna* of *dāru*, and *dhanus* of *śṛṅga* (horn). The first class bow measured four cubits, the second class three cubits and a half, and the last one, used by an infantry soldier, measured three cubits.⁶ *Veṇu*, *sara*, *śalāka*, *danḍāsana*, and *nārāca* are different varieties of arrow mentioned by Kautilya.⁷ Other kinds of arrow are mentioned elsewhere: *bhalla*, *ardhacandra*, *śakti* and *yaṣṭi*.⁸ They were made of bamboo, bone or iron.⁹ The shafts of arrows of the first, second and the lowest classes measure 12, 11, and 10 *muṣhtis* respectively.¹⁰ Bowstrings were prepared of *murva* (*sansvieria roxburghiana*), *arka* (*calotropis gigantia*), *śaṇa* (hemp), *gavedhu* (*coix barbata*), *veṇu* (bamboo bark) and *snāyu* (sinew).¹¹

No better treatise on the subject of manufacture of the bow and arrow can be found than the *Bṛhat Saṁgadhara Paddhati*.¹² It supplies in a nutshell the requisite information about the weapons: their measurements, the quality of wood used in their manufacture, the leather that ought to be used in making the string, the different

¹ Wilson, vol. IV, p. 299.

² *J.A.O.S.*, XIII, p. 273.

³ p. 402.

⁴ *J.A.O.S.*, XIII, p. 274.

⁵ p. 102.

⁶ *Agni.*, p. 399; Oppert, p. 11.

⁷ *Arth.*, p. 102.

⁸ *Yukti.*, p. 175.

⁹ *Arth.*, p. 102.

¹⁰ *Agni.*, p. 399.

¹¹ *Arth.*, p. 102.

¹² Śl. 34-64 ff.

varieties of these instruments, the method of preparing and sharpening the shafts—all these topics have found a masterly exposition in the work.

Certain word signs of Indo-Sumerian seals, whatever their phonetic value, look like arrows.¹ The bas-reliefs of Sanchi² give apt illustrations of these weapons. The bows represented there are shorter than the bearers, and were probably four feet in length. This is against the statement of the Greek historians, that Indians used heavy bows. But probably both the light and the heavy bows were in existence; the former was used by the foot soldier and the latter by the chariot warrior. Some of the bows have a double curve, the middle point of the staff bulged out a little. The exact prototype of it can be seen in the modern ornamental bows used in Ramlila performances in northern India. The arrow seems to be from three to five feet in length, and it is drawn to the ear while taking aim. The quiver looks quite picturesque on the right side of the back of a soldier. It is fastened by means of leather straps, which are passed over both shoulders, crossed in front and carried to the back, where they are passed through a ring at the end of the quiver and then carried to the front and again crossed, the ends being secured by loops to the upper straps.³ At Bhuvaneśvara the bow is strengthened by tying knots at short intervals.⁴ The coins cannot sufficiently give us an idea of the length of the bow. Some bows cover the entire height of the warrior and so support the contention of Greek writers. The quiver given on the coin of Candragupta II hung on the right side of the back of the king. The coin of Kumar Gupta I demonstrates to us the method of shooting with the bow and the arrow.

South India was not deficient in the manufacture and use of this arm. Dravidians knew this weapon well from the beginning of their written history.⁵ The huge figures of warriors, particularly that of Arjun carved out in the Minākṣhi temple of Madura, well-nigh prove its existence in south India as an efficient instrument of fighting.

The bow was held with the left hand; the arrow was drawn by the right hand from the quiver, and discharged from the bow with great

¹ Waddell, *Indo-Sumerian Seals Deciphered*, p. 35.

² *Bhilsa Topes*, p. 317. ³ *Bhilsa Topes*, p. 216.

⁴ *Indo-Ary.*, p. 298. ⁵ *Drav. Ind.*, pp. 182, 248.

force after it was brought back as far as the ear. The use of the weapon and the positions of the body on different occasions are very minutely described in the *Agnipurāna*.¹ This shows how much importance was attached to the specialization of skill in the use of arms. The same valuable work has also given us the details of training, and the steps by which general efficiency in using arms was secured. For want of space, however, it will not be possible to deal with this question any further.

B. OTHER OFFENSIVE WEAPONS

The weapons of this group were not in general use at the time of the Vedas, when the bow and arrow were most popular. But even then they were not unknown. In the later periods, however, the bow slowly lost its reputation and other offensive weapons were received with greater favour. This process continued till the Muhammadan conquest, when the sword attained a position of unchallenged importance. In the *Yuktikalpataru* of King Bhoja we find that he gives the minutest details of the fabrication and use of this arm, though other weapons are summarily dealt with.

1. *Javelin and Spear*

These arms were seldom used by the Vedic Aryans. They named the spear and javelin *ṛṣṭi*, *rambhini*, *sakti*, *saru* and *paritra* or *pavirava*.² In the *Mahābhārata* they acquired a place of a great deal of importance. There are several names by which they are designated: *sakti*, *paṭṭisa*, *ṛṣṭi*, *kunṭa*, *kaṇapa* and *kunapa*.³ But it is difficult to make out exactly their subtle differences. *Sakti* was a spear or javelin commonly used by a car warrior. It was made of iron and was plated with gold and adorned with bells.⁴ The spear, like other weapons, was oiled so that it might cleanly pierce the body of the foe. *Paṭṭisa* was probably a spear used by the knight, and *ṛṣṭi* belonged to the common soldier. Like *ṛṣṭi*, *kunṭa*, *kaṇapa* and *kunapa* were iron projectiles. Kauṭilya makes mention of only three of these weapons, and says nothing as to their uses. *Sakti* and *kunṭa* were, according to this author, arms with edges like ploughshares.⁵ *Paṭṭisa* was a razor-like weapon. It was a javelin according to *Agnipurāna*. Sukra gives

¹ *Agni.*, p. 398 f. ² *Ved. Ind.*, vol. II, p. 417.

³ *Rām.*, pp. 1206, 1256, 1403; *Mbh.*, 290, 24.

⁴ *Mbh.*, VII, 106, 29. ⁵ *Arth.*, p. 121.

only the measurements of some of these weapons, without giving any other particulars.

*Paṭṭiṣa*¹ was as long as the body of a man, with sharp edges on both sides and had a handle. The *kuṇṭa* was ten cubits long and had a handle. Vaiśampāyana's idea of *śakti* is exactly like that of the *Mahābhārata*: but the *kuṇṭa* was made of iron, had a sharp top and six edges. It was six or ten cubits high, and was round at the foot end. Unlike other authors, he calls *prāsa* a spear. It was made of bamboo, which was coloured red and had a handle of metal. It was sharp at the foot end. He also gives one more spear, viz. *gośṭrṣa*. It was two feet long, with a wooden handle and an iron blade. It was sharp in front and broad in the middle.²

It will not be out of place to include the trident in this class of weapons. It was practically a spear or javelin. This arm seems to have attained a place of great prominence from the epic period of Indian history. There are numerous references to this weapon in the epics.³ It was commonly known as *trīśūla*, *pināka* or *śūlaśakti* (a spearheaded trident). In almost all the important political treatises this weapon has found a place.⁴ It is probable that the abridged form of *trīśūla* was *śūla*, or the latter may have been a light javelin.

That the Indians were expert in handling the javelin and spear is a fact supported by many foreign observers. Ktesias⁵ thinks them to be 'fell marksmen in hurling javelins'. A horseman carried two lances like the ones called *sannia*.⁶

Greek coins of Bactria bear a good many representations of lances, javelins and tridents. On the coins of some Indian kings also these weapons can be seen.⁷ Three different kinds of tridents and also a javelin are found at Sanchi (see numbers 10, 15 and 16 in the appendix). From the actual drawing we can get a sufficient idea of what sort of weapons our forefathers were using in the days of old.

The instruments of this group were equally popular with the non-Aryans. The *Kurral*⁸ especially mentions a lance in two places, although that work is silent with regard to other weapons used in

¹ *Sūkra.*, p. 237. ² Oppert, pp. 13, 17, 19.

³ *Rām.*, p. 1257; *J.A.O.S.*, vol. XIII, p. 291.

⁴ *Arth.*, p. 101; *Agni.*, p. 404; Oppert, p. 20; *Yukti.*, p. 140.

⁵ p. 86; *Yuanchwang*, p. 171. ⁶ *Arrian*, p. 221. ⁷ Yandhiya coin.

⁸ p. 107.

Dravidian India. Mr. Alexander Rea's excavations at Adichanallur have clearly proved that spears were used in south India at a very early date.¹

2. Thunderbolt

The identity of the *vajra* or thunderbolt was comparatively unknown till recently. But the article by Mr. N. G. Mujumdar, in the *Journal of the Department of Letters*,² Calcutta University, has brought the subject nearer solution. The thunderbolt, in all important countries of the globe that bear philological affinity with each other, e.g. Babylonia, Assyria, Greece, etc., was more or less identified with the trident, axe and spear. Vedic literature is, however, vague with regard to its make. But it was regarded as the deadliest weapon by Vedic society, and the strongest objects were compared with it, e.g. *vajra vai ratham*.³ Indra held the weapon, and he was the thunder deity in Vedic lore. Associated with Indra was another Vedic deity of thunder, viz. Rudra, whose successor in the epic mythology was Śiva. But this deity was not quite peculiar to this country. In all the Aryanized societies Śiva was taken to be a principal object of worship. His attribute everywhere is the trident. It appears in many artistic remains of western Asia from the second millenium B.C.,⁴ but in those designs it bears wavy prongs which are indicative of lightning. From western Asia it found its way into Greece farther west, and into India towards the east. The Greek trident was called *triania*⁵ and its Indian species was known by the name *trisūla*.

On the Kušan coins representations of the double axe appear as bolts. The same weapon is placed in the hands of *vajrapāṇi* figures, some of whom hold also an axe, celt or hammer to signify the bolt. In all the countries claimed by the Aryan stock those articles were regarded as thunderbolts. In the *Yajurveda*⁶ the axe is definitely called the thunderbolt. 'The axe is the thunderbolt, the splinter of the sacrificial post is the thunderbolt.' 'Axe harm him not,' he says, 'the axe is the thunderbolt; (verily it serves) for atonement.' In short, the axe, hammer and such other implements are symbolical of thunder as far as the early period is concerned.

¹ *Drav. Ind.*, pp. 44, 182, 248. ² vol. XI.

³ *Tatt. Br.* (Anandaśrama ed.), vol. I, p. 139.

⁴ See illustration in W. H. Ward, *Seals and Cylinders of Western Asia*.

⁵ *Thunder Weapon in Religion and Folklore*, p. 43 f. ⁶ VI, 3, 7, 9.

The trident is seen in the Indian plastic arts from the second century B.C. It is combined with the double axe on the coin of *Audumbāra*, Indo-Greek, Kuśāna and even Gupta coins. Sometimes the double trident represents the thunderbolt, e.g. on the coin of Nahapāna and in the *vajra* of Udaigiri.¹ It is likewise denoted often by a double spear. To the Eastern Iranians the weapon was a missile or spear *vazra* (Zend),² *vajra* (Samskr̥ta). A divine figure in Dandan Uiliq, in Central Asia, holds a double spear as a thunderbolt. It is obviously a figure of *Vajrapāni Bodhisatva*, and its attribute is the *vajra*. To state the proposition in a nutshell, the thunderbolt was taken to be one or all of the following implements: trident, axe, combined axe and trident, the double axe, the double trident and the double spear.

3. Club

It has been noted in the last chapter that the most primitive tribes in the world used a stick or log of wood as an effective weapon. It continued to be thus used, though, by reason of an advance in civilization, the method of its manufacture gradually changed, and it came to be made entirely of iron. *Pināka* and *drughana* in the Vedas probably mean a club, and whatever be the phonetic value of the word signs on Indo-Sumerian seals, some of them certainly look like a club.³ At the time of the *Mahābhārata* it acquired considerable popularity. The sword was regarded inferior to this weapon. Noted warriors in the great war, Bhīma, Śalya, Duhśāsana, Duryodhana, etc., were clubmen. Bhīma once led an army of clubmen in the field.⁴ A vivid and thrilling description of the duel fought between Duryodhana and Bhīma is given in the ninth book of the great epic. It shows what sort of skill was required to wield this arm. The weapon was known by several names: *gadā*, *musala*, *pināka*, *pariḡha*, etc. In the *Rāmāyana*,⁵ too, mention of this weapon is very frequently made. The club during the epic times and later was partially and sometimes entirely made of iron. Kauṭilya calls *gadā*, *musala*, *yaṣṭi*, movable machines; but the terms do not give us an exact idea of the weapons. Probably they were different kinds of club. Later writers do mention this weapon, which

¹ See Appendix.

² Waddell, pp. 35, 41, 83.

³ pp. 1478, 1191, 1206, 1403.

⁴ *Yi.*, 10, 96 and 132.

⁵ *Mbh.*, VI, 19, 32.

they call *gaḍā*, *laguda*, or *yaṣṭi*.¹ The latter two terms only mean heavy rods.

4. *Axe*

Its identity with *vajra* has been already discussed above. The Vedas mention it as *paraśu*, *paśu*, or *svadhiti*. In mortal combat, however, it does not take any substantial part in Vedic society; at any rate, there is very scanty reference as to its use in warfare. It came into considerable vogue during the epic period. The battle-axe was regarded as Paraśurāma's special weapon.² There was some difference between *paśu* and *pāraśvadha*, but what it was is a matter of doubt. The weapon was in general use in the later period of ancient Hindu history.³ A figure of this weapon is given in the appendix. With regard to its representations on coins and sculpture, much has been said in the discussion on the nature of a thunderbolt. So the subject need not detain us any further.

5. *Discus*

This instrument was known to the Vedic Aryans,⁴ but it does not seem to have been generally used in war. Later it became a favourite weapon with the Indians. It was not like the *kirpan* of the Sikhs. It had diagonal bars in the middle and pointed projections on the periphery.⁵ Its common name is *cakra*, but a commentator on Amara calls it *prāsa*.⁶ Kauṭilya⁷ and Śukra⁸ regard it as a razor-like weapon, and, according to the former, it is six cubits in circumference. Vaiśampāyana's idea of it is somewhat different. It is, according to him, a sort of circular disc with a quadrangular hole in the middle.⁹ Its uses are cutting, piercing, felling, whirling and severing.¹⁰ In the Viṣṇu temples of Śrirangam (Trichinopoly) and Conjeevaram we can see the figures of *cakra*. Even the houses of Vaiṣṇavas bear them, and it was an established practice among them to have their arms branded with it.

¹ *Agni.*, 403, 405; Oppert, pp. 14, 20; *Yukti.*, p. 139.

² Waddell, p. 61.

³ *Arth.*, p. 102; *Agni.*, p. 405; Oppert, p. 17; *Yukti.*, p. 140.

⁴ *Rv.*, III, 35; Waddell, p. 83. ⁵ *Indo-Ary.*, vol. I, p. 312.

⁶ Wilson, vol. IV, p. 300. ⁷ *Arth.*, p. 102. ⁸ *Sukra.*, p. 237.

⁹ Oppert, p. 15. ¹⁰ *Agni.*, p. 404.

7. *Sword*

From the very dawn of civilization the sword was used as a war weapon. It was of two kinds : (1) the long sword, and (2) the dagger or short sword. Both these sorts were known to the Vedic Aryans ; the former was called *asi*¹ and the latter *kṛti*.² The sheath (*vavri*)³ to which the belt (*vala*)⁴ was attached, is also mentioned. The Epics maintain this distinction : *asi*, which is sometimes called *mahāsi* or *dīrghāsi*, may be taken to be a long sword, while *nistrimsa* was probably the short one. The *koṣa* (sheath), containing the sword, was hung by the side of a warrior by means of *mekhalā*⁵ (belt). The *Asiyasti*, mentioned by Kauṭilya,⁶ was probably a dagger. In the opinion of Śukra the sword should be four cubits in length and edged like the razor.⁷ Vaiśampāyana knows a dagger or short sword which was fastened with waist-belt.⁸ He did include *asi* or *khadga* in his catalogue of weapons, because he regarded that instrument as superior to all other implements enumerated by him.⁹ The sheath and sword in Ancient India were suspended by means of a belt on the left side of a warrior, and the weapon was unsheathed by the right hand.¹⁰

The sword became a popular weapon by the time of King Bhoja. I know of no other writer who has so elaborately dealt with the manufacture of this instrument. The royal author has devoted about forty-five pages of his book¹¹ to this most important subject. It shows that on the eve of the Muhammadan conquest the country came to learn the effectiveness of the sword in close combat. The treatment of the subject is very technical. He elaborately describes the classification of the sword, the kind of iron to be used for the fabrication of each class, the sharpening of the instrument, its form, shape, measurement and other allied matters.

The Bṛhat Samhitā of Varāhamihira¹² also contains a lengthy description of the sword. But it is full of exaggerations, absurdities and superstitions then prevailing among the people. It only helps us to understand that the instrument was held in very high esteem by contemporary warriors.

Arrian¹³ bears sad testimony to the fact that the Indians were very unwilling to be engaged in close combat. In hand-to-hand fight

¹ *Av.*, IX, 9, 1. ² *Rv.*, I, 168, 3. ³ *Kāth. Sam.*, XV, 4. ⁴ *Ibid.*

⁵ *Mbh.*, VII, 111, 51 ; *Rām.*, pp. 1127, 1132, 1163, 1191, 1206, 1403.

⁶ *Arth.*, p. 102. ⁷ p. 237. ⁸ Oppert, pp. 13, 17, 21. ⁹ *Ibid.*, p. 24.

¹⁰ *Agni.*, p. 403. ¹¹ *Yukti.*, pp. 141 ff. ¹² chap. IV. ¹³ p. 221.

they usually made use of 'a sword which is broad in the blade but not longer than three cubits'. They held it with both hands to deal a heavy blow on the foe. At Sanchi¹ the same form of sword has been observed. There is another specimen, at the same place, carried by a porter.

7. Boomerang and Noose

The boomerang is mentioned only in the *Nīliprakāśikā*. 'It has a knot at the foot, a long head, and is a hand broad. Its middle part is bent to the extent of a cubit. It is sharp, black coloured, and two cubits long. Whirling, pulling and breaking are its three actions, and it is a good weapon for charioteers and foot soldiers.' The weapon was in general use among the aboriginal and Dravidian tribes of India. Specimens of it may be seen in the catalogue of weapons edited by Egerton.²

The noose was a great favourite of Aryan, as well as non-Aryan tribes. The earlier Vedas³ make mention of it, but in the *Atharva*,⁴ snares, traps and nets are quite common contrivances adopted by later Indo-Aryans. Its common name is *pāśa* or *rajju*, and it was used to throttle the foe.⁵ It was also used as a lasso, and was in consequence called *padabandha* or *nāgamastram*.⁶ The best description of the noose is found in the *Agnipurāna*: 'A *pāśa* should measure ten cubits in length, its end terminating in a loop, and its face end should be retained in the hand. The string of the noose should be made either of cotton twists, or threads, or ropes of *munja* grass or *bhanga*, or of leather, or sinews of animals, or any other thing measuring thirty cubits in length and folded up in three coils or thongs. The preceptor should look to the weapon being placed on the left side of the body of a disciple. The noose should be taken hold of with the left hand, then taken over in the right, and cast by whirling it round over the head, and then again put in the leather sheath. Then he should examine his disciple in the art of casting a noose on the back of a horse in full gallop, trot or canter.' A '*pāśa*,' according to *Vai-shampāyana*,⁷ 'is composed of very small scales made of metal. It has a triangular form, is one span in circumference, and is ornamented with leaden balls. Spreading, covering, and cutting are its movements.'

¹ See Appendix. ² *Illustrated Handbook of Indian Arms*, p. 78, 1-7.

³ *Rv.*, IX, 83, 4; X, 73, 11. ⁴ Bloomfield, *Atharva*, p. 75.

⁵ *Rām.*, pp. 1252, 1382. ⁶ *Mbh.*, VIII, 53, 24. ⁷ p. 402 f.

⁸ Oppert, p. 15.

The weapon is sometimes shown in sculpture. On the Rani Naur frieze, at Udaigiri, some nooses are discernible on the body of an elephant in a cave. There is one more in the hand of the assailant of the animal.

8. Miscellaneous Weapons

(a) *Bhindipāla* or *Bhindivāla*. From all accounts¹ it seems that this instrument was a heavy rod thrown against an enemy like a missile. Its special work was 'battering, cutting, breaking, dealing strokes like those of the *laguda*'.² It appears that it was used also in pulling down fortifications.

(b) *Tomara*. It was a kind of dart with a wooden handle and having a hook at the end.³ It was besmeared with poison, and was in consequence called *viṣatomara*.⁴ Other authors⁵ think that it was a weapon with edges like a ploughshare, and that it was not crooked.

(c) *Bhusuṇḍi* is described as a projectile hand weapon made of iron. *Mudgala* (hammer) was also a missile made of iron. *Hala* (plough) was an equally heavy weapon regarded as a special arm belonging to Balarāma. *Salāka* and *sanku* were sharp stakes, perhaps of wood.⁶

(d) *Dantakaṅṭaka*⁷ is a thorn-like instrument made of metal, is broad at the front, has a thin tail, and its colour resembles charcoal. It is an arm high, has a good handle, and is straight in its body. *Lavitra*⁸ has a crooked shape, is broad at the base and sharp in front. It is black coloured, five thumbs broad, one cubit and a half high. *Sthūna*⁹ has a red body and many knots standing near each other. It is as high as a man, and straight. *Parigha*¹⁰ is a battering ram.

(e) There are certain weapons whose nature cannot be determined exactly. *Kṣuraṣṛānta*¹¹ seems to be a razor-like weapon. *Kṣapaṇi*¹² was probably a machine for throwing stones, etc. *Keyura*¹³ was perhaps a crow, and *vatsadanta* was some sharp instrument with edges like the teeth of a calf. The nature of *kuntalas* and *tālaskandhas* cannot be accurately determined. The nature of *ekadhāra*¹⁴ is equally difficult to be ascertained. *Ardhacandra*¹⁵ was apparently a half discus.

¹ *J.A.O.S.*, XIII, p. 290; *Rām.*, pp. 1382, 1403; *Arth.*, p. 101; Oppert, p. 13.

² *Agns.*, p. 405. ³ *J.A.O.S.*, XII, p. 291. ⁴ *Mbh.*, V, 155, 1.

⁵ *Arth.*, p. 101; Oppert, p. 14. ⁶ *Mbh.*, VII, 25, 50; VI, 46, 34.

⁷ Oppert, p. 15. ⁸ *Ibid.*, p. 18. ⁹ *Ibid.*, p. 19. ¹⁰ *Ibid.*, p. 22.

¹¹ *Sukra.*, p. 237. ¹² *Rām.*, p. 1310; *Agns.*, p. 405. ¹³ *Rām.*, p. 1256.

¹⁴ *Sukra.*, p. 237. ¹⁵ *Yukti.*, p. 139.

Besides these there are about twenty-five weapons given in the *Arthasāstra* whose nature cannot be made out with sufficient exactitude.

C. FOUL GASES, BURNING OIL, ETC.

The deadly effect produced by the asphyxiating gas in the last European war is fresh in our memory. But it is noteworthy that the use of foul gas in war was known to the Indians from the earliest times, and its application seems to have been quite common in this country. The stench produced by burning a rotten rope created havoc in the ranks of the enemies of the Aryans of the *Atharva Veda*: 'May the rotten rope wafting itself against yonder army turn it into a stench. When the enemies see from afar our smoke and fire, fear shall they lay into their hearts.'¹ About half a dozen formulæ are given by Kauṭilya.² The smoke produced by burning those powders either kills a man on the spot or causes some serious physical disability. Pitch, burning oil, hot sand, balls of hot iron, pots of poisonous stuff, snakes, baskets filled with coal, etc., were thrown upon the enemy from the backs of elephants and sometimes by the infantry.³

D. DEFENSIVE WEAPONS

India was rich in defensive armaments from the earliest period of her history. Like their Iranian cousins, the Vedic Aryans were fully clad in coat of mail, helmet and arm protectors. The commonest names for armours were *kavaca* and *varman*.⁴ The sense of *drāpi* is rather uncertain. We learn nothing either from Avesta or Vedas as to the materials they were made of. But certain pieces were sewed together to make a coat of mail. Those pieces were apparently metal or leather. The head of a warrior was protected by a helmet (*śipra*⁵), and a hand guard (*hastaghna*) was fastened to protect the arm from the friction of the bow string.

These kinds of armour were used in the epic period, but *kavaca* was sometimes studded with precious stones.⁶ The peculiarity of the epic arms consisted in the use of a shield and a finger protector.⁷

Kauṭilya⁸ supplies more definite information on this point. Each limb of the body has a special protective armour. *Lohajālīka*,

¹ *Av.*, VIII, 8, 2; *S.B.E.*, p. 117. ² *Arth.*, book XV, chap. 1.

³ *Mbh.*, V, 155; XV, 23, 4. ⁴ *Ved. Ind.*, II, p. 271; I, p. 383, 61.

⁵ *Ibid.*, II, p. 501. ⁶ *Mbh. Adiparva*, 30, 46. ⁷ *Rām.*, 1132, 1153.

⁸ *Arth.*, p. 102.

paṭṭa, *kavaca* and *sutraka* are different varieties of armour made either of iron or leather. Then there are the helmet (*śirastrāna*), neck guard (*kaṅthatrāna*), cover for the trunk (*kurpāsa*), a coat extending as far as the knee joints (*kancuka*), a coat extending as far as the heels (*varvana*), a coat without cover for the arms (*paṭṭa*) and gloves (*nāgodārīka*). Besides these, other inferior kinds, either made of leather or wood, are mentioned.

In course of time, leather was so profusely used in making armour that the word *carma* (leather) came to mean armour itself.¹ Curiously enough, the *carma*, i.e. armour, was classified into two varieties, one made of leather and the other of wood. According to Vaiśampāyana, *mayūkhī* was a rod with a shield attached to it.

Ktesias² mentions 120,000 shields being presented to Kynokephaloi by the king, and Arrian³ also informs us that: 'In their left hand they carry bucklers made of undressed ox hide, which are not so broad as those who carry them, but are about as long.' Yuan Chwang, too, agrees with Arrian that the Indians used a very large shield.⁴

Sculptural evidence regarding the shield of Ancient India is very ably given by Dr. Rajendra Lal Mitra.⁵ The relevant portion from it is quoted to complete the treatment of the subject. 'The shape of the instrument (shield) was ordinarily circular, as in the woodcut No. 155 from the temple of Bhuvaneśwara. But it was not invariably so. Woodcut No. 156 shows an oval shield; and oblong shields made of boards or wicker-work covered with leather, with sometimes an iron rim, very like the *scutum* of the Romans, were not unknown; and small bucklers of an oblong or irregular shape were common. The former occur repeatedly at Bhuvaneśwara (woodcut No. 157, taken from the figure in the Indian Museum), and the latter at Sanchi.⁶ At Khāṇḍagiri there is a shield, the top and side of which are rectilinear, and the lower part pointed. Judging from the extent of the body it covers, it was probably two and a half feet long, and had a prominent ridge in the middle. At Sanchi two instruments have been noticed of a similar shape, but with the upper edge rounded, the ground of the one being plain and that of the other bearing a diagonal cross (woodcuts Nos. 160, 161, taken from

¹ *Yukti.*, p. 174. ² *Ktesias*, frag. I, p. 24. ³ p. 221.

⁴ *Yuanchwang*, vol. I; *Oriental Translation Fund New Series*, vol. XV, p. 171. ⁵ *Indo-Ary.*, p. 320. ⁶ See Appendix.

Fergusson's *Tree and Serpent Worship*). . . . At Bhuvaneśvara some of the circular shields are padded inside and held by two straps tied to four rings. The ornaments on these shields were limited to a few metal bosses of stars, probably of brass, and rarely a tessell. But at Kanarak a specimen has been seen which is most elaborately ornamented (woodcut No. 163).'

The coins of Sophytes and Vima Kadphises bear heads of kings with helmets. The coin of Vasudeo shows the king wearing a suit of chain mail.

E. FLAGS

Though innocent in themselves, flags and banners have exercised a capital influence over the warriors throughout the whole course of history. Indeed, a flag is of the highest inspirational value and a rallying point for a demoralized army. It brings back life and energy among the soldiers. It has always been a custom among the belligerents to attack the flag of their opponents to reduce the enthusiasm of the latter. The capture of the flag usually sounded the death-knell of the party that lost it.

Vedic Aryans and their Iranian neighbours¹ knew the value of banners in war. The name by which the banner was commonly known was *dhvajā*,² and it was customary amongst Aryans to discharge arrows against the banners of the enemy. The other names of Vedic banners are *akra*, *kytadhvajā*, *ketu*, *byhatketu*, *sahasraketu*, *sutketu*,³ etc. Flags—*dhvajā*, *ketu*, *patākā*—are mentioned in the epics.⁴ Hopkins describes in a small compass the nature of the epic flag:⁵ 'The standard of a great knight is well spoken of as the upholder of the whole army. They (flags) are not, however, national, but individual. . . . We have next to distinguish between ensign and banner. At the back of the car, perhaps on one side, rises a staff, straight up high from the floor. The main staff, I incline to think, was in the back middle of the car, while the little flags were on the sides. The staff bore the design at its top, and apparently below the staff floated the flag. The flag pole was often the first objective point of the foes' arrows (cf. Vedic practice). When the symbol falls, the whole

¹ *East. Iran.*, p. 19.

² *Rv.*, VII, 85, 2; X, 103, 11.

³ *Mah. Jñān.*, vol. III, p. 341.

⁴ *Mbh.*, I, 63, 17; *Rām.*, pp. 1275, 1290.

⁵ *J.A.O.S.*, XIII, p. 243 f.

party falls into dismay and disorder. On the top of the staff was placed the *dhvajā* or *ketu*, the former meaning sometimes the whole arrangement, staff, image or banner; the latter, the symbol or banner alone. This image was the likeness of some animal, as a boar or flamingo. Thus the *vānara*, or ape sign, of Arjuna was placed on the top of the *dhvajā*, and his car is usually termed "the car with the ape standard". Karna had a *hastīkaśya*, Droṇa a steer; still others bore peacocks, boars, elephants, etc.'

The Mauryan army was divided into different sections, and each one bore a distinct flag of its own. In peace, and even in war, the commander-in-chief was to 'designate the regiments by the names of trumpets, boards, banners or flags',¹

King Bhoja² calls it a distinctive mark (*Senā cihna*) of the king, and gives the kinds of wood best suited to make its staff. The symbols of different animals placed upon the standard are productive of peculiar results, and in view of those probable consequences apt names are given to each of them.

The Tamil tribes³ of the south had a distinct banner for each, to distinguish it from other tribes. The leader and his men sometimes bore the plant *vetchi* or any other wreath for that purpose.

At Sanchi the flag is carved out as an oblong piece of cloth, with or without diagonal stripes, or a number of staffs.⁴ At Bhuvaneśvara it is usually triangular and of plain ground.⁵

F. DRUMS, TRUMPETS AND OTHER INSTRUMENTS, WAR CRIES

War music was not altogether neglected in Bhāratavarṣa and in south India.⁶ Of course, the primitive instruments of war music were crude, but they created a fresh breath of enthusiasm among the warriors with the same degree of intensity as is produced by the refined instruments of these days. In a series of animated stanzas of Atharva, an inspiring account in praise of the battle drum gives us a vivid picture of the bubbling energy which the Aryan conquerors displayed in the dim past. The sound of the drum was a signal for the mobilization of the Vedic host. 'A shouting herald was followed by a bold army, spreading news in many places, sounding through the villages, eager for success.'⁷ The instrument was made of wood and

¹ *Arth.*, p. 140. ² *Yukti.*, p. 68. ³ *Drav. Ind.*, pp. 182-83, 250.

⁴ *Bhilsa Topes*, p. 215. Woodcuts Nos. 164, 165. ⁵ *Indo-Ary.*, I, p. 330.

⁶ *Drav. Ind.*, p. 182. ⁷ *Atharva*, 5, 1, 9; *S.B.E.*, p. 131.

equipped with the skin of the cow or that of an antelope. It was 'anointed with ghee'.¹

In epic wars the troops marched in the battlefield in the din of trumpets, drums and conch shells, etc.—i.e. *bherī*, *paṇava*, *anaka*, *gomukha*, *śankha*, *mṛdunga*, *kumbha*, etc.² We have no definite idea with regard to their make; but they were probably like the instruments usually seen in the army of several Indian states of Rajputana and Central India. Conches were held in great estimation by the epic warriors, each of whom had a renowned piece of his own, e.g. Kṛṣṇa had a conch shell by name *pañcajanya*; Arjuna had *devadatta*; Bhīma had *paṇḍra*; Yudīṣṭhira, *anantavijaya*; Nakula, *sughoṣa*; and Sahadeva, *manipuṣpaka*.³

Sometimes military commands were given by means of trumpet sounds which were to be kept quite secret. 'None besides one's own troops are to know the signs for the formation of the battle order communicated by bugle sounds.'⁴ All this shows that Ancient India had seen well-drilled and disciplined fighting forces.

The war cries of Ancient India are very interesting. They were commonly known as *jayaghoṣa*. They are in vogue even in these days. Besides these cries, other significant sentences were uttered by the warriors, e.g. Make an attack,⁵ Retire to camp,⁶ Come to the rescue,⁷ and so on.

G. ARMS OF THE GODS AND MUKTĀMUKTA

It will not be out of place to write a few words about the weapons usually ascribed to the gods or those that were discharged after invoking the help of any superhuman agent.

All the important deities of the Vedas and the Hindu Pantheon are represented as having wielded weapons used by mortals. Śiva's weapon is the trident; Viṣṇu holds the discus and club; Umā (the wife of Śiva) carries bow, discus, noose, sword (*khaḍga*) and other weapons; Yama uses the *danda*; and Indra the bolt. Lesser deities use those or other ordinary weapons. But sometimes mortals are endowed with superhuman powers of destruction. They cast

¹ Ibid., pp. 130, 132.

² *J.A.O.S.*, XIII, p. 199; *Rām.*, pp. 1275, 1290; *Gītā*, I, 13.

³ *Gītā*, I, 14-16. ⁴ *Sukra.*, p. 243; *Arth.*, p. 140.

⁵ *Mbh.*, 7, 187, 51; 7, 188, 27; 6, 99, 21.

⁶ Ibid., 6, 49, 53; 96, 79; 107, 5. ⁷ Ibid., 7, 158, 5.

weapons backed by the power of a god. These are then called *mantramukta*, instruments, or *astras*. Each god gives his special *astra* to a mortal. Thus there are as many weapons as there are gods: e.g. the *pāśupata*, or *brahma śirāsa*, is the *astra* of Śiva. Then there are *agneyāstra*, *aindramastram*, *kuberāstram*, *vāruṇāstram*, *rudrāstram*, *gandharvāstram*, *sūryāstram*, *māyāstram*, *ādityahṛdaya*, *vāyavyāstram*, *brahmāstram*, *nārāyaṇāstram*, *viṣṇucakra*, etc.¹

¹ For detailed information about the weapons of gods, see E. W. Hopkins, *Purāṇic Mythology*, pp. 123 ff., 205 f., 223 ff.; also see *Br. Śā. Pad.*, p. 282; Oppert, p. 30; *Rām.*, pp. 1451, 1453, 1469, 1326, 1357.

CHAPTER IV

APPARATUS OF WAR (*Contd.*)

IN this chapter two kinds of armaments of considerable importance will be dealt with. They are forts and cannons. The reason for not treating them separately is that they are always linked together in ancient Indian warfare. The words *sataghni*, *yantra*, etc., almost always occur in the description of a siege of any fort. These instruments are mounted on the forts, which are themselves reduced by means of these engines. These two armaments are, therefore, described together in one chapter on account of their invariable association in Ancient India.

Forts were a capital means of defence from the very dawn of Indian history. The Dravidian races, while resisting the inroads of their Vedic conquerors, took shelter in their fortified places.¹ These fortresses were built in the Himalayan fastnesses, commanding and obstructing the entrance of the foreign hordes. The material with which they were constructed was only wood, and so it was quite an easy affair for the Aryans to destroy them by fire.² The Aryans also created forts for themselves. The commonest word used by them to denote a fortress was *pura*, other equivalents being *durga*,³ *dehi*,⁴ and *mahāpura*.⁵ These fortresses are described as being of considerable size. They were very broad (*pṛthvī*), and wide (*urvi*), had sometimes a hundred walls (*śatabhujī*),⁶ and were built of stone⁷ or perhaps brick (*āra*).⁸ Sometimes forts of iron (*ayāsti*)⁹ are spoken of, but the word is most probably used metaphorically to indicate the invincibility of the strongholds. A ditch was also dug out all round the place to obstruct the passage of the enemy trying to come inside.¹⁰ These fortifications were, many times, in a state of siege.¹¹ Their reduction could hardly have

¹ *Drav. Ind.*, p. 182. ² Ragozin, *Vedic India*, p. 323.

³ *Rv.*, V, 34, 7; VII, 25, 2. ⁴ *Rv.*, VI, 47, 2; VII, 6, 5.

⁵ *Tait. Br.*, VI, 2, 3, 1. ⁶ *Rv.*, I, 166, 8. ⁷ *Rv.*, IV, 30, 20.

⁸ *Rv.*, II, 35, 6. ⁹ *Rv.*, I, 58, 8; X, 101, 8. ¹⁰ *Rv.*, VI, 47, 2; VII, 6, 5.

¹¹ *Tai. Sam.*, VI, 2, 3, 1; *Ait. Br.*, 1, 23; *Sat. Br.*, III, 4, 3-5; *Ved. Ind.*, vol. II, p. 418.

been brought about by storming them. Blockade seems to be the usual mode adopted. *Cariṣṇu* was perhaps, like the Trojan horse, a means of assaulting a fortified town.¹

The forts in the Vedic period were of a rough sort. Constructional engineering was not sufficiently developed as it was in the post-Vedic and Epic periods. A place of great strategic importance was enclosed by means of strong ramparts, within which there were parade grounds, barracks for soldiers and out-houses for menial servants. The fort was equipped with all implements of war, and was provided with foodstuffs and fodder. The inmates received also an abundant supply of water within the fortifications. A moat was dug round the walls, and crocodiles were allowed to live in its deep water. Even in the body of the water, sharp shafts were fixed so as to make the passage across it almost impossible. During the time of siege the traffic of liquor was strictly forbidden and the dancers and songsters were turned out, possibly for fear that they were likely to communicate information of vital importance to the enemy. In fact, spies, disguised as dancers, songsters, *sadhus* and *sanyasis*, were in the habit of betraying the secrets of the opposite party. So no egress or ingress was possible without an accurate knowledge of the watchword (*mudrā*) of the day.²

A drawing herewith attached will considerably help the reader to understand the idea of a fort as conceived by Kauṭilya. The dimensions of different parts of the fortress given therein need not be repeated over again. None the less, a general description will be of great interest. The fort was surrounded on all sides by means of three ditches, each longer than the one succeeding it. The sides of the ditches were made of bricks and stones, and were filled with perennial flowing water, in which crocodiles moved and lotus plants grew profusely. Just near the innermost ditch a rampart of very huge proportions was constructed of mud, trampled down by elephants and bulls. The space between the rampart and the ditch was strewn with thorny bushes, sharp instruments, sands, etc., after the fashion of the barbed wire entanglements used in the Great European War. The wall was square at the bottom and bulged out at the centre. Poisonous weeds and plants were grown to scare away the enemy, if they at all ventured to approach the walls. At

¹ For general information on the Epic fort, see *Vana Parva*, chap. XV, and *Yuddha Kaṇḍa*, canto 3. ² *Arth.*, book 2, chap. III.

the top of the fortifications were built parapets, with the intermediate space of twelve or twenty-four *hashtas* between two of them. Towers were also constructed at intervals. A huge entrance gate measured about thirty-six feet in length. Beautiful paths were laid out for the easy access of the soldiers garrisoned within the walls, and places above the rampart gave cover to the archers, who defended the stronghold. Probably in the middle of the enclosed space was the pillar which in the forts of Mahārāṣṭra is styled the *bāle-killā*. This building was regarded as most important, and considerable attention and great engineering skill were required to make it an efficient means of defence.

The place was abundantly provided with food, fodder and drinking water. A trench held all the weapons of war quite safely. With regard to the buildings within the fort considerable details are given, but they are not compatible with our subject matter.

Kautilya classifies the fort into four varieties: (1) water fortification, (2) mountain fortification, (3) desert fortification, and (4) forest fortification. Of these, the first two are suitable for the protection of populous centres. The fort may be circular, rectangular or square in form.

The first step during the operation of a siege, of course, is the emptying of water from the ditches or filling those cavities with earth. But, curiously enough, the author makes a suggestion of filling them with water if they are found void. These hollow places must be filled up by the assailants to create an easy passage towards the rampart. The parapets are to be assailed by making use of underground tunnels and iron rods. Machines are to bombard them if they show signs of impregnability. Or the king may transmit inflammable powder into the fort through the agency of birds, mongooses, monkeys, cats, dogs, and other animals that live in the castle, to destroy the combustible material belonging to the garrison. In the event of the besieged being bewildered by internal dissensions and other troubles, the conqueror should make a general assault against the stronghold and capture it by storm. Spreading disaffection, as it will be observed in a later chapter, and even poisoning the hostile chiefs, were ordinary canons sanctioned by the political ethics of the day. To achieve these ends there was an efficient system of espionage, the members of which were expected to have no other qualification than their attachment to the king. Scruples they had

none; to have possessed any would have been regarded as a disqualification.¹ In the assault, mining, countermining, flooding, were applied as much as the methods of diplomacy.²

That the fort was a recognized means of defence by the time of the Mauryas, and that they possessed all the marks of invincibility, are undeniable facts. Even the Greeks were profoundly impressed by the strength of these mighty creations.

The rock of Aornos particularly invited the attention of these early European visitors. The site of the place was fixed with a considerable degree of accuracy by Sir Aurel Stein³ in his recent tour through the trans-borderland. The famous rock is now known to local Gujars by the name of Pirsar, the holy man's height, and lies between the Swat-Indus watershed and the valleys of Ghorbund and Chakesar, in a high detached spur. This overlooks a bend of the Indus, and on its summit, about 1,600 feet above the sea-level, there is an extensive plateau covering a space of two miles. The topographical features of this rocky plateau remarkably agree with the account of the Greek writers. Even the name Una, which the peak rising above the Alps bears, yields philological evidence, and establishes its close phonetic affinity with Aornos.

What sort of rock it was when the Greeks visited India may be gleaned from the account of two Greek writers.⁴ On the east of it (Diodorus takes it to be the southern side) the violent current of the Indus was falling down from the sides of a hill; and on the south and west lay mighty gorges full of thickets. This rugged fastness was made difficult of access by a ditch at the base and a wall of bricks and stones at the top. The rock itself measured a hundred stadia in circuit and sixteen stadia in height. It had a level surface on the summit. Of Pāṭaliputra (*Palibothra*) Megasthenes has left behind a short description. It was situated at the confluence of the Ganges and Śoṇa, and was nine and a half miles long and 1,270 yards wide. (The walls round some of the cities that were far away from the big rivers were sometimes built of bricks and stones.) But the towns of the plain in those days were generally surrounded by wooden palisades, with loopholes for the archers to discharge their arrows. Outside the palisades of Pāṭaliputra there was a moat, 60

¹ *Arth.*, pp. 361 ff.

² *Camb. Hist. Ind.*, vol. I, p. 490.

³ *Times of India*, May 24, 1926

⁴ *Q. Curtius Rufus*, p. 195; *Diodorus*, p. 271.

feet deep and 200 yards wide. It served both for defence and as a public sewer. There were 570 towers over the rampart and 64 gates.¹

The fortresses referred to by the Greek writers agree in their main features with those described by Kauṭilya. Aornos was a rock and Pāṭaliputra was a water fortress built within the sector of the Ganges and the Śopa. Out of the four varieties mentioned in the *Arthasāstra* the existence of two, at any rate, is corroborated by the testimony of Greek writers. The existence of the forest fortifications needs no independent testimony; for many of them still stand in ruins, mocking at time and tide. It is extremely probable that the fourth kind, the desert fortress, was also used for the purpose of defence.

In all essentials the classification adopted by Kauṭilya is maintained by other writers, with slight changes here and there. The only substantial addition made by some of them is that of *Naradurga*, i.e. an impenetrable array of soldiers resembling a strong fortress.² There is a perfect agreement in regard to the superiority of rock fortifications over all the other forms. The classifications of different authors are given overleaf for the sake of general interest.

A perusal of the table will show that the first four varieties are accepted by all in common with Kauṭilya. The fifth, sixth and ninth varieties are rightly regarded by Kauṭilya and some other writers as necessary accompaniments of a fortress, and hence they thought it superfluous to mention them in separate groups. *Nara*, *mānuṣya* or *sainya durga*, i.e. troop fort, is, as shown above, the only striking addition made by three of these authors. But it is unnecessary to class it separately, as arrays or *vyūhas* form an important section of military science known to ancient Indians. Another addition of 'help fort', or *sahāya durga*, made by Śukra, means military strength lent by the allies to the conquerors. It would be unreasonable for us to admit it in the category of forts when we can conveniently and with perfect logic treat it under the caption of army organization. In short, we can say with perfect confidence that the classification given by Kauṭilya is simple, convenient and reasonable.

¹ *Camb. Hist. Ind.*, vol. I, pp. 411, 476.

² *Manu*, VII, 70; *S.B.E.*, vol. XXV, p. 227; *Agni.*, vol. II, p. 306; *Sutra.*, pp. 214-15; *Br. Śā. Pad.*, p. 220; *Niti Vāk.*, p. 81; *Yukti.*, p. 20.

CLASSIFICATION OF FORTRESSES

NAMES OF AUTHORS OR WORKS	VARIETY No. 1	VARIETY No. 2	VARIETY No. 3	VARIETY No. 4	VARIETY No. 5	VARIETY No. 6	VARIETY No. 7	VARIETY No. 8	VARIETY No. 9
1. Kauṭilya ..	Mountain fortification (<i>Pārvala</i>)	Water fortification (<i>audāka</i>)	Desert fortification (<i>dhān-vana</i>)	Forest fortification (<i>vana-durga</i>)					
2. Manu ..	(<i>giri-durga</i>)	(<i>jala-durga</i>)	do.	do.	Fortress built of stone and earth				
3. Śukra ..	do.	do.	do.	do.	(<i>pari-gḥā</i>)	Fortress surrounded by ditches (<i>parikhā</i>)	Troop fort (<i>sainya</i>)	Help fort (<i>sahāya-durga</i>)	
4. Agnipurāṇa	do.	(<i>ambu-durga</i>)	(<i>dhanu-durga</i>)	(<i>vārḥṣa</i>)	(<i>māhi-durga</i>)	..	(<i>nara-durga</i>)		
5. Bṛhat Śārangdhara Paddhati.	do.	do.	..	do.	(<i>prā-kāra</i>)	..	..	..	Ground fortification (<i>bhūmi-durga</i>)
6. Somadeva	do. <i>svā</i>	do. <i>bhā</i>	do. <i>vi</i>	do. <i>kam</i>	do. (<i>āhūrya</i>)	do.			
7. Bhoja ..	do.	do.	do.	do.			(<i>mānu-ṣya</i>)		(<i>māhi-durga</i>)

With regard to the equipment within the fortification, these writers agree with Kauṭilya in all necessary details. Weapons, engines, money, grain, fodder, water, skilled workmen and Brahmins ought to have suitable places within the enclosure. The ancient people knew full well that without most of these the garrison was bound to surrender if the place was thoroughly blockaded on all sides.

An attempt is made to define the fortress: 'That is called a fortress which removes calamities and inflicts them upon the enemy;'¹ but this definition cannot claim to be a perfect one. It only indicates the degree of importance attached to the fort. A king without a fort is compared to a snake without poison or an elephant without rut.² King Bhoja emphatically asserts that the ordinary military strength of a king is, in fact, no strength. The real strength lies in the fort, because a king with meagre force becomes powerful on account of the invincibility of his stronghold.³ One man on the rampart can overcome a host of a hundred, one hundred men are a match for ten thousand⁴ (according to *Br. Śā. Pad.*, one thousand) and one thousand are quite sufficient to encounter one hundred thousand.⁵ That is the ratio fixed to show the relative value of forts with reference to other armaments of war.

In south India all the forts enumerated by Kauṭilya were recognized,⁶ and as much prominence was given to a hill fort as the northern people did. Height, thickness and impregnability—science demanded these requisites⁷ about fortresses. 'That is the best fortress which is vulnerable in very few places, which is spacious and capable of breaking the assaults of those that attempt to take it, which affords facility of defence for the garrison, which is filled with stores of every kind, which is garrisoned by men who will make brave defence, which cannot be reduced by regular siege, by storm or even by mining, which has been rendered impregnable by works of various kinds, and which enables the defenders to fell down the adversary.' The poet Mulamkilar of Aiyur, in referring to the different parts of the fortifications, says: 'There was first of all the moat, so deep that it reached down to the abodes of demons ;

¹ *Niti Vāk.*, p. 79. ² *Br. Śā. Pad.*, p. 220 ; also see *Sukra.*, p. 215.

³ *Yukti.*, p. 17.

⁴ *Manu.*, VII, 74 ; *S.B.E.*, vol. XXV, p. 227 ; *Sukra.*, p. 215 ; *Yukti.*, p. 17.

⁵ *Br. Śā. Pad.*, p. 220. ⁶ *Drav. Ind.*, p. 218. ⁷ *Kurral*, p. 102.

this was crowned with turrets, from which the archers shot forth their arrows; there was an impervious wood that surrounded small hordes at every angle.'¹ The description gives us a vivid picture of what sort of fortress was built in south India in those times. It is a matter of great pride that the two distinctly separate parts of the country were almost simultaneously marching forward on the road of civilization. Specimens of the best ancient fortresses can be pointed out in the whole of the country. The fortress of Gwalior, 'that pearl in the necklace of the castle of Hind', with its images of Buddha, shows its hoary antiquity. The fortress of Chitore played a conspicuous part during the Muhammadan conquest of northern India. The rock fortress of Trichinopoly has, as has been observed already, the most commanding situation in southern India.

The second subject which we have decided to consider in this chapter is that of cannon and gunpowder. This raises a very debatable question, on which scholars have not yet arrived at an unambiguous judgment. On the one hand, it is emphatically asserted that the use of gunpowder was well known to the Hindus and that this country had the claim of being the first to discover firearms! Others deny the claim equally emphatically, and regard this as an absurd proposition.

That there was no firearm in use during the Vedic period is a fact generally accepted by all the critics. But as they draw nearer the Epic period, they bifurcate from each other and come to diametrically opposite conclusions. The words *śataghni*, *yantra*, etc., used in the Epics are interpreted by some in the sense of mechanisms for throwing stones. Others regard them as exact equivalents of cannons and guns. The former class is led mainly by Prof. E. W. Hopkins,² and the latter by Dr. Gustav Oppert.

Before we go on to examine the arguments for and against the propositions, it will be convenient for us to know the composition of gunpowder as alleged to have been known by the ancient Hindus. It must be noted here that there is hardly any word in the Epics that could be interpreted as gunpowder. So the discovery of it must be taken to be posterior to the Epics. Two authors of Ancient India provide us with the formula embodying

¹ *Drav. Ind.*, p. 218 f. ² *J.A.O.S.*, vol. XIII.

the ingredients that go to compose inflammable powders: (1) Kauṭilya and (2) Śukra. Kauṭilya's formulæ are:

(a) Powder of *sarala* (*pinus longifolia*), *devadāru* (deodar), *pūlitṛṇa* (stinking grass), *guggula* (bedellium), *śriveṣṭaka* (turpentine), the juice of *sajja* (*vatica robusta*), *lākṣa* (lac), combined with dung of an ass, camel, sheep and goat, are inflammable (*agnī-dhāraṇah*).

(b) Powder of *priyāla* (*chironjia sapida*), charcoal of *avalaguga* (*oenyza serratula*, *anthelmintica*), *madhūcchiṣṭa* (wax), dung of a horse, ass, camel and cow.

(c) Powder of all the metals (*sarvaloha*) or powder of *kumbhī* (*gmeliarberca*), *śiṣa* (lead), *trapu* (zinc), charcoal powder of the flowers of *pāriḍhadraḱa* (deodar), *palāṣa* (*butea frondosa*), hair, oil, wax, and turpentine.

Gunpowder, as is known to us, is composed of saltpetre, charcoal and sulphur. The most important question that arises now is whether the above formulæ contain these ingredients in some form or other. In my opinion, they do not. In the first formula no clear reference of charcoal is made, and though other formulæ do contain it, the question whether they include saltpetre and sulphur remains dubious. The compositions given by Kauṭilya are inflammable indeed, but it would be an absurd suggestion to say that they are high explosives, as gunpowder assuredly is. Nowhere has the great writer made any statement that any powder could be used as a propelling agent to throw stones or balls of fire. On the other hand, he clearly states: 'A stick of *viśvasaṅghāti*, painted with the above mixture, and wound round with a bark made of hemp, zinc and lead, is the fire arrow.' These darts were most probably like the arrows tipped with naphtha (*raḱ*) generally used elsewhere.

Śukra, however, gives the composition of genuine gunpowder. His formula is:

Four, five, six parts of *suvarci* salt (alum), one part of sulphur, one part of charcoal of *arka*, *sunī* and other trees, mixed together, then dissolved in the juices of *sunī*, *arka* and garlic, and dried up with heat.

This formula has invited a storm of criticism from all sides, throwing the readers in a state of bewilderment from which it is hard to extricate them. Before coming to a decision we shall examine the arguments in favour of the theory, that the Hindus

were perfectly acquainted with gunpowder in particular, and firearms in general. The arguments of Dr. Gustav Oppert are given below in small compass :

1. In an apocryphal letter, which Alexander is said to have written to Aristotle, he describes the frightful dangers to which his army was exposed in India, when the enemies hurled upon them (Greeks) flaming thunderbolts.

2. Colonel Tod says, in his *Annals of Rajasthan* : ' We have in the poems of the Hindu poet Canda frequent indistinct notices of firearms, especially the *nalgolā*, or tube ball ; but whether discharged by percussion or the expansive force of gunpowder is dubious.'

3. The description given by Śukra (about the *nalikā yantra*) tallies with an account concerning the fortifications of Manipur, as described in Mr. J. Talboys Wheeler's *History of India* : ' On the outside of the city was a number of wagons, bound together with chains, and in those were placed fireworks and fire weapons.' But this śloka does not occur in any manuscript copy of the *Mahābhārata* which Oppert had searched.

4. In the battle near Delhi, fought between Timur and Sultan Mahmud, there were big howdahs on the elephants of the latter, from which the sharpshooters flung fireworks and rockets on the enemy's troops.

5. Vaiśampāyana mentions, among other things to be used against enemies, smoke balls, which contained most likely gunpowder.

6. Of the three ingredients of gunpowder, charcoal and saltpetre were abundantly obtainable in the country itself. Sulphur is found in Sindh ; but it was mainly imported from outside. The properties of these chemicals were known to the Hindus, and they were considerably used for the purposes of medicine.

7. In an extract taken from *Myjamalat Tawarikha*, which was translated a century ago from a Sanskrit original, we read : ' That the Brahmans counselled Hall to have an elephant made of clay and to place it in the van of his army, and that when the army of the King of Kashmir drew nigh, the elephant exploded, and the flames destroyed a great portion of the invading force.'

8. A verse from *Naiśadha Kavya* runs as follows : ' The brows of *Rati* and *Manmatha* are certainly like her (Damayanti's) two brows, which are made for the conquest of the world ; the two

guns of those (*Rati* and *Manmatha*) who wish to throw balls on you are like her two elevated nostrils.'

9. The following stanza is taken from the *Rajalakṣmīnārāyaṇa Hydaya*—a part of the *Atharvaṇa Rahasya*—'As the fire prepared by the combination of charcoal, sulphur and other materials depends upon the skill of the maker,' etc.

10. Manu, in book seven, makes mention of fire weapons, which Oppert takes to mean cannon, against the testimony of Kullukabhaṭṭa, the commentator on the *Institutes of Manu*.

11. Temples of Madura, Kumbhakonam, Canjeevaram, Tanjore and Perur which contain representations of firearms are, according to our notions of antiquity, not very ancient; but in judging the age of the subjects exhibited in the carvings of Indian temples we should never lose sight of the fact that new subjects are not introduced in the architectural designs of the principal figures in any Indian ecclesiastical building.

12. India is a land of fireworks; no festival is complete without them.

13. *Sukranīti* contains an exact description of guns and gun-powder.

14. Firearms were such powerful engines that everyone who possessed them kept their construction and handling as secret as possible.¹

15. According to Firista, Hulakhan, the founder of the Mughal Empire in western Asia, sent in 1258 an ambassador to the King of Delhi, and when the ambassador was approaching, he was received by the Vazir of the king with a great retinue, and among the splendid sights were 3,000 fire cars.

Added to these a few more may be mentioned to complete the list of arguments in favour of the theory.

16. The *Mahābhārata* mentions instruments of war which Mr. S. M. Mitra² interprets as cannon and guns. 'Tutagudas, equipped with wheels and worked by means of air expansions, emitting a loud noise like the roar of mighty piled up clouds.'³ 'Engines for hurling balls and bullets' are described as being in use at the siege of Dvārakā.

¹ This argument is also given in Wilson, vol. IV, p. 202.

² *Hibbert Journal*, 1914-15, p. 760.

³ *Vana Parva*, p. 42.

17. Frequent reference to *agneyastra* as a powerful weapon of destruction suggests the idea of gunpowder and cannon. Similarly, *yantra* and *śataghñī* have also been regarded by Indians with a sense of awe.

While criticizing the above statements, it must be borne in mind that the fireworks, firearms, etc., must not be necessarily interpreted as cannon; for the Indians used arrows or darts besmeared with oil, wax, resin, realgar, naphtha or other inflammable articles. The soundness of a theory can be accepted only when undeniable arguments are given in support of it. Points of doubtful significance cannot be treated as corroborating evidence. It must be admitted, however, that a very genuine doubt has been created with regard to the existence of guns and gunpowder in Ancient India. It would be a very happy discovery if unchallenged evidence came forth to support the theory. Now the first point has to be discarded, since a mythical letter cannot be held as a record of historic facts. The poet Canda's testimony is not sufficiently convincing even to Col. Tod himself, who alludes to it. Oppert did not find the śloka in any manuscript copy of the *Mahābhārata* to support Mr. J. Talboys Wheeler's contention. 'Wagons with fireworks and fire-weapons' cannot be necessarily interpreted to mean cannon, because fire missiles and stones were discharged through machines mounted on wagons. Indian warriors threw down from the backs of elephants boiling oil, wax, burning balls, etc., upon the enemy. Sultan Mahmud must have followed the method of warfare of ancient Indians. Vaiśampāyana probably refers to the same balls. With regard to the seventh argument advanced by Oppert, the testimony of *Myjamalat Tawarikha* would be certainly acceptable if it could be supported by Kalhaṇa, who, being a man on the spot, has a greater claim on the credulity of the people than the *Tawarikha* can have. Kalhaṇa's *Chronicles of Kashmir* have nothing to sustain the contention.

The extract from Manu referred to by Oppert, and quoted in the code of Juntoo laws, does not allude to cannon, as is ably pointed out by Dr. P. C. Ray.¹ Dr. Ray, following the commentators of Manu, viz. Kullukabhaṭṭa and Medhātithi, as Bühler has done, gives the correct rendering of the passage thus: 'The king shall not slay his enemies in warfare with deceitful or barbed or poisoned weapons,

¹ *History of Hindu Chemistry*, vol. I, pp. 95 ff.

nor with having a blade *made red-hot by fire or tipped with burning materials.*' The words italicized are translated by Halhed, in his Juntoo laws, as 'any deceitful machine or poisoned weapons or cannon and guns, or any other firearm.' Oppert's assumption, that architecture of ecclesiastical variety in India is very slow in adopting innovations, is wrong. It is a mistake to suppose that Indians are slow in picking up new ideas from foreigners. Vedic faith has undergone such a wonderfully varied transformation that there is very little of the Vedic customs left with us. We have very rapidly changed faiths—Buddhism, Jainism, Vaiṣṇavism, Śaivism, Śāktism, Muhammadanism, Christianity, etc. In fact, Hinduism of to-day, unlike other inelastic faiths, is a museum and a dictionary of thoughts of several successive hosts that have come into this country. We have so readily accepted new ideas that Oppert's supposition has to be discarded. Even the architectural designs of the temples have admitted from time to time Greek and Persian styles. There are so many things that have already broken down 'ecclesiastical sanctity' that it is hard to entertain this argument in support of the theory. The points Nos. 8, 15, 16 and 17 are susceptible of rival interpretations, as the meaning of fireworks is, as stated above, quite doubtful.

The works noted below¹ posterior and anterior to the *Śukranīti* and the *Atharvaṇa Rāhasya* do not make any mention of the manufacture and use of guns and gunpowder. The natural inference is that these reputed authors did not know the secret of gunpowder; if they really knew it, they would have certainly described it in their valuable works. It is hard to believe that they did not reveal this information when they put before us everything else they knew. So we come to the very painful conclusion that the extracts from the *Śukranīti* and the *Atharvaṇa Rāhasya* relating to gunpowder and guns are later interpolations.

As this theory is being dropped, the question arises: What sort of machine was *śataghni* or *yantra*? It was made of iron, as it is compared to tresses of a maiden's hair.² It is also described as mounted on wheels and throwing stones and wax.³ Sometimes it is taken to mean a club, and in support a line from the *Vaijayanti* is

¹ *Arthasāstra* of Kauṭilya and Bṛhaspati, *Nīṭisāra* of Kāmandakiya, *Agnipurāṇa*, *Nīṭivākyaṃṣṭa* of Somadeva, *Bṛhatśāraṅgadhara Paddhati*, *Pancatantra*, *Yuktikalpataru* and *Hitopadeśa*.

² *Sundara Kāṇḍa*, 2, 51. ³ *Vana Parva*, 284, 31.

often quoted—*Śataghñī ca caturhastā lohakaṅṭakīṅ gadā*. It is said to be thrown by hand. So it seems that there were two kinds of machine: one mounted on heavy wagons or ramparts, and the other thrown as a projectile. The former was an engine for throwing stones, etc.,¹ and the latter was like a rocket.² The *Arthaśāstra*³ gives two kinds of machine: (1) movable and (2) immovable. The former was probably used in storming a fort, and the latter was mounted on the rampart to protect a fortress. They were designed, as the commentator explains it, for throwing stones, missiles, water, etc. According to Vaiśampāyana,⁴ however, it resembled a *gadā*, was provided with thorns, measured four cubits in length, was round, had a handle of wood, and was made of iron.

¹ *Suñdara Kānda*, 64, 24 ; *Yuddha Kāṇḍa*, 22, 56.

² Wilson, vol. IV, p. 204. ³ p. 101 f.

⁴ Oppert, p. 22.

CHAPTER V

WAR ANIMALS AND WAR VEHICLES

FROM the very dawn of history the horse was recognized as an important supplement to the efforts of man in war. The Aryan invaders of India were quite familiar with the Turkoman horse,¹ which they brought into this country along with them. The different qualities of the animal were appreciated and its several names are wellnigh an index of those qualities: *atya*, *sapti* (runner), *arvanta*, *haya* (the swift), *vajin* (the strong)—these and similar words are indicative of their thorough knowledge of the horse.² Of the different colours, the chestnut (*aruṇa*, *aruṣa*, *piśaṅga*, *rohita*) was a favourite one. The white horse with black ears was especially held in great estimation.³ The Indus and Sarasvati breeds were reckoned to be the best in the country. After the Vedic age the knowledge of the animals was gradually systematized into a science known as *asva-vidyā*, and there were very learned professors in this branch of knowledge, e.g. Nala and Śalya. Political treatises of Ancient India give the measurements of the best horse as follows :

	Face	Length	Shank	Height
<i>Arthaśāstra</i> ..	32 aṅg.	160 aṅg.	20 aṅg.	80 aṅg.
<i>Sukraniti</i> ..	24 "	104 "	..	72 "
<i>Yuktikalpataru</i>	27 "			

The figures are taken from works that are representative of three epochs. Other works supply this information with certain variations.⁴ The breeds of the Indus and Sarasvati, so highly valued in the Vedic times, continued to enjoy their popularity even in the post-Vedic period and later. The breeds of Kamboja, Aratta and Vanāyu were also added to this category.⁵

The horse was trained in six kinds of gaits; according to the *Arthaśāstra* they are: circular movement (*valgana*), slow movement (*nicairgata*), jumping (*langhana*), gallop (*dhorana*), and response

¹ *J.R.A.S.*, 1919, p. 507. ² *Ved. Ind.*, vol. I, p. 42.

³ *Rv.*, I, 83, 1; IV, 32, 17; V, 4, 11; VIII, 78, 2; *Av.*, V, 17, 15.

⁴ See also *Br. Śā. Pad.*, *Niti Vāk.*, *Kāmand.*

⁵ *Arth.*, p. 133; *Yukti.*, p. 182.

to signals (*nāroṣṭra*). The *Sukranīti*, however, gives different terms though the number of movements is the same: fast running (*dhārā*) rapid leaps (*recita*), fast movement like the deer (*pluta*), rapid movement with four legs uncontracted (*dhauritaka*), and movement with contracted legs and neck raised like a peacock. The writers on Nīti have very elaborately dealt with the training of the horse, and minute details are provided to warrant the conclusion that considerable efficiency was acquired in the management and control of the animal.

Megasthenes bears testimony to the skill of trainers: 'It is a practice with them to control their horses with bit and bridle, and take them at a measured pace and in a straight course. . . . The professional trainers break them in by forcing them to gallop round and round in a ring, especially when they see them refractory. Such as undertake this work require to have a strong hand as well as a thorough knowledge of the horse.'¹

It has already been noted that the knowledge of the horse was not allowed to remain fragmentary. It was made into a science which was almost a harbinger of the veterinary science of to-day. The diseases and their treatment, food and fodder, asylums suitable for these animals, interpretation of the signs—auspicious or otherwise—on the body of the horse, the classification according to those signs: these and other allied topics received their proper place in the works of the Nīti writers. For want of space, however, it will be hardly possible to deal with them in this essay. It is only sufficient to note that the ancients tried to bring this learning to a point of perfection.

The horse was used from the very earliest times for two purposes: (1) riding, and (2) drawing the chariot. During the Vedic period the horse was used for riding. There are, however, few references to riding in battle.² But it was probably used for that purpose, as the cavalry formed to a certain extent a part of the army of the Eastern Iranians.³ The Dravidians, who were styled Dasyus by the invading hordes of the Aryans, were familiar with the horse and they used it for riding.⁴ By the time of the *Mahābhārata* the

¹ McCrindle, *Megasthenes and Arrian*, p. 89. See also *Sukra.*, p. 77 f., for the qualifications of superintendent, trainer and groom of a horse.

² *Indo-Ary.*, vol. I, p. 332; *Camb. Hist. Ind.*, vol. I, p. 137.

³ *East. Iran.*, vol. II, p. 21. ⁴ *Drav. Ind.*, p. 122.

horse had a recognized position in the army, although no word equivalent to cavalry could be found. The words *asvāroha*, *hayāroha*, *hayārohavaravājin*, *sādin*, etc., mean horse riders¹ who work as 'concomitants of the war cars'.² Separate horsemen were sparsely scattered among the fighting hordes, and, being agile, could accomplish a great deal of work against the foot soldiers after the heavy war cars and elephants were rendered impotent of any good.³ As the soldiers on horseback fought alone, their horses ran loose after the deaths of riders, thus increasing the tumult and din of the battle.⁴ Horsemen drove their steeds by means of whips, which they fastened to their wrists.⁵ In the *Rāmāyaṇa* also there are numerous references to horsemen as combatants,⁶ but they hardly claimed any prominent position in the army. In short, the horse was only admitted into the fold of the military organization as an inferior fighting force during the Epic period. By the time of Alexander's invasion the cavalry took on honourable rank in the army organization, since, according to Arrian's account, the Assakenians possessed a force of 20,000 horse⁷ and Porus had 4,000⁸ of them. A catalogue of cavalry force can be made out from the writings of Megasthenes: (1) numerous tribes between the Ganges and the Himālayas (Modogalingae, Modubae, etc.), 4000; (2) Calingae, 1,000; (3) Andarae, 2,000; (4) Prasii, 30,000; (5) Chrysei, etc., 800; (6) Antamela, 5,000; (7) Gangaridae, 1,000; (8) One island in the Ganges, 4,000.

Whether we assume these figures to be real or imaginary, it is an undeniable fact that the Greeks found that the horse was in general use in the Indian army. The *Arthasāstra*⁹ precisely assigns a special piece of work to be accomplished by cavalry. It also gives the position of this force in the different military arrays.¹⁰ But it must be admitted that the horse was never regarded in Ancient India as a superior fighting unit, and elephants, as also the chariots, continued to occupy a position higher than the cavalry. The chariot, at any rate, was held in almost reverential awe, though its defects were revealed more than once in combats with foreigners. The horse,

¹ *Mbh.*, VI, 46, 39; 55, 25; 63, 15; 71, 16; VIII, 21, 23.

² *J.A.O.S.*, XIII, p. 262. ³ *Mbh.*, IX, 23, 60. ⁴ *J.A.O.S.*, XIII, p. 2, 264.

⁵ *Mbh.*, VIII, 58, 30. ⁶ *Rām.*, pp. 1132, 1197, 1225.

⁷ *Inv. of Alex.*, p. 65 l. ⁸ *Ibid.*, p. 102. ⁹ *Arth.*, p. 370.

¹⁰ *Ibid.*, book X, chap. VI.

however, received its due praise at the hands of Somadeva in his *Nīti Vākyaṃṛta*:¹ 'Enemies situated at a distance are drawn nearer with the help of a horse. In difficulty a horse gives sufficient relief.'

Dr. Rajendralal Mitra² gives a fascinating account of the equipment of a horse as seen in sculpture: 'It consists generally of a thick, large padding kept in its place by a girth, a croupiere, sometimes trellised, and a breast band, and covered over with a housing or saddle cloth of a rich pattern. Nothing like a wooden saddle is anywhere perceptible, and stirrups are also wanting. This is, however, not the case with padded saddles; at Bhuvaneśvara they are invariably provided with well-formed stirrups, and human feet are represented thrust in them. In a piece of sculpture, apparently of an old date, in the Indian Museum, there are distinct delineations of stirrups formed of a ring with a broad, flat foot-rest. They are hung with straps, proceeding from under the saddle cloth or pad. The bridle includes a forehead strap, cheek pieces, gullet and nose band, all studded with metal bosses. Tassels near the ears are frequently met with. A chamfron is also generally added, and a martingale of cloth is not uncommon. The rim is single and plain, never studded as the other parts of the bridle. It was most probably knotted, or served on the bit. . . . The form of the bit is not perceptible, but rings are occasionally seen which suggest the idea of a snaffle.'

'No Indian ever hacked the mane; but braiding was not unknown. . . . The Hindus dressed the forelock in the form of a flowing arching crest. Sometimes the bulk of the forelock in India was increased by the addition of false hair. . . . I have nowhere met with a name of iron shoes for horses, but a passage in *Rgveda*, referred to above (p. 301), suggests the idea of such shoes.'

Chariots. A chariot was a very important apparatus of war, and it attracted the minds of warriors of all the leading nations of the world. All the well known warriors of Ancient India, with few exceptions, were chariot fighters (*rathins*). They belonged to the higher military nobility, who formed a distinct section of their own, apart from the rank and file.

The chariot of the Vedic Aryans³ had generally two wheels,

¹ p. 84. ² *Indo-Ary.*, pp. 334 ff.

³ *Ved. Ind.*, pp. 201 ff. The Dravidian foes of the Aryans had war cars, but their construction is not known to us. See *Drav. Ind.*, p. 248.

which consisted of a rim (*pavi*), a felly (*pradhi*), spokes (*arā*), and a nave (*nābhi*). The rim and the felly constituted the *nemi*. The hole in the nave was called *kha*, into which the end of the axle was put. Solid wheels were sometimes used. The axle (*akṣa*) was, in some cases, made of *arāṣa* wood, and the body of the chariot (*kośa*) was placed above it. There were seats for the warriors (*vandhura* or *garta*). Ordinarily, there was a pole, one end of which passed through the yoke, the other being attached to the axle. The pole and yoke were tied together. The yoke was placed on the necks of the horses. *Rasmi* and *raśanā* mean reins and *kūśa* denotes a whip. Two horses were commonly used; sometimes three or more were also employed. A poor man had to be content with one horse, which then ran between two poles. The pole was a hundred and eighty-eight *āṅguls* long, the axle a hundred and four, and the yoke eighty-six. Besides horses, asses (*gardabha*) and mules (*aśvalari*) were also used to draw the chariot.

The Epic chariot did not materially differ from the Vedic car. All the parts referred to above were used in the Epic vehicle. There are, however, two expressions which demand some explanation: *rathānidā*, and *rathopaṣṭha*. 'The *upaṣṭha*,' says Hopkins,¹ 'was the general bottom of the car; the *nidā* was the little shelf in front, where the charioteer stood.' The leather straps, with which several parts were joined together, and also the reins, were gilded.² The chariot carried an extra piece of wood for quickly repairing the damages sustained in the battle.³ Generally the cars were open on all sides, but the large chariots were covered to protect the warrior from the rays of the sun.⁴ The war car contained an absurdly large number of arms of all sorts and sizes.

The accounts in the *Mahābhārata* (VIII, 76, 17; VI, 106, 22; VIII, 11, 8) of the arms stored up in the car make the author the laughing stock of all his readers. Enough has been said with regard to the flags and symbols, and hence the subject need not detain us here.⁵

The best chariot⁶ in the Mauryan period measured ten *puruṣas* in height and twelve *puruṣas* in width. Seven other kinds in the descending order of merit are mentioned. They had width ranging from

¹ *J.A.O.S.*, XIII, p. 238.

² *Mbh.*, VIII, 27, 30.

³ *J.A.O.S.*, XIII, p. 242.

⁴ *Mbh.*, XV, 23, 8.

⁵ For decorations of war cars see *Indo-Ary.*, pp. 340 ff.

⁶ *Arth.*, p. 140. See also *Sukra.*, p. 220.

eleven to six *puruṣas*. There were special war chariots (*saṅgrāmika*) and chariots used in assailing an enemy's stronghold (*para-purā-bhīyānika*).

The position of a charioteer in Ancient India, as in Ancient Iran, was a very honourable one. He was a driver as well as an adviser to the car warrior. In adversity he was a source of encouragement. Even the charioteers of gods act as councillors of their masters. Mātali is the charioteer as well as the adviser of Indra.¹ Kṛṣṇa, who was a statesman and a warrior of great repute, was the charioteer of Arjuna, and Śalya worked in the same capacity with Karṇa. Kṛṣṇa's advice saved a crisis on many occasions, and he was rightly regarded as a great asset on the side of the Paṇḍus.

The charioteer stood on the right, while the warrior stood on the left. They could sit when they wanted. The Epic war vehicle was heavier than its Vedic predecessor, and so it required a larger number of horses for drawing it. The number of drivers was also correspondingly swelled, as one man could not efficiently control so many horses. There was one chief charioteer, who sat in the middle to drive the nearest two horses; every additional horse was controlled by a separate charioteer.² One, two or three charioteers were employed, as the occasion demanded. Real skill in driving a chariot consisted 'in wheeling and turning, in bringing the car rapidly about,³ so as to attack the antagonist with such speed from all quarters that the chariot seemed to advance from all sides at once'. Fast driving and keeping the car straight were quite common feats for a really good charioteer. Even Megasthenes was much impressed with the skill of the drivers, for he says, 'the greatest proficient test their skill by driving a chariot round and round in a ring, and in truth it would be no trifling feat to control with ease a team of four high-mettled steeds when whirling round in a circle.'⁴ Ordinarily, there were only two men in a chariot, the warrior and the driver. The number of charioteers was, as we have seen, increased to three to control a team of three or more horses. But according to Curtius each car carried six men, two bearing shields, two bowmen and two armed drivers.⁵ Other classical writers contend that there were three men in the chariot, two warriors and a driver.⁶

¹ *Rv.*, VII, 28, 23

² *Mbh.*, V, 155, 13.

³ *J.A.O.S.*, XIII, p. 253; *Sukra.*, pp. 78 ff.

⁴ *Megasthenes*, p. 89.

⁵ See Wilson, vol. IV, p. 295.

⁶ *Ibid.*, p. 296; *Megasthenes*, p. 89.

The first object of a car fighter was to kill the driver and tear the ensign of the foe, after which knight to knight fight ensued. Both of them descended from their respective cars and fought with clubs, swords, axes, etc.¹

The oldest Indian war car is seen in the paintings of the reign of Thothmes III (1495 B.C.).² It is said to have been a present given by Indian charioteers to that sovereign. It closely resembles the chariot on the Sanchi bas-reliefs, where the car has two wheels and a box open behind. It is drawn by two horses. The Indian car presented to the Sumerian king has only one pole with a yoke at the end, but the Sanchi chariot has one long pole in the middle and two short shafts on the sides. The yoke is attached to the middle one. A four-horse chariot can be seen on the railing of the Barhut stupa; but the peculiarity lies in the horses being yoked in one line. Similarly, chariots are engraved on the terra-cotta plaque from Bhita and the copper lota from Katu.³ Like the Sanchi car, they are open on all sides.

Elephants. The Vedic invaders of India had not seen this huge beast before. They were, therefore, naturally struck with the strength and enormity of this extraordinary animal. They first named it *mygāhastin* or *mygāvāraṇa*,⁴ on account of its long trunk and dangerous character. In course of time they studied the habits and defects of the beast, and gradually domesticated it. There is, however, no reference in the Vedas to its use in war. But in the Epics they had taken an honourable rank in the army, though chariots still disputed their supremacy as the superior fighting force. They were sometimes used by the higher nobility who sat in the howdah (*vimāna*), e.g. Duryodhana, Bhagadatta, Vinda, Anuvinda and Uttara fought from the backs of elephants.⁵ But ordinarily lower classes of fighters rode upon them and threw down balls of hot iron, sand, oil, poison and snakes upon the enemy below.⁶ The elephant riders had hair catchers, with which they caught hold of the foot soldiers of the enemy and cut off their heads.⁷ Sometimes they would climb down on the tusks of the beast and kill the horses and men with

¹ Wilson, p. 296; *Mbh.*, VI, 72, 26; VII, 134, 13. ² *Indo-Ary.*, p. 339.

³ Plates XVI and XXIX, from *Camb. Hist. Ind.*, vol. I.

⁴ *Āv.*, I, 64, 7; *Av.*, XII, 1, 25; *Original Sanskrit Texts*, vol. V, by J. Muir, pp. 467 ff.

⁵ *Mbh. Bhīṣma*, V, 7, 47. ⁶ *Mbh.*, V, 155. ⁷ *J.A.O.S.*, XIII, p. 265.

their sharp weapons. Elephants were equipped with spikes, iron harnesses and girths about the middle, and carried flags, emblems, hooks, neckchains, bells, nets, umbrellas, etc., etc.¹

Kautilya, Śukra and King Bhoja give a very scientific account of this animal. They deal with the classification of the beast from their own standpoints, the diseases of the animal, their treatment, the mode of capturing the wild elephant, its training, its accoutrements, etc. We are not much concerned with that elaborate description in the present work. But something may be said with reference to its use in war under the Mauryas. Its training for the purposes of war was of seven kinds:²

(1) Drill (*upasthāna*), (2) turning (*samvartana*), (3) advancing (*samyana*), (4) tramping down and killing (*vadhāvadha*), (5) fighting with other elephants (*hastiyuddha*), (6) assailing forts and cities (*nāgarāyaṇam*), and (7) warfare (*sāngrāmikam*). The animal was taught to respond to the signals and accomplish all the above requisites of training. Elephants were led in war after they were equipped with armour (*varma*), clubs (*totra*), arrow bags and machines. During a campaign, they were to be looked after by the elephant doctors and trainers, negligence of duty on whose part was severely punished.³

Foreigners were much impressed by this animal. Greek authors have, at any rate, written lengthy descriptions of the beast. Arrian thinks that in India the elephant is the symbol of royalty.⁴ Diodorus⁵ virtually agrees with Kautilya when he says with reference to the battle of Hydaspes: 'Upon this, the elephants, applying to good use their prodigious size and strength, killed some of the enemy, trampling them under their feet and crushing their armour and their bones, while upon others they inflicted a terrible death, for they first lifted them aloft with their trunks, which they twisted round their bodies, and dashed them down with great violence to the ground. Many others they deprived, in a moment, of their lives, by goring them through and through with their tusks.' The faithfulness of the animal to its master is much extolled by another writer,⁶ who informs us that the elephant of Porus, though suffering himself from several wounds, nevertheless carried his wounded master to a place of safety. The same author admires the intelligence of

¹ *Mbh.*, V, 152, 16; VII, 36, 34. ² *Arth.*, p. 136. ³ *Ibid.*, p. 139.

⁴ p. 222. ⁵ p. 275. ⁶ *Aelian*, p. 139.

the beast, and its capacity to be trained as an efficient combatant in war. Its strength and hugeness are features generally appreciated by all foreigners.

The elephant, in spite of its obvious defects in war, continued to occupy an important position in the Indian army. It even had the audacity to challenge the superiority of the chariot, which it successfully usurped after the Epic war. Kings and nobles loved to ride and fight from the elephant. A later Samskr̥ta writer on *nīli*¹ regards it as the chief division of an army.

Figures of elephants can be seen in Barhut and Sanchi stupas and the caves of the south. But the best representation of war elephants is carved out on the lowest architrave of the south gateway of the main stupa of Sanchi. There are two riders upon each elephant, but upon a couple of them three men also are seated. The necks of the elephants appear to be covered by means of trappings.

¹ Somadeva, *Nīli Vāk.*, p. 83.

CHAPTER VI

ARMY ORGANIZATION AND GENERAL DISCIPLINE

RGVEDIC Aryans had a tribal organization of society¹ like their Persian neighbours.² The king was always at the head of the tribe, and was assisted in peace and war by a strong nobility (*rajanyah*). They were feudal lords who captained the divisions (*vrāta*) of the king's army at the time of war, quite like the barons of early English history. The army consisted of all the able-bodied members of the community, were they herdsmen or Brāhmins.³

The army was divided into two sections: (1) chariots and (2) foot. The former class was monopolized by the Kṣatriyas or Rājanyas and their foremost retainers. The rank and file were the foot. The warrior in the chariot loomed prominently before the eyes of the primitive tribes of the east, particularly the Eastern Iranians⁴ and Indo-Aryans. The Vedas contain several words meaning a chariot warrior: *astra*, *asthātṛ*, *rathin*, *rathī*, *mahāratha*, etc., whereas *ṣatti* seems to be a very general name for a foot soldier. The meaning of *yodha* is rather vague; it may mean both. Horse riding, as has been already observed,⁵ was in vogue during Vedic times, but it was seldom resorted to in war. *Sādin* was the commonest name for a horse rider.

The chariot and foot continued to form important parts of the army for a considerable period of ancient Indian history. The chariot gradually ceased to be counted upon by the time of the Muhammadan invasion; but the foot has come to be an indispensable part of modern armies. As the Aryans became familiar with the elephant, they incorporated that animal in the body of their fighting force. So also the horse gradually attained a recognized position in the army. By the time of the Epics, then, the army consisted of four component parts (*caturāṅgabalām*): chariot, elephant, horse

¹ *J.R.A.S.*, 1919, p. 509; 1920, p. 43; *Camb. Hist. Ind.*, vol. I, p. 98.

² *East. Iran.*, vol. II, p. 18 f.

³ *J.R.A.S.*, 1919, p. 509.

⁴ *East. Iran.*, vol. II, p. 19.

⁵ Chapter V; see also *Ved. Ind.*, vol. I, p. 202 f.; vol. II, p. 417.

and foot. This classical division was maintained in the post-epic period, and also later. The *Arthasāstra* adopts the same phraseology to denote the four component parts of the army.¹ The *Kāmandakya Nitisāra*,² *Agnipurāṇa*,³ *Nītivākyaṃrta*,⁴ and *Yuktikalpataru* follow the *Arthasāstra* in respect of the composition of an ideal army. The Dravidian tribes also felt the influence of the Aryan civilization, and re-modelled their armies on the same pattern.⁵ The sacred *Kurral* mentions 'a conquering host, complete in all limbs',⁶ which is taken to mean, by the Rev. G. U. Pope, the fourfold army, besides banners and musical instruments.⁷

Foreign observers have also corroborated the fact noted by the Indian writers referred to above. According to Arrian, Porus possessed an army of four divisions, namely, 'Cavalry, 4,000 strong; all his chariots, 300 in number; 200 elephants; and 30,000 efficient infantry'.⁸ Strabo mentions four boards whose business it was to look after the army: 'The third division has the charge of the infantry, the fourth, of the horses, the fifth, of the war chariots, and the sixth, of the elephants'.⁹ The Chinese pilgrim, Yuan Chwang, gives also a similar account: 'The army is composed of horse, foot, chariot and elephant soldiers.'¹⁰ The classical statement of the size of the army is so absurd that the very absurdity makes it interesting reading. We are aptly charged with being lovers of huge figures. The table overleaf contains the figures made out by H. H. Wilson and Gustav Oppert.

The two statements given above, represent two modes of calculation: (1) according to the multiple of three, and (2) according to decimal numeration. It is highly improbable that armies of so vast a size really existed except in the imagination of the Epic authors, who inform us that eighteen *akṣauhīnis* were killed in the Mahābhārata War. In smaller bodies the proportion may have been observed. But the larger the number, the greater is the height of absurdity.

The estimate of foreign authors of the size of the Indian army

¹ *Arth*, p. 140. ² *Kāmand.*, pp. 294 ff. ³ *Agni.*, vol. II, p. 396.

⁴ *Nīti Vāk.*, pp. 82-85; *Yukti.*, p. 6. ⁵ *Drav. Ind.*, p. 243.

⁶ *Kurral*, p. 105. ⁷ *Ibid.*, p. 288.

⁸ McCrindle, *Inv. of Alex.*, p. 102 f.

⁹ McCrindle, *Ancient India in Classical Literature*, p. 55.

¹⁰ *On Yuan Chwang*, vol. I, p. 171.

SIZE OF THE ARMY

H. H. WILSON'S STATEMENT

			<i>Patti</i>	<i>Senāmukha</i>	<i>Gulma</i>	<i>Gaṇa</i>	<i>Vāhini</i>	<i>Pytanā</i>	<i>Camū</i>	<i>Anīkīnī</i>
Elephant	..	..	1	3	9	27	81	243	729	2,187
Chariot	..	..	1	3	9	27	81	243	729	2,187
Horse	..	..	3	9	27	81	243	729	2,187	6,561
Foot	..	..	5	15	45	135	405	1,215	3,645	10,935

GUSTAV OPPERT'S STATEMENT

		<i>Patti</i>	<i>Senāmukha</i>	<i>Gulma</i>	<i>Gana</i>	<i>Vāhini</i>	<i>Pytanā</i>	<i>Camū</i>	<i>Anīkīnī</i>	<i>Akṣauhīni</i>
Elephant	..	1	3	9	27	81	243	729	2,187	2,18,700
Chariot	..	10	30	90	270	810	2,430	7,290	21,870	2,18,700
Horse	..	1,000	3,000	9,000	27,000	81,000	2,43,000	7,29,000	21,87,000	2,18,70,000
Foot	..	10,000	3,00,000	9,00,000	27,00,000	81,00,000	2,43,00,000	7,29,00,000	21,87,00,000	2,18,70,00,000

considerably differed from the above statements. But even they were not immune from the charge of exaggeration, although some of their figures are reasonable. The following figures, given by Megasthenes, will offer an instructive comparison with the previous ones. It is, however, noteworthy that he makes no mention of the number of the chariot force :

	Foot	Horse	Elephant
1. Calingae	60,000	1,000	700
2. Modogalingae and other tribes ..	30,000	4,000	400
3. Andaræ	1,00,000	2,000	1,000
4. Prasil	6,00,000	30,000	1,000
5. Megallæ .. ..	..	..	500
6. Chrysel, etc.	30,000	800	300
7. Antamela	1,50,000	5,000	1,600
8. Pandæ	1,50,000	..	500
9. Gangaridæ	60,000	1,000	700
10. One Island in the Ganges ..	50,000	4,000	..

Sukra seems to have realized the folly of using chariots and elephants beyond their proper proportions. He advises the king to employ 'an infantry four times the cavalry, bulls one-fifth of his horse, camels one-eighth, elephants one-fourth of the camels, chariots half of the elephants, and cannon twice the chariots. He would have in the army a predominance of foot soldiers, a medium quantity of horse, a small amount of elephant force, equal number of bulls and camels, but never elephants in excess.'¹ It comes as a great deal of relief to us that some of the thinkers in Ancient India came to understand the wisdom of discarding chariots and elephants from the army of a state.

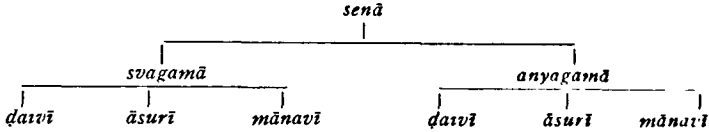
From all the accounts, then, we are compelled to conclude that armies of vast proportions were not unknown in India, and that foreigners were particularly struck by the vastness of their fighting forces.

An army in Ancient India was divided into different units accordingly as it was hereditary (*maula*), mercenary (*bhrtaka*), corporations of soldiers (*streni*), troops belonging to a friend or foe (*mitrāmitra balam*), and wild tribes.² Each preceding division was held as more important than the one immediately following it. This classification was faithfully copied by subsequent political

¹ *Sukra.*, p. 218 f. ² *Arth.*, p. 342.

writers. Even the terminology adopted by them is virtually the same.

Sukra gives another sort of classification,¹ and of all the writers he takes the most independent line of thinking. In many respects his book is full of the breath of freshness.



The army is further classified, according to different considerations, in pairs: (1) long standing or newly recruited, (2) useful (*sāra*) or useless (*asāra*), (3) trained or untrained, (4) officered (*gulmibhūta*) by the state or not officered by the state, (5) equipped by the state with arms, vehicles, etc., or supplying themselves with these (*kirātas* and people living in forests who are dependent on their own resources and strength), (6) one's own or that belonging to the allies, (7) hereditary or mercenary (*maula* and *sadyaska*).

The above account brings home to our mind the fact that the war office was kept informed of the nature of different units of the army, and it was probably the work of the clerical staff to compile this schedule, so that the commander-in-chief might employ the different troops in their proper places. The political writers took the loyalty of these different grades of soldiers at a premium, because they particularly say '*pūrvam pūrvam garīyastu*,' i.e. each preceding division is superior to the one following it. They were alive to the changing nature of the belligerents, allies and neutrals; and diplomacy was then, as it is now, a very important factor in the determination of the relative positions of the different units of the army in the battle. Even if some of the parts of the force were to fall out, they took enough care that the main body of the army might not collapse by the desertion. Nay, it was even an established canon of political morality that every power had the right of spreading disaffection in the ranks of the enemy's forces.

It has been pointed out that the armies in the Vedic period were formed of all the able-bodied members of the community, and that they were led in war by a class that had made it a special vocation to fight and protect their kinsmen from the attacks of the Dravidian

¹ *Sukra.*, p. 217 f.

foes. They were known as Kṣatriyas. But they did not by any means constitute the whole army. They acted as 'leaders or officers rather than the rank and file'.¹ The same system continued till the Epic period, when the new element of caste was introduced into Aryan society. The different social groups were kept in quite water-tight compartments. 'In general', says Prof. Hopkins,² 'we may say, reverting to an earlier period, that first of all the whole people fought on the field, that in the Epic period the knights fought as the main soldiers, that some reminiscence remains even of the priests' use of arms, that the agricultural caste rarely, but really, fought in the battle (against the statement of the Greek historian), and that the slave caste with other un-Aryan elements of the state went to make up the projectile force as a mass in the battle array, but were without individuality'. The social superiority of the Kṣatriyas as a fighting caste continued till the Mauryan period, after which its high position was shared by the other component parts of the community. To quote a notable example, Candragupta claimed descent from a caste lower than the Kṣatriya. In course of time, then, necessity forced the Aryans of India to admit men from lower castes into the fold of their army organization as equals, and the high commissions in the militia of the country were given on the basis of intrinsic merit rather than birth in a particular caste. Śukra tacitly asserts that a person possessing the requisite qualification may be given the command of an army, be he a Śūdra, Kṣatriya, Vaiśya or Mleccha.³ Yuan Chwang⁴ supports this contention, though he thought that the sovereign *de jure* always belonged to the Kṣatriya caste.

The army possessed a regular hierarchy of officers in the Epic period and after. The *Mahābhārata*⁵ gives us a schedule of military officers. A general was at the head of a battalion of a thousand men. A captain commanded a troop of a hundred, a sergeant led a platoon of ten. This division seems to be almost theoretical;⁶ but it is sufficiently eloquent of the fact that the people knew the efficiency of the proper division of command. According to the *Arthaśāstra*,⁷ 'for every ten members of each of the

¹ *Ved. Ind.*, vol. I, p. 202 f.

² *J.A.O.S.*, XIII, p. 185; see also *Camb. Hist. Ind.*, vol. I, p. 240.

³ pp. 78 and 101; *Agni.*, p. 397. ⁴ p. 170. ⁵ *Mbh.*, XII, 100, 31.

⁶ *J.A.O.S.*, vol. XIII, p. 195. ⁷ *Arth.*, p. 377.

constituents of the army, there must be one commander, called *padika*, ten *padikas* under a *senāpati*, and ten *senāpatīs* under a *nāyaka* (leader).¹ Vaiśampāyana in his *Nītiprakāśikā* gives a table of salaries, in which we find names of different ranks. We may conveniently borrow some of these names, which seem to be terms denoting the ranks of officials. The crown prince was at the top of the list, under whom the commander-in-chief had to serve. Below the latter in importance was *atiratha*, usually a prince, and next came the *mahāratha*. Then there were several subordinate ranks, viz. infantry commandant, brigadier of one thousand infantry, officer commanding a thousand troopers, officer commanding a hundred *pattis*, *ekaratha*, *ardhara-thagajayodhī*, etc. Śukra's division of command seems to be more scientific. At the lowest end of the grade of military officers was a sergeant of six foot soldiers (*pattipāla*). The lieutenant (*gaulmika*) led a company of thirty soldiers. The captain (*satānika*) commanded a troop of a hundred foot soldiers. To help this officer, two others, *anusatika* and *senānī*, were specially appointed, the former having the responsibility of training the whole troop, and the latter being held answerable for the general comforts of the soldiers. At the top of the list were the *sāhasrika* and *āyutika*, with respective commands of over a thousand and ten thousand soldiers. Above these different grades of officials was the generalissimo, who had to carry out all the military operations under instructions from the war office, whose supreme authority was the *sachiva*,¹ the war secretary. The qualifications of the commander-in-chief are elaborately given in *Nīti* works and epics. He was expected to have an all-round knowledge of all essential branches of military science as understood and known to ancient Indians.

The above account only gives a tentative idea of what sort of division of labour was effected in the army of Ancient India. It by no means claims to be a statement of common usage adopted in the whole of the country. In fact, it was a group of nations where uniformity of conditions could hardly be obtained. Any assertion, however carefully it may be made out, is bound to be defective when the peculiar local conditions of a particular tract of the country are taken into account. We can, however, safely affirm that the people of Ancient India were fully cognizant of the benefits accruing from a scientific division of command. Authors of

¹ Śukra., pp. 78-79.

Nitiśāstra have very clearly defined the qualities that the commandant of the different army corps ought to possess, and they have tacitly advised the kings to give the best men the priority of consideration, in spite of their caste or social status.

Besides the four classical divisions of the army, the military organization in Ancient India included the auxiliaries, viz. commissariat, transport and medical corps. The stores department had the charge of carrying food, fodder, clothing, arms, accoutrements, etc.,¹ and it was the special business of an officer (*senāni*)² to look after the general comfort and health of the troops. Perhaps the superintendent of the storehouse, whose duties are very elaborately defined in the *Arthasāstra*, acted as the head of the commissariat under the Mauryan system of administration, and this fact is sufficiently borne out by a Greek writer, who states the function of the second division of the general military board was the supply of 'food for soldiers and provender for the cattle, and other military requisites'.³ The head storekeeper is one of the officers mentioned in the *Niti-prakāśikā* of Vaiśampāyana.⁴ The transport worked in conjunction with the stores, because it was impossible for the latter to do without the former. The wagons of stores marched behind the main body of the army in the Mahābhārata War.⁵ The infantry soldiers perhaps formed the transport corps, whose special duty it was to carry the wounded from the field to the camp, to procure water for the use of the army, and to carry arms and weapons to the fighting line.⁶ Some of the car warriors joined the infantry in the transport of the disabled soldiers to the camp.⁷ The third unit of the auxiliaries was the medical corps. 'Physicians with surgical instruments, machines, remedial oils, and cloth in their hands, and women with prepared food and beverage should stand behind, uttering encouraging words to fighting men.'⁸ Thus the armies in Ancient India had reached a very high degree of efficiency, and anticipated the modern military organization in all its essential parts.

The standing army of state was paid, and the salaries were by no means meagre. The different kinds of army divisions were paid by different methods. Some received their wages in coin, others in

¹ *Udyogaparva*, 151, 58; 152, 13; 155, 5. ² *Arth.*, p. 93; *Sukra.*, p. 79.

³ *Strabo*, p. 42.

⁴ Oppert, p. 7; see also *Kūmand.*, 275, and *Camb. Hist. Ind.*, vol. I, p. 418.

⁵ *J.A.O.S.*, vol. XIII, p. 192. ⁶ *Agni.*, p. 354.

⁷ *Ibid.*, p. 255; see also *Kūmand.*, p. 295. ⁸ *Arth.*, p. 369.

kind. Some of the warriors got their pay as a part of the booty in war time, and a regular stipend in peace.¹ Under the Mauryas the lower ranks of the army were partly paid in cash and partly in kind.² The higher officials were partly paid in coin, or received a piece of land in lieu of their military services. 'The army that belongs to the allies is maintained through goodwill; one's own army is, however, maintained by salary.'³ Vaiśampāyana gives this information with a considerable degree of exactitude. The highest salary was drawn by the crown prince, and it amounted to 5,000 *varvas*. At the other end of the scale was a private, whose pay was only 5 *suvarnas*. The other grades intermediate between these two ends received salaries ranging from 4,000 to 15 *varvas*.⁴ Two kinds of coin were in circulation: (1) *varvas*, (2) *niṣkas*. What their exchange ratio was is not stated in the *Niti-prakāśikā*. Besides the regular stipend referred to above, the state also awarded special prizes for performing thrilling feats of valour, e.g. for killing the hostile king, an amount of *niyuta* pieces of gold was to be awarded. Interesting tables are given in the *Arthaśāstra*, *Kāmandakīya-nītisāra* and *Agni-purāna*,⁵ which supply us with an idea of the relative values attached to the destruction of the different grades of hostile army. To recapitulate, we may say that the conditions of payment to the troops in Ancient India were six: (1) payment in coin, (2) payment in kind, (3) payment in both, (4) share in plunder, (5) grant of land and (6) special rewards. These conditions obtained in many Hindu states during the mediæval period, and are in vogue even to-day. They are, in fact, survivals of a long time-honoured custom.

Ancient India was aware of the proper value of training the army in the art of war. An untrained host was quite appropriately compared to bales of cotton.⁶ It was a very firm belief of the political thinkers of Ancient India that every feat, however difficult it might be in the eyes of an ordinary man, was within the range of achievement by dint of hard labour and continuous application

¹ *J.A.O.S.*, XIII, p. 190. ² *Arth.*, pp. 133, 139; *ibid.*, p. 400.

³ *Sūtra.*, p. 218. See p. 220 for the table of salaries. See also *Niti Vākya-mṛta*, p. 85. The author blames those kings who do not make adequate payment to their soldiers. ⁴ Oppert, p. 7.

⁵ *Arth.*, p. 368; *Kāmand.*, p. 299; *Agni.*, p. 379; See also *Sūtra.*, pp. 242, 254; and *Yuktikalparu*, p. 5 f. ⁶ *Sūtra.*, p. 234.

(*śrameṇa*).¹ In India, in those days, the political conditions were susceptible to sudden changes. So it was quite necessary for rulers to be always ready for war. The army, therefore, could not be suffered to remain inactive or indolent. It was the duty of the king to inspect the military force of the state and bring about all proper improvements to ensure efficiency in action. 'Attired in military dress and having mounted a horse, a chariot or an elephant, he shall go to see his army equipped in military array.'² He is advised by one writer³ to inspect all the military arrangements every day, and study the activities of his troops, being seated on a platform. Even for the Dravidian kings it was thought to be an important duty to examine the organization of national defence, and bring it to the requisite level of efficiency.⁴ In short, the highest executive authority in the government of the state in Ancient India was conscious of his essential duty relating to army organization, and he hardly ever failed in its due discharge.

The soldiers had to attend parade very frequently, perhaps every day.⁵ Regular training was given by qualified commanders. It was for some time a special privilege of the Brāhmins and Kṣatriyas to impart military education to the other castes:⁶ e.g. Vasiṣṭha was the instructor of Rāma, and Droṇa was the military preceptor of the Pāṇḍavas and Kauravas. But this right was gradually extended to the members of the other castes, and, as has been already observed, all ranks were thrown open without much distinction of caste and creed.

There is no definite information with regard to the particular fashion of uniform used by the soldiers. Probably different colours were used by different states to distinguish each other's army. The banners and flags were, at any rate, dyed in different colours, to show distinction between various units of the same army. About this subject more information has been given in another place.⁷

One more point, and the last one quite pertinent to the subject matter of this chapter, is the organization of the war office. From a study of the duties of the commander-in-chief,⁸ it seems that the offices of the commander-in-chief and war minister were occupied

¹ *Br. Śā. Pad.*, p. 274.

² *Arth.*, p. 45.

³ *Sukra.*, pp. 45, 254; *Kūmand.*, p. 281.

⁴ *Kurval*, p. 74.

⁵ *Arth.*, p. 249; *Sukra.*, p. 254.

⁶ *Agni.*, p. 397.

⁷ Chap. III.

⁸ p. 140.

by one person. At least, there are no two names specially distinguishing their functions. None the less, it is certain that there was an efficient control of a highly systematized war office over the military forces of the land under the Mauryas. The war office was constituted by six boards of five members each: (1) the admiralty, (2) transport and commissariat, (3) infantry, (4) cavalry, (5) chariots, and (6) elephants.¹ *Saciva* is the name of the war secretary adopted by Śukra,² and he is placed by the author in the list of ministers constituting a cabinet of the king. He had to keep himself informed of the state of national defence; and to communicate the results of his inspection to the king through the crown prince. Because of the variety of information that the war secretary was required to possess, it follows as a natural corollary that a competent staff of clerks was engaged to help him in making out a satisfactory account of his labour.

¹ *Strabo*, p. 54; *Camb. Hist. Ind.*, vol. I, p. 418. ² p. 72.

CHAPTER VII

GENERAL NATURE OF DIPLOMACY

DEFINITIONS

IN this chapter the definitions of necessary terms compatible with the subject of this essay will be given. But it is not wise to note the bare definitions of those terms without explaining them, and drawing legitimate implications. The meaning of the terms will be stated in the words of ancient writers, because we are mainly concerned to know in what sense they used them in the ordinary conduct of diplomacy.

1. *War (Yuddha or Vighraha)*

This is an affair between two parties who, having rival interests, settle their disputes by force of arms.¹ The state that has organized forces is alone capable of fighting. Weak states foolishly pick up quarrels (*kalaha*) and become easy victims of their foes. War, even by strong states, should not be undertaken for the purpose of aggression. It is the last resort when other means are completely exhausted.² When the other expedients of polity (*sāma*, *dāna* and *bheda*) do not bear satisfactory results, war becomes inevitable, and should be fought out to a successful end. But it is, after all, doubtful how far success will be achieved; and it is sure that loss will have to be borne by both the parties.³ Friendly negotiations are carried on with a view to avoid wars, e.g. Kṛṣṇa acts as a diplomatic agent in the court of Kauravas, and Aṅgada goes to Rāvaṇa in the same capacity. When no solution is possible, all diplomatic connexions are cut off, and the withdrawal of ambassadors is tantamount to a declaration of war.

2. *Treaty (Sandhi)*

A treaty is defined as a solemn promise given by the contracting parties to each other to do, or refrain from doing, particular things.⁴ It creates friendly relations between two powerful states.⁵ Treaties

¹ *Sūtra.*, p. 238. ² *Yājñavalkya*, I, 346.

³ *Kāmand.* (ed. J. V. Bhattacharya), IX, 61. ⁴ *Arth.*, p. 263.

⁵ *Sūtra.*, p. 239.

are classified mainly into four kinds:¹ (1) *daṇḍopanata* (offering the army), (2) *kośopanata* (offering the treasure), (3) *desopanata* (offering the territory), and (4) *suvarna* (amicably settled peace with honour). They are further subdivided, bringing the total variety of treaties to eleven. Kāmandaka classified treaties into sixteen kinds. But we have hardly any space to record these minute details. If one of the parties showed any sign of infidelity, it was required to take an oath by fire, water or the sword. Kauṭilya² makes the monstrous suggestion that a conqueror may break off the terms of a treaty if it is convenient for him to do so.

3. Alliance (*Aśraya*)

This is defined as seeking protection of another so that the weak may become powerful.³ The chief motive for alliance then, as in the modern world, was to put a check on the growing strength of one particular state, and thereby to bring about a balance of power. Thus a powerful combination of ten states was engineered to overpower the great Aryan leader, Sudāsa, of the *Ṛgveda*. Sudāsa, however, proved a match for these ten confederates. Each host in the Mahābhārata War was an allied army that had come to help one belligerent against the other. Kauṭilya and other *Nīti* writers advocate the formation of alliances, as they are always conducive to the common benefit of the contracting parties.⁴

4. Making Preparation for Fighting (*Yāna*), Double Policy (*Dvaidhī Bhāva*), and Neutrality (*Āsana*)

These are other means of diplomacy laid down by political writers. The first term has been amply explained in a previous chapter. The 'double policy' in Ancient India consisted in waging war with one and making peace with another.⁵ It also meant the stationing of one's troops with duplicity. The policy of *āsana* (neutrality) should be adopted when a king thinks that he cannot destroy his enemy, nor yet be ruined by him.⁶

5. Political Expedients of Conciliation (*Sāma*), Gift (*Dāna*), Spreading Disaffection in Enemy's Troops (*Bheda*), and Punishment or War (*Daṇḍa*)

The first three expedients should be tried in the beginning, and, if they do not achieve any useful purpose, war should be undertaken

¹ *Arth.*, p. 268 f.

² *Ibid.*, p. 312.

³ *Arth.*, p. 263 ; *Sukra.*, p. 239.

⁴ *Arth.*, p. 262.

⁵ *Ibid.*, p. 263.

⁶ *Sukra.*, p. 240.

as the last measure. In dealing with the bold, conciliation should be adopted, because this method does not generally lead towards disaster.¹ The policy of conciliation and division should be directed against the timid, and these two together with the policy of largesse should be used against the greedy. With the vexatious all the policies should be tried in turn.² Against a powerful enemy the policy of spreading dissension proves to be most effective. 'Dissension well directed may divide even the true-hearted, as a mighty stream of water (divides) mountains of solid rock.'³

DIPLOMATIC AGENTS

The reader will have gathered some idea of diplomacy as conducted in Ancient India from the above. A few words may be added of diplomatic agents.

1. *Envoy (Dāta)*

He was a diplomatic officer sent to the court of another prince to safeguard the interest of his master. He was an open messenger (*prakāśa*), whereas a spy was a secret agent.⁴ It was his duty to gather all the requisite information of the strength and weakness of the foe and transmit it to the home government. He was also entrusted with the work of issuing ultimatums, gaining friends, of intriguing, and spreading disaffection.⁵ The spies of his state were placed under him, and he was responsible for their movements.

2. *Spy (Cāra, Gadhāpuruṣa)*

He was a secret agent whose main duty it was to gather information of importance in the enemy's territory and report it to the government of his country. He roamed in the guise of a merchant, a fraudulent disciple, a recluse, a housekeeper, an ascetic, a classmate or a colleague, a firebrand, a poisoner, or a mendicant woman.⁶ He must be swift as the wind and energetic as the sun.⁷ Spies were instrumental in creating disaffection and division in the army of the foe, and their help during the siege of a fort was indispensable. They were trained to do any mean act for the sake of their master. In the *Mudrārakṣasa* we read of a number of crimes perpetrated by them at the instance of Kauṭilya.

¹ *Bārhaspatya Sūtra*, V, 4; *Panc. Recon.*, p. 317.

² *Bārhaspatya Sūtra*, V, 5, 6, 7.

³ *Panc. Recon.*, p. 360.

⁴ *Kāmand.* (ed. J. V. Bhattacharya), XII, 32.

⁵ *Arth.*, p. 32.

⁶ *Arth.*, p. 18; *Kurral*, II, p. 59.

⁷ *Kāmand.* (ed. J. V. Bhattacharya), XII, p. 29.

CHAPTER VIII

MARCHING AND CAMPING

VĒDIC Aryans were nomadic tribes, who frequently moved from place to place in search of pasture. They were in a state of perpetual struggle with the Dravidians and other non-Aryan tribes of India. They lived, in consequence, a camping life for a long time until they established themselves in villages and fortified places. Their habitation was a sort of moving camp, which possessed all the primitive necessities of life. In their time, therefore, there was no great need for a well laid out plan of marching and camping. In the Epics and afterwards this subject invited its due consideration, since the Epic Aryans and their successors had left the wandering habits of their forefathers, and had, therefore, to make preparation for the new life of a camp, which was entirely different from their homes.

The Epic host marched on an expedition led by its chief generals, the king remaining in the middle.¹ If the enemy had blocked the road, or if he had surrounded the invading army, the latter marched in crocodile (*makara*) array in front, wedge array in the rear, diamond array (i.e. four or five rows) on the sides, and compact array on all sides. While going through a narrow path, it should march in a needle array.² According to the *Arthasāstra*,³ the leader should march along with the van. The king and harem must occupy the centre, having horses and bodyguards on their sides. The elephants and reserves take their positions at the extremity of the circular array. The whole army should be enveloped by troops habituated to forest life. The commissariat and other troops must choose their own way. The army should be protected during an expedition from epidemics, famine, sudden attacks by enemy at night or at the time of eating.⁴ Before starting on

¹ *J.A.O.S.*, XIII, p. 191 f.

² *Arth.*, p. 365; *Kāmand.*, p. 287; *Agni.*, p. 377; see also *Manu*, VII, p. 187; *S.B.E.*, XXV, p. 246. Particulars of arrays are given in Chapter X.

³ p. 364; *Kāmand.*, p. 286; *Agni.*, p. 377.

⁴ *Arth.*, p. 365; *Kāmand.*, p. 287 f.; *Agni.*, p. 377 f.

a campaign, the general must acquaint himself with the necessary information regarding the geographical features of the country to be traversed, and accordingly draw up a programme of short and long halts. The army must be accompanied by wagons carrying a sufficient quantity of foodstuffs.¹

The place of encampment, according to the Epic, ought to be a broad, level plain, where fodder, fuel and water will be obtainable in plenty. Ground containing much mineral salt should be avoided.² After a close examination of the place, it was parcelled out into small divisions, each of which was allotted to one contingent of the army, and a trench dug about it. Before pitching the tents, any outlying post of the enemy was driven off. The whole army was surrounded by a deep moat, into which a perennial flow of water from the Hiraṇvati was rolling.³ The camp possessed an enormous (mountain-like—*parvatopama*) store of arms, accoutrements, food, ghee, honey, machines, sand, wax, oils, armours, etc., etc. The camp looked like a city, in which there were bazaars, prostitutes, and many other attributes of town life. Physicians were also engaged in the camp⁴ for the treatment of the sick and the wounded. The array of each day was decided upon, and watchwords and signals, by which friends are recognized from foes, were given out. The battle began usually in the morning and stopped at sunset. Sometimes the army arose at daybreak and waited for the sun to rise for prayer.⁵ If one of the opposing hosts were badly defeated it retired even before sunset, but once the battle was begun, it was continued in the night with torches.⁶ But, ordinarily, the fighters returned to the camp at night and took complete rest, to compensate for the labour and fatigue of the day. If there were nothing serious in the situation, the host retired to sleep, after making salutations to each other, and during the night the guards watched the camp against a possible attack by the enemy. 'Kings and allies, in order to secure their triumph, observed in their encampment the strict rules of self-denial, liberality and religion.'⁷

From literature of the post-Epic period, and particularly from the *Arthaśāstra* and *Kāmandakīya Nīṭisāra*,⁸ we learn a great deal about

¹ *Arth.*, p. 364. ² *Mbh. Udyoga*, 152, 1-2. ³ *Ibid.*, 152, 8.

⁴ *Ibid.*, 151, 58; 152, 13; 155, 5. ⁵ *Mbh.*, VI, 19, 36-39.

⁶ *Mbh.*, VI, 16, 4. ⁷ Wilson, vol. IV, p. 306.

⁸ *Arth.*, book 10, chap. 1; *Kāmand.*, pp. 247 ff.

the system of camping. The commander, accompanied by a carpenter and astrologer, draws out a camp circular, rectangular or square in form. It is divided into nine parts and intercepted by six roads. There are only four gates. The camp is protected by means of ditches, parapets, walls, doors, and watch-towers. Wells, mounds and thorns are arranged to place impediments in the way of the enemy forcing his passage into the camp. The residence of the king is to be guarded by eighteen divisions of sentinels, who should change their watches in turn. Suitable places are assigned to the different kinds of troops. The stores, kitchen, armoury, etc., are located in their proper places. Civil and military officers have their separate lodgings. The programme of the day should be prepared and movements of the spies observed carefully. Drinking and other social revelries are forbidden in the camp, and egress and ingress restricted to those who obtain passports from the camp officer. The best ground for camp is that which affords sufficient facility for daily military exercises, for idleness generates want of discipline, and in consequence makes the army incapable of sustained effort.

It will be obvious that the Epic camp differs from that of the post-Epic in some respects. The former is a sort of city, where much of civic life can be enjoyed. Sufficient environment is created to make a soldier feel that he is among his kith and kin. Besides this, means of pleasure are also supplied to make him forget the worries and cares of the field. The Epic horde is not under very strict military discipline. Friends and foes can mix together at the end of each day's fight and social connexions are not altogether cut off by reason of the hostilities in the field. The post-Epic camp is a real camp, where military discipline is most essential. No connexion with the foe, social or otherwise, will be suffered to continue. It is a society by itself, which cuts off all connexion with the outside world, till complete cessation of hostility is brought about. Prostitutes cannot carry on their nefarious traffic in the camp. There are no bazaars. Everything is supplied by the stores department of the state. Soldiers have to undergo the rigour of a real military camp.

CHAPTER IX

SEASONAL AND REGIONAL CONSIDERATIONS; SPECIAL WORK ASSIGNED TO EACH ARMY DIVISION

A. SEASONAL CONSIDERATIONS

THE period between *mārgaśiṛṣa* (December) and *caitra* (March) is generally accepted as an appropriate season for war.¹ Summer and rainy seasons are not suitable for that purpose.² But war may be conducted during any season if the invader thinks that the enemy's stores are depleted and that by destroying his crops he will be able to inflict great hardships on his foe. The month of *mārgaśiṛṣa* and the dewy months generally are congenial for elephants and even for combatants. An expedition into a hot region should be especially undertaken in this season. For long marches *mārgaśiṛṣa* is the best season to begin operations. For a march of mean length *caitra* is quite good. Summer is generally unsuitable for fighting; but if the nature of the ground renders the operations easy for the forces of the invader, and if, on the other a hand, it is difficult for the army of the enemy to offer a strong defence, a march of short duration should be undertaken, even during the rains and summer. Elephants, however, should not be used in the latter season. Asses, camels and horses serve very efficiently in a hot climate.³

B. REGIONAL CONSIDERATIONS

Points of strategical importance were taken into consideration then, as they are taken now. We shall show what special precautions were taken during the campaign for the health and safety of the combatants in difficult regions, and also the measures adopted for obtaining success.

When an army is passing through a mountainous country full of mire, waterpools, rivers and cataracts, or while it is going through a marshy place, sufficient care⁴ should be taken to protect it. The forces of the enemy, if caught in similar circumstances,

¹ *Mbh.*, V, 83, 7; 142, 8; *Manu*, VII, 182; *S.B.E.*, p. 245.

² *Sukra.*, p. 238. ³ *Arth.*, p. 341 f.

⁴ *Arth.*, p. 355; *Kāmand.*, p. 287; *Agni.*, p. 377.

should be completely routed. A skilled general should attack the rear of the enemy, if the ground in front and on the sides is undulating. Thus escape for him would be impossible, and the invader would reap the fruit of the favourable situation.¹ If the enemy is guarding a ford of a river, the passage of the stream should be effected elsewhere, and then he should be entangled in an ambushade.² When suggesting this means Kauṭilya had probably before him the method adopted by Alexander at the time of the battle of Hydaspes. 'Water may be crossed by means of elephants, planks spread over pillars erected, bridges, boats, timber and mass of bamboos, as well as by means of sour gourds, big baskets covered with skins, rafts, and *gāndika* and *venika*.'³ In short, before going on an expedition, thorough knowledge of the geographical conditions of the invaded territory was regarded as quite necessary, and a general was expected to turn it to the greatest advantage.

C. SPECIAL WORK OF EACH ARMY DIVISION

1. *Region Suitable to Each*⁴

The ground that offers the least obstruction to the easy mobility of the wheels is suitable for chariots. Footprints of beasts, mounds, pits, trees and shrubs, marshy land and hills are impediments in the way of war cars. Ground that contains small stones, shrubs and pits capable of being jumped over is suitable for the employment of cavalry. It must not be swampy or sandy in its nature.

Ground full of obstacles, such as big stones, trees and anthills, is passable only by infantry. The best ground for the employment of foot is even, extensive and free from obstacles.

Elephants may be used in hills and valleys full of muddy soil, but free from big trees and thorns. Elephants are particularly useful where water is abundant.

2. *Their Special Functions*⁵

Along with elephants, chariots have to bear the brunt of the enemy's attack. They are to break his files, and re-form the ranks of one's own army, if they are dispersed by the foe. It is they who must guide the rest of the army. The car warriors of the lowest grade have to carry the wounded to a place of safety.

¹ *Agni.*, p. 378 ; *Kāmand.*, p. 289. ² *Arth.*, p. 365. ³ *Ibid.*

⁴ *Arth.*, p. 370 ; *Kāmand.*, pp. 296 ff. ; *Agni.*, p. 379.

⁵ *Arth.*, p. 271 ; *Kāmand.*, pp. 294 ff. ; *Agni.*, pp. 255, 278 f.

It is the duty of cavalry to reconnoitre the forests, highways, and river banks of the invaded territory. The commissariat and transport ought to be protected in transit, as they form the rear of the army. They should serve as message bearers, since none else can do the work with the requisite swiftness. They can best pursue the flying enemy, and destroy his rear. They are generally posted on the flanks, behind the chariots, just near the rear of the army (see Appendix, Porus' array); from that position they can very well spread out at a moment's command. Other divisions cannot swell the size of the army so quickly as they do. The strength of the sides is firmly maintained mainly by the efforts of the cavalry.

The infantry has to fight wherever it is ordered to go. Foot soldiers must know the use of all weapons. Free labourers must be employed in carrying weapons, water, etc., to the fighting line. They must also examine the camp, roads, bridges, wells and rivers, and clear the ground of ant hills and bushes. Like the car warriors, they must carry the wounded from the battlefield.

Next to car warriors, or with equal strength with them, elephants have to disperse the enemy's forces. The scattered ranks of an army can re-unite under the cover of elephants. They are best suited to range and reconnoitre the forest and wilderness. They render very good help in assailing the battlements and doors of a fortress, and in crossing large bodies of water. They are also useful in setting and quenching fire.

3. *Relative Strength of Each Part, and its Co-ordination with Others*

We have seen that during the Vedic period there were only two main divisions of the army: chariots and foot. The former was regarded as superior to the latter. In the Epics we find the full-fledged Indian army (*catranga balam*), consisting of chariots, elephants, horse and foot, each being more important than the one subsequently mentioned. At the time of the Mauryas¹ and afterwards, elephants superseded chariots. Gradually the latter lost their prominence and ceased to be counted as an efficient force. Sometimes four soldiers were employed to guard the elephant, four horsemen to protect the car warrior, and four swordsmen to defend the cavalry soldier.²

¹ *Arth.*, p. 377.

Agni., p. 354.

CHAPTER X

ARRAYS AND STRATEGY ; MODE OF WARFARE

THIS chapter embodies the central theme of the present work so far as actual field operations are discussed. India was cognizant of the fact that no force in the world, however invincible it might be in other essential military requisites, was qualified to overthrow the enemy unless it possessed a well-trained team of commanders skilled in army manœuvres. Indians had turned this subject into a science wherein solutions of all the problems of strategy could be easily found. But this science was only suited to Indian conditions. In an encounter against foreigners Indian maxims of military strategy sadly failed to fulfil expectations. This, and other causes of military failure suffered by Indians, is a subject belonging to a later chapter. In this chapter we shall confine ourselves to the rise and development of Indian maxims of strategy and other topics of a kindred nature.

The Vedas do not impart to us any idea of regular arrangement of troops in the battlefield. That they had banners and flags is not a sufficient reason to believe, as Gieger¹ does with reference to Eastern Iranians, that there was a 'certain tactical order in the field'. None the less, they were capable of forming and carrying out daring military designs. The war of the ten kings (described in *Rgveda*, III, 53) shows how the Tritsus and Bharatas engineered a plan to cross the two rivers between them, the Bias and Sutlej, and make a surprise attack on the opposite party. The Tritsus, more active than their opponents, took the initiative and appeared unexpectedly on the southern bank of the Ravi, in front of the host led by the Bharatas. Being in a state of unpreparedness, the unfortunate tribe and its allies were thrown into utter confusion. Before them there was the mighty army of the Tritsus and behind the rolling tide of the Ravi. The loss to the Bharatas was incalculable, and the tribe was wiped out from the political geography of Vedic India.

¹ *East. Iran.*, vol. II, p. 21.

In the *Atharva*¹ there are a number of battle charms for confusing the enemy. The aim of such charms among the Aryan tribes was to render the enemy's plan futile and to make their own schemes successful. For this purpose the aid of Agni, Indra, the goddesses Āpva and Arbudi was invoked. Even the plan itself is personified and is asked to become powerless: 'Oh ye plans of theirs, fly ye away! oh ye schemes, be ye confused! moreover what now is in their mind do now drive out of them.' Marutas are prayed to overwhelm the enemy with 'planless darkness'. Thus it is clear that the warriors of Vedic India had definite military plans. They may have been for making sudden attacks, for guerrilla warfare, for fighting under cover, or for any other military manoeuvre conducive to success. The best illustration is afforded by the account of 'the war of the ten kings', alluded to above.

In the Epic period the subject of arrays and military strategy invited the particular attention of Indian warriors. Their conclusions seem to be the product of careful study, and the arrays adopted by the rival forces in the great war indicate a genuine attempt to grasp the situation of the field in its true perspective. On the first day of the war the *maṇḍala* (circle) array of the Kurus was met by the *sūchī* (needle) array of the Paṇḍus. The circular arrangement of troops was invincible on all sides, and so it was imperative for the Paṇḍus to break that order by attacking the opposite host in a narrow and compact column. The object of forming the force in a crescent shape on the third day was to surround the Kuru army after the latter was allowed to advance into the semicircular body. Thus the Kuru force had to meet the brunt of the charges of the enemy from three sides. It is interesting to note that the *makara* (crocodile—double triangle) array, with apices joined and the base forming the van, an array with a very solid body, was replied to by a bird (*rhomboid*) array on the fifth and sixth days of the war. The bird array proved a perfect match for the crocodile order, which otherwise was almost impregnable. As on the first day, the circular (*maṇḍala*) array of the Kurus was broken by the long heavy phalanx (*vajra*) array of the Paṇḍus. The situations on these two days were quite similar. On the first day the *maṇḍala* was met by the *sūchī* (needle) order, and on the seventh it was answered by the long phalanx (*vajra*) order. The tactical difference between the *sūchī* and *vajra* arrays seems to be

¹ *Atharva*, in *S.B.E.*, pp. 121-24; III, 1, 1, 4; III, 2, 2, 3, 4, 5, 6; XI, 9, 1, 13.

nil. If there is any, it is simply in the width of the columns of the army. The wedge (*sakaṭa*) order, having partially a rectangular arrangement, was met by the bird (*rhomboid*) array on the eleventh day. It is pointed out in the case of the *makara* (crocodile) array that the compact body was usually surrounded by an army in the bird array. The wedge arrangement appears to be like the *makara* variety, and so the remedy in its case was also the same. We cannot make out any reason why on the twelfth day the circular (moon) array of the Kurus was answered by the semicircular arrangement of the Paṇḍu army. The most dreaded array was devised on the thirteenth day. The *cakra* (wheel) order was impenetrable, and it was alleged that none was able to pierce through it except Arjuna. His son, Abhimanyu, knew how to get in, but had not learnt how to get out of the puzzling arrangement. The Kuru commander was wise enough to lure away Arjuna to a distant sector of the field, and then began playing havoc in the Paṇḍu army. With regard to the details of this array we learn little or nothing from the epic. Abhimanyu was caught in the trap and was consequently killed by Jayadratha, much to the chagrin of Arjuna. On the next day Arjuna started with a clear determination to avenge the death of his son, and so the Kuru hosts arrayed themselves to defend and save Jayadratha. In front there was a wedge, behind which a circular array was formed, and in the latter order a secret array of needle shape was created.

In this last array the man to be protected was safely deposited. The skill of Arjuna and the diplomacy (or supernatural powers?) of Kṛṣṇa defeated the purpose of the array, and revenge was taken by Arjuna. The last two days marked the fight for ashes, and no array of great interest was devised by either party.

As far as the theory goes, the arrangement of troops by both the armies on almost all days was perfectly adapted to the exigencies of the moment. But the question is, whether the plans drawn out at the beginning of each day's fight were really carried out in practice. The overwhelming evidence from the description of the war points to the conclusion that it was not. The Epic warriors and their metamorphosed adherents were fond of tumult (*tumula*) and the confused din¹ in the battlefield. The disorder in both armies was almost phenomenal, and the heroes indulged in a display of their personal valour and skill, regardless of the sad fate of the rank

¹ *Mbh.*, VII, 187, 1-5; *Gītā*, I, 19.

and file which their recklessness entailed. The body of fighters was allowed to be blown away like straw, and the criticism by Professor Hopkins,¹ that 'they [the soldiers] fight not for a cause, but for a leader', compels us to admit their weakness as a collective body.

The *Arthśāstra* is assuredly the parent work from which the *Kūmandaktya Nītisāra* and the *Agnipurāna* have drawn their information regarding the array. It is needless, therefore, to treat the array embodied in these works separately. We shall only note the arrays described by Kauṭilya. The table at the end of this chapter gives an adequate idea of the sorts of arrays conceived by him.

Arrays are primarily divided into four kinds:² *danḍa*, *bhoga*, *maṇḍala* and *asamhata*. Each of these classes is further subdivided. *Danḍa* has seventeen varieties, *asamhata* has three, and each of the remainder has four. The total number of arrays is twenty. *Agnipurāna*³ puts the total at thirty. There are about seven arrays which, as we have seen, were used in the Epic war: *maṇḍala*, *syena*, *sūchi*, *śakaṣa*, *makara*, *vajra* and *ardhačāndrika*. The first of these is alone treated as a genus; all others are regarded as species of *danḍa*, *bhoga* and *asamhata*. Then there are five arrangements in respect of the special cases assigned to each of the four constituent parts of the army. They are *ariṣṭa*, *acala*, *apratihata*, *madhyabhedi* and *antarbhedi*. In the case of *ariṣṭa*, chariots are to be placed in front, elephants to occupy the wings, and cavalry to remain in the rear. In the event of an *acala* order, the infantry, cavalry, chariots and elephants are to advance one behind the other. In the *apratihata* array the different divisions are to march forward one behind the other as in the above instance, but the places of infantry and elephants are interchanged. It is a *madhyabhedi* arrangement when the front ranks are occupied by elephants, the flanks by chariots, and the wings by horses. When this order is reversed it is an *antarbhedi* array. An array purely composed of any one of the different sections of the army may be devised as occasion demands. The author then tells us how certain arrays should be met by others. The *pradava* order should be met by *dṛḍhaka*, *dṛḍhaka* by *asahya*, *syena* by *cāpa*, *pratiṣṭha* by *supratiṣṭha*, *sañjaya* by *vijaya*, *sthūlakarṇa* by *viśālavijaya*, *vāripatanaka* by *sarvatobhadra*, and all

¹ *J.A.O.S.*, XIII, p. 223.

² See book 10, chapters 5 and 6.

³ *Agns.*, vol. II, p. 382.

arrays by *durjaya*. In the *Kāmandakīya Nitisāra*, *Sukranīti* and *Agni-purāna*,¹ we find the purpose which each array can best serve. The *makara*, *śyena* and *sūchī* orders should be adopted when there is a frontal attack by the enemy. The *śakaṣa* arrangement is suitable when the rear is threatened. When danger is apprehended on the sides, the *vajra* order is recommended. The *sarvatobhadra*, *cakra* and *vyāla* are best when danger lies on all sides.

The field army is divided into three, four or seven parts. In the first we have the *uras* (breast or centre), the *kakṣas* (flanks) and *pakṣas* (wings). The second classification adds the *pratigraha* (reserve), making the total four. The last classification adds three more, viz. the *koti* (van), *madhya* (middle or second line), and *pr̥stha*² (rear between *madhya* and *pratigraha*). The main position in the field was given by the king to those troops on whose fidelity he could completely rely. The army of the allies, foresters and other irregulars was placed on the wings or sides, for fear of their possible desertion. The commander-in-chief was held responsible for posting men in their proper places.

The different units in the army were not to stand in confused masses, since by doing so they would be a source of annoyance to their friends as much as to their foes. The learned writers of Ancient India prescribed definite distances which should be kept between two fighters, and also between two files of the same army. Two infantry men should have an intervening space of fourteen *āṅgulas* between them; and two horses must be kept forty-two *āṅgulas* apart. The distance between two chariots should be fifty-six *āṅgulas*, and that between two elephants one hundred and twelve or one hundred and sixteen *āṅgulas*. Similarly two lines of archers or elephants must have between them a space of six hundred *āṅgulas*; cavalry files, the distance of three hundred and sixty *āṅgulas*. The wings, flanks, and front each should be separated from the other by a space of six hundred *āṅgulas*.³

There are two methods of classifying warfare: (1) according to the weapons used, and (2) according to the manner of fighting. Under the first category,⁴ we have *daivika*, *āsura*, and *mānuṣa*. Under the second⁵ we have *prakāśa*, *kūṭa* and *tūṣṇī*. In *daivika*

¹ *Kāmand.*, p. 287; *Sukra.*, p. 242 f.; *Agni.*, p. 377.

² *Kāmand.*, p. 303; *Agni.*, p. 380. ³ *Arth.*, p. 372; *Agni.*, p. 354.

⁴ *Sukra.*, p. 238. ⁵ *Arth.*, p. 283.

warfare charms and spells are used. In *āsura* various mechanical instruments causing wholesale destruction are employed. The *mānuṣa* form of warfare is that in which four classical divisions are employed in the different arrays noted above. Open warfare (*prakāśa*) is fought in broad daylight and in a fixed locality. Treacherous (*kāṣa*) warfare consists in threatening in one direction and attacking in another, destruction of the enemy while he is unconscious or unprepared. Silent warfare (*tūṣṇī*) is spreading disaffection in the ranks of enemy's forces.

The *Nītisāstra* treats at considerable length the subject of treacherous fighting. In modern methods of war the term corresponds to military strategy. Warfare is, after all, a game of chess in which the slightest mistake on the part of one adversary brings a corresponding gain or advantage to the other party. There is no reason why, from the worldly point of view, one party should not take advantage of the weakness of the other. The manner of warfare advocated by Indian writers had been in practice in all ages and climes. In the last European war the same method was employed, perhaps in a more horrible form.

It was thought to be a very suitable time to attack an enemy when the latter was engaged in repelling the attacks of his other adversaries. Simultaneous attacks on two sides of his territory were considered likely to have greater chances of bringing the war to a successful conclusion. Secondly, the enemy should be crushed, if he were unfavourably situated, or an attempt should be made to lure him away to a disadvantageous position by a feigned retreat and then a charge made with all available force. Thirdly, the general of the army should judge exactly the weak point of the adversary and then direct his picked men to assail that side first. If one flank was annihilated, it was pretty certain that others would collapse like a pack of cards. Fourthly, he should induce the best soldiers of the enemy to throw off their allegiance, or induce the chief persons of the opposite party to come out on assurance that no harm would be done to them, and afterwards treacherously kill them. The enemy thus deprived of his best assistants would be greatly cowed. Fifthly, food, fodder and war instruments should be destroyed, so that the foe should lack the urgent necessities of his camp. Lastly, friendship should be pretended, and when the enemy fell into a state of unpreparedness, his army should be attacked in the dead of

night: or the king should harass the enemy at night, thus making his forces incapable of fighting during the day time on account of want of proper rest.¹

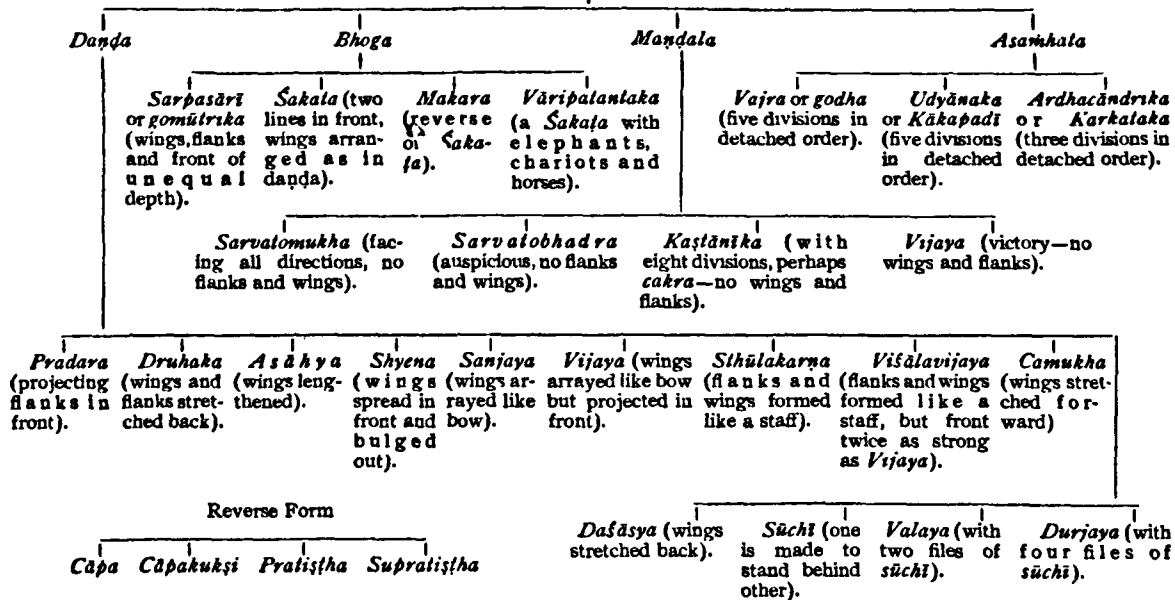
That the sorts of arrays described in classical Sanskrit literature were actually in vogue may be corroborated from the arrangement of Porus' troops as the Greeks saw them.² The array adopted by the Indian kings seems to have been of the *syena* or *garuḍa* variety. The object of placing the elephants in the front line was to scare away the horses of the enemy, which were standing in a compact body. Both the wings were occupied by chariots, and the flanks held by detachments of cavalry. Behind the elephants, and on the sides of the chariots and horse, stood a huge mass of infantry. The whole arrangement was made by Porus in the belief that he would have to sustain the frontal attack of the compact mass of Alexander's cavalry; so he met the situation by arraying his force in a bird order, as was done in the Mahābhārata War. The cavalry and infantry were, in those days, regarded with scorn, and were, therefore, thrown in the background. The elephants and chariots were placed in prominent positions, because they were held in high estimation. On account of the unexpected mobility of Alexander's cavalry, and the consequent confusion created in the infantry of Porus, the hopes of the Indians were completely belied. The elephants and war cars were not half so mobile as Alexander's horse, and catastrophe became inevitable. The plan of the battle of Hydaspes, taken from Vincent Smith's *Early History of India*, and reproduced as a frontispiece to this work, will make the situation clear.

A word may be said with regard to wrestling combats, which took place frequently in Ancient India. Among the backward tribes of India, wrestling and boxing contests were quite common, and 'Yuddha kāṇḍa', of the *Rāmāyaṇa*, is full of descriptions of such fights. The warriors of the *Mahābhārata* were also equally fond of wrestling, and expert fighters challenged each other during the course of the battle to a wrestling match. Apart from the war, international disputes were sometimes settled by wrestling fights. For example, Bhīma fought and overpowered Jarāsandha, and thus removed a great thorn from Bhāratavarṣa. Kṛṣṇa's fight with Kāṁsa may be said to be of the same variety. There were definite rules of wrestling, the

¹ *Arth.*, p. 366 f.; *Agni.*, p. 378; *Sukra.*, p. 254.

² *Invasion of India, Arrian*, p. 102 f.

TABLE OF ARRAYS
VYŪHA



infringement of which was condemned. *Agnipurāna* and *Sukranti* contain descriptions of the method of this fight. The different tricks that the combatants were expected to know are clearly explained therein.¹

NOTE

A few maps of *Vyūhas* (arrays) are printed at the end of this book. The originals are in the collections of Bhārata Itihāsa Saṁśodhaka Maṇḍala, of Poona. They seem to be genuine attempts at interpreting the arrays used in Ancient India. The originals, however, are not very old. They appear to have been drawn in the latter half of the nineteenth century.

¹ *Agni.*, p. 405 f.; *Sukra.*, p. 250.

CHAPTER XI

ETHICS OF WAR

WAR is generally a dangerous game; but below the tumult and roughness of it there is a calm under-current, which flows in the depth of the heart of all humanity. Howsoever selfish, again, may be the general canons of diplomacy, its hardness is modified by the persuasive and sweet influence of the moral sense of mankind. The most aggressive states in the world, from primitive times down to the present day, felt this agreeable influence, even though they did not make response to its call. This abstract moral sense, or perhaps the positive morality of humanity, keeps nations bound together. Without it the whole structure of the race of man would have collapsed.

As in other departments of life, the sense of morality makes itself felt in the conduct of war operations in Ancient India, and accordingly war is divided into two parts: (1) *Prakāśa Yuddha* and (2) *Kāṭa Yuddha*. The meaning of these terms is explained in the previous chapter. Here it must only be noted that the latter variety is treated in all the important works of Ancient India with a certain degree of contempt, because it aims to achieve its purpose by means of Machiavellian principles. War fought for a righteous cause is justly praised,¹ and a warrior is advised so to fight even at the risk of the entire destruction of his race.² If he were to get the possession of the world by resorting to base methods, he should reject the suggestion.³ He should not betray his conscience for any material gain.⁴

The instruments of war and methods of warfare must not be base. The use of barbed or poisoned weapons was forbidden and wholesale destruction by means of mechanical contrivances was condemned. Every warrior was advised to fight with his equal. A car warrior was to fight with another car warrior on the opposite side. Similarly other fighters were to challenge men of their rank in the hostile army.⁵ A true warrior should not kill those 'who

¹ *Arth.*, p. 367. ² *Gītā*, II, 31. ³ *Mbh. Śānti. Rājadharmā*, 96, 1.

⁴ *Yājñavalkya*, I, p. 326; *Manu*, VII, 87E.; *Gautama*, X, 16; *Baudhāyana*, I, 18, 9.

⁵ *Manu*, VII, 90; *Mbh. Śānti. Rājadharmā*, 103, 13.

have lost their horses, chariots or arms, those who join their hands (in supplication), those who flee with flying hair, those who sit with averted face, those who climbed (in flight) on eminences or trees, messengers and those who declared themselves to be cows or Brāhmins'.² Sometimes the vanquished 'ate grass and leaped into water'. Obviously, eating grass was a sign of submission and was replied to by forgiveness. That all those humane considerations were actually brought into practice is sufficiently corroborated by Megasthenes.³

Prisoners of war were treated with kindness, and wives of soldiers killed while fighting from the side of the enemy were treated with due courtesy and sent home under escort.⁴ The civil population was not subjected to the rigours of war, and they were allowed to carry on their peaceful vocations if they did not do any harm to the invader.

The king and his army naturally won booty from the vanquished foe. The state was to take the first and the best portion of the plunder, and the remainder was to be paid to allies and other soldiers. In the opinion of Manu, vehicles, domestic animals, money, grain, etc., belong to those who take them. Brhaspati says that one-sixth of the plunder necessarily goes to the king, and the remainder should be apportioned among the freebooters according to their valour and rank.⁵

The sacredness and inviolability of the person and property of an ambassador were recognized in Ancient India as in the modern world. 'The king who kills an envoy goes to hell with all his ministers.'⁶ His wrongs are to be connived at, and no action is to be taken against him for his crimes.⁷

¹ *Mbh. Śānti. Rājadharmā*, 95.

² *Gautama*, X, 30. *Āpastamba*, II, 5, 10. *Baudhāyana*, I, 10, 18; *S.B.E.*, vol. II, pp. 123, 236; vol. XIV, p. 200.

³ *Megasthenes and Arrian*, frag. 1. ⁴ *Mbh. Śānti. Rājadharmā*.

⁵ *S.B.E.*, XXXIII, p. 341.

⁶ *Mbh. Śānti. Rājadharmā*, 85, 26.

⁷ *Artha.*, p. 30.

CHAPTER XII

CAUSES OF MILITARY DISASTERS SUFFERED BY INDIANS

THE reader will by now have formed an idea of the development of the Art of War by the Hindus, and it is natural that he should ask himself the question why, in spite of a brilliant record of achievement, Indians were subjected to defeat, and consequent humiliation and disgrace, at the hands of foreigners. From all accounts it is clear that our forefathers did not lag behind other nations of the world from the cultural point of view ; yet inferior races in civilization overpowered them without any difficulty !

1. In the first place, India was only a geographical name with no national self-consciousness. A nation properly constituted must satisfy certain essential requisites. It must have a common sovereign authority, to whom all people should owe their proper allegiance. India was a group of small sovereign states, and though attempts were made to create empires covering the greater part of this geographical unit, those efforts sadly failed to achieve any constitutional development in the government of the country on national lines. Then there was the difficulty of language. India had too many dialects ; some of them bore philological relations with each other, while there were others which were an utter gibberish to the former class. A common language could not be evolved on account of the vastness of the country and the want of easy communication. The result was that no exchange of ideas could take place to foster the healthy development of the nation. To add to this confusion, several races invaded India and helped to create a spirit of denationalization. New comers with their different interests, social customs and habits did not care for the old inhabitants, and formed themselves into separate political and social groups. A spirit of aloofness pervaded each community in the country, and this very spirit made it an absolute impossibility to defend the country with a united front. There was really no nation, and this vast museum of races, languages and religions fell an easy victim to foreigners.

2. There were other causes of disintegration. The institution of caste created a sense of aloofness, and national calamities were not averted, for want of co-operation between the component parts of the same social group. The Kṣatriya caste or the later fighting castes had monopolized the business of warfare, and martial spirit was not fostered in the other classes of society, thus depriving them from rendering effective military service to the nation.

3. The uninvigorating climate of the land made the people indolent and arrested their healthy progress. The fresh hordes from the cold regions of Central Asia, with their unlimited fund of energy, usually put down the slow-moving warriors of the sunny plains of India.

4. The theory of *Ahimsā*, propagated among the people by the Jains and Buddhists, lessened the martial spirit of the Indian army. In fact, the cold philosophy of resignation was being persistently taught in this period, to the military detriment of the nation. All material gains were to be scorned, and contentment was to be a motto for the people. What little they had got for their subsistence was enough, and no more effort was needed to make themselves materially more comfortable. A vague belief was also created in the minds of the people that in the Kali age Hinduism was doomed to fall and that the world was sure to embrace new faiths of Mlecchas. This prophesy was mainly given out by the *Bhaviṣya-purāna*, which further foretold that there was to be a chaos of races (*varnasamkara*). This again helped to foster the spirit of utter hopelessness.

5. The literature of the period was also moving too much towards the soft side of the heart. Sadly enough, the brilliant authors of dramas and poems taught too much of romance and correspondingly too little of heroism.

6. 'If all their science failed them against Alexander and others, the reason was that they had too much of it.'¹ This is literally true. Their lists of weapons are, for example, so long and vague in many points that it is difficult to make out what each was particularly used for. They had their laws of war, but they were so many and so varied that none of them could be really effective.

7. The bow was an effective weapon from a distance, but in a close combat it was quite useless. In spite of continuous com-

¹ *Camb. Hist. Ind.*, I.

munication with western nations, India did not make any improvement in her arms and armaments after the methods of the advanced nations of the world. Equally disadvantageous it was to use the chariot in war. The heavy war cars were powerless against the cavalry charge of Alexander. But car warriors loomed very prominently in the imagination of the people, and, once rendered impotent by the superior strategy of the Greeks, the rank and file naturally lost their courage and were slaughtered in thousands. Besides this, the helplessness of the chariot in marshy land and undulating regions was appalling. Elephants were also as harmful to their Indian masters as to their foes. In ordinary wars in India, they rendered much help; but foreigners shunned them or frightened them. In the latter circumstance, they trampled down the soldiers of their own party, and thus saved trouble for the enemy. The Indians learnt nothing and forgot nothing.

8. War in India was fought by a king or knight for himself. Ordinary soldiers were without individuality. The knight always tried to show personal valour and skill, and did not care for the discipline of the mass of the army. Chaos ensued, and Indian warriors prided themselves on creating this confusion and tumult. Each knight did this with a view to make a bid for leadership. India was suffering from an excess of leaders, who cared more for their personal ambitions than for the general good of the nation.

9. The laws of chivalry and nobility were generous to a fault. Warriors forgave their arch enemies, without caring to study the dangerous character of the foes who sought their protection. In Indian nobility the enemies saw their real chance of success, and took the fullest advantage of this weakness. The sad fate of Pṛthvirāja Cavāṇa, at the close of the Hindu period, tells an eloquent tale of the military tragedy of Ancient India.

10. The allied armies of the Mahābhārata War contained the leading warriors of the whole country. The flower of the race was destroyed during the terrible scourge of that war, and no warrior of rank remained behind to tell posterity how the ancients fought in the field. The generation following the *Mahābhārata* had to begin again with none to guide them.

ABBREVIATIONS

<i>Agni.</i>	..	<i>Agnipurāṇa</i>
<i>Ant. Br.</i>	..	<i>Astireya Brāmhāṇa</i>
<i>Arth.</i>	..	<i>Arthasāstra</i>
<i>Av.</i>	..	<i>Atharva</i>
<i>Br. Śā. Pad.</i>	..	<i>Bṛhat Śārngadhara Paddhati</i>
<i>Cat. Pre-Hist. Ant. Br. Mus.</i>	..	<i>Catalogue of the Pre-Historic Antiquities in the British Museum</i>
<i>Camb. Hist. Ind.</i>	..	<i>Cambridge History of India</i>
<i>Drav. Ind.</i>	..	<i>Dravidian India</i>
<i>East. Iran.</i>	..	<i>Eastern Iranians</i>
<i>Geo. Surv.</i>	..	<i>Geological Survey</i>
<i>Ind. Ant.</i>	..	<i>Indian Antiquary</i>
<i>Indo-Ary.</i>	..	<i>Indo-Aryans</i>
<i>Inv. of Alex.</i>	..	<i>Invasion of Alexander</i>
<i>J.D.L.</i>	..	<i>Journal of the Department of Letters, Calcutta University</i>
<i>J.A.O.S.</i>	..	<i>Journal of the American Oriental Society</i>
<i>J.R.A.S.</i>	..	<i>Journal of the Royal Asiatic Society</i>
<i>Kāth. Sam.</i>	..	<i>Kāthasaneyi Samhitā</i>
<i>Kāmand.</i>	..	<i>Kāmandakīya Nītisāra</i>
<i>Mah. Jñān.</i>	..	<i>Mahārāṣṭriya Jñānakoṣa</i>
<i>Mbh.</i>	..	<i>Mahābhārata</i>
<i>Nīti Vāk.</i>	..	<i>Nīti Vākyaṃṛta</i>
<i>Oppert</i>	..	<i>Oppert's Weapons, Army Organization, etc.</i>
<i>Panc. Recon.</i>	..	<i>Pancalantra Reconstructed</i>
<i>Rv.</i>	..	<i>Rgveda</i>
<i>Rām.</i>	..	<i>Rāmāyaṇa</i>
<i>Sl.</i>	..	<i>Śloka</i>
<i>Sat. Br.</i>	..	<i>Satapatha Brāmhāṇa</i>
<i>Sukra.</i>	..	<i>Sukranīti</i>
<i>S.B.E.</i>	..	<i>Sacred Books of the East</i>
<i>Tatt. Br.</i>	..	<i>Taittirīya Brāmhāṇa</i>
<i>Tai. Sam.</i>	..	<i>Taittirīya Samhitā</i>
<i>Vāj. Sam.</i>	..	<i>Vājasaneyi Samhitā</i>
<i>Ved. Ind.</i>	..	<i>Vedic Index</i>
<i>Waddell</i>	..	<i>Waddell's Indo-Sumerian Seals Deciphered</i>
<i>Wilson</i>	..	<i>Wilson's Works</i>
<i>Yukti.</i>	..	<i>Yuktikalpataru</i>
<i>Yt.</i>	..	<i>Yāsta</i>

LIST OF BOOKS CONSULTED (ORIGINAL SOURCES)

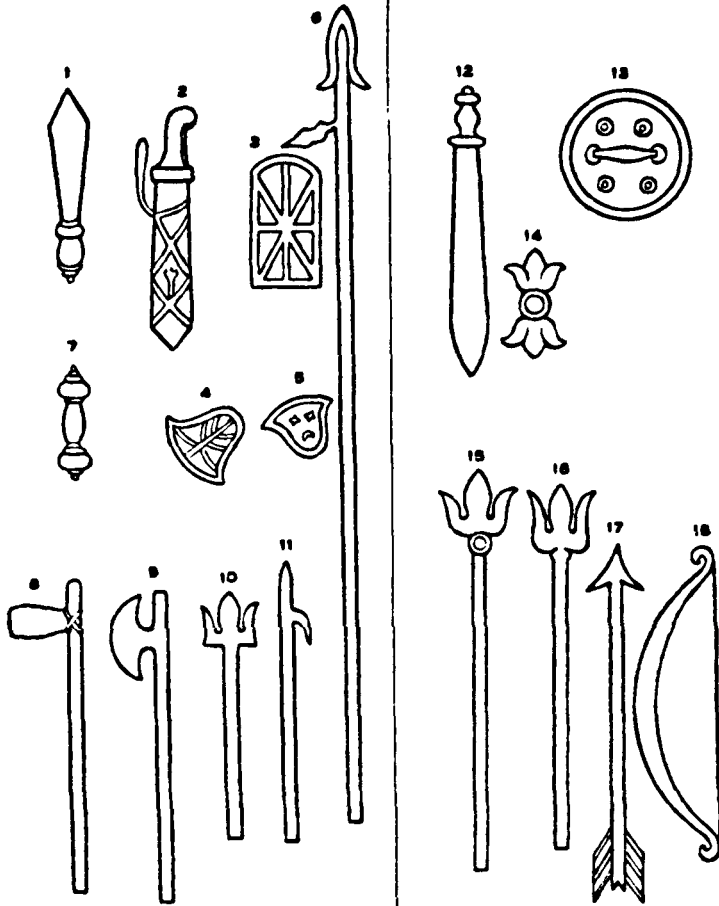
<i>Agnipurāna</i>	Ed. R. Mitra
<i>Arthaśāstra</i> of Kauṭilya	Ed. and Trans. Shamasastri
<i>Arthaśāstra</i> of Bṛhaspati	Ed. F. W. Thomas
<i>Ancient India (Ktesias)</i>	Ed. McCrindle
<i>Ancient India in Classical Literature</i>	Ed. McCrindle
<i>Invasion of India by Alexander</i>	Ed. McCrindle
<i>Atharva</i>	Ed. Bloomfield
<i>Atharva in Sacred Books of the East</i>	
<i>Brhat Saṃhita</i> of Varāha Mihira	
<i>Brhat Śārṅgadhara Paddhati</i> ..	Ed. Patterson
<i>Bhagvat Gītā</i>	Ed. Annie Besant
<i>Rajatarangini</i> (or The Chronicles of Kashmir) of Kalhaṇa ..	Ed. Stein
<i>Hitopadeśa</i>	
<i>Kurral</i>	Ed. and Trans. G. U. Pope
<i>Mahābhārata</i>	Ed. Lele
<i>Mudrārāksasa</i>	
<i>Nīlvaḥyāmṛta</i> of Somadeva ..	Pub. Gopal Narayan & Co.
<i>Nītiśāra</i> of Kāmandaka ..	Ed. Trivendram Sanskrit Series (usually referred to)
" " " ..	Ed. J. V. Bhattacharya
<i>Pancatantra Reconstructed</i> ..	Ed. F. Edgerton
<i>Ramāyāna</i>	
<i>Rāmāyana</i>	Trans. M. M. Dutt (usually referred to)
<i>Sukranīti</i>	Trans. B. K. Sarkar
<i>Raghuvamśa</i>	Ed. Nandargikar
<i>Ṛgveda</i>	Trans. Wilson
<i>Sacred Books of the East</i> , vols. 2, 8, 14, 23, and 25 ..	Ed. Max Müller
<i>Vedic Index of Names and Subjects</i>	Ed. Macdonell and Keith
<i>Yuan Chwang</i> , Oriental Translation Fund New Series, vol. 14	
<i>Yuktikalpataru of King Bhoja</i>	Ed. Calcutta Oriental Series

ARMS FROM SANCHI AND UDAYAGIRI

From Plate XXXIII in A. CUNNINGHAM'S *Bhilsa Topes*

SANCHI, A.D. 17-39

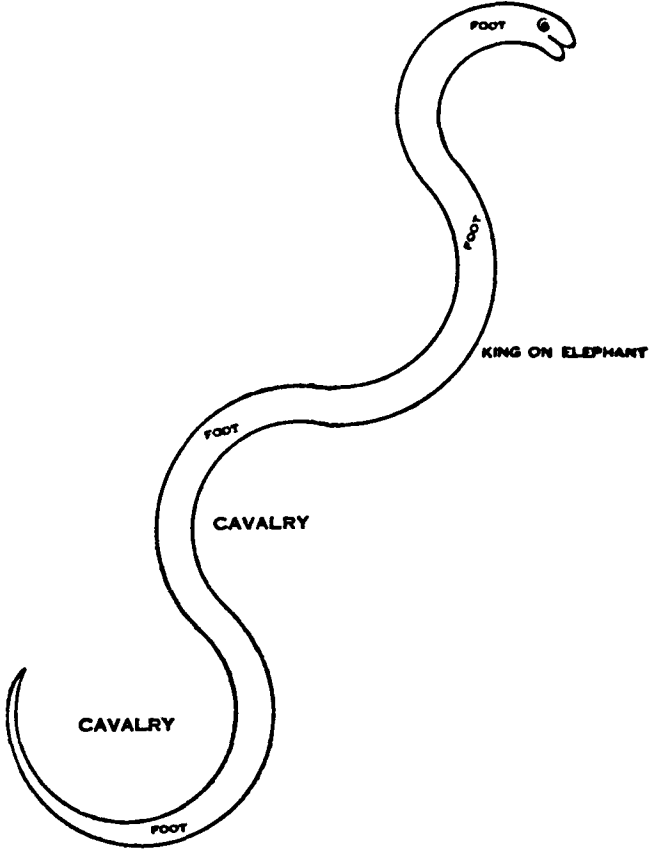
UDAYAGIRI, A.D. 401



EXPLANATION NOTES

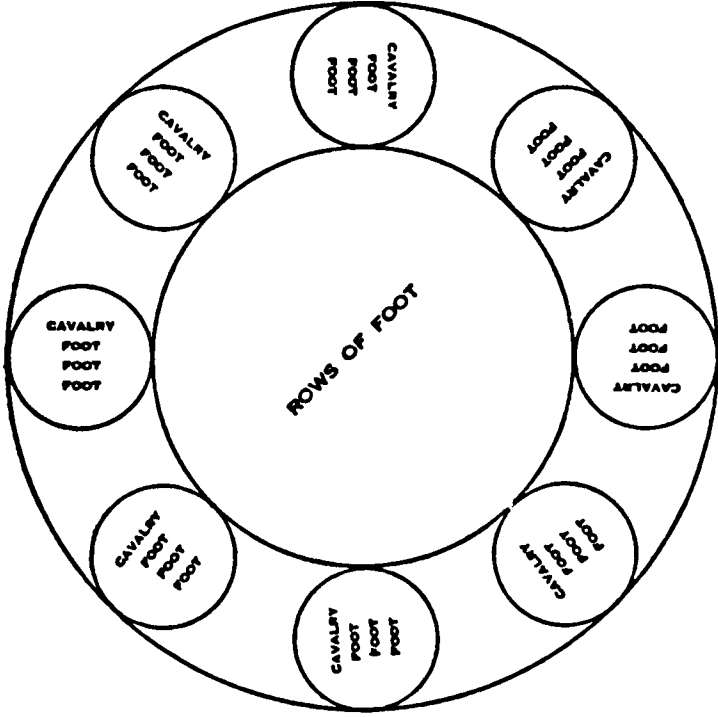
- Fig. 1. A dagger
 Fig. 2. Sword worn by a porter.
 Fig. 3. Infantry shield.
 Figs. 4 and 5. Cavalry shields.
 Fig. 6. Pike or javalin.
 Fig. 7. Vajra, or thunderbolt, a symbol
 of universal dominion.
 Fig. 8. Fighting axe.
 Fig. 9. Battle axe.

- Fig. 10. Trident, or trident.
 Fig. 11. Ankhus, or goad.
 Fig. 12. Sword.
 Fig. 13. Shield.
 Fig. 14. Vajra, or thunderbolt. Compare
 with Fig. 7.
 Fig. 15. Trident in porter's hand.
 Fig. 16. Trident carried by Bhaasaur, or
 buffalo demon.
 Figs. 17 and 18. Bow and arrow.



सर्पं व्यूह

चतुर्दिशं रथौ द्वौ द्वौ तल्पुष्ठे द्विरदा दश ।
 चतुर्विंशति रश्माश्च त्रिंशत्खड्ग धरा स्ताः ।
 शर चाप धराश्चैव खेट पद्भिर्धारिणः ।
 तेषां पृष्ठे कुतधरा यत्र धारास्तथैवच ।
 सर्पाकारं रथेभाश्चैः पूरयेत् सन्निक्षेपि ।
 सर्पं व्यूहः सविज्ञेयः कृतांतो युनःकर्मणि ।

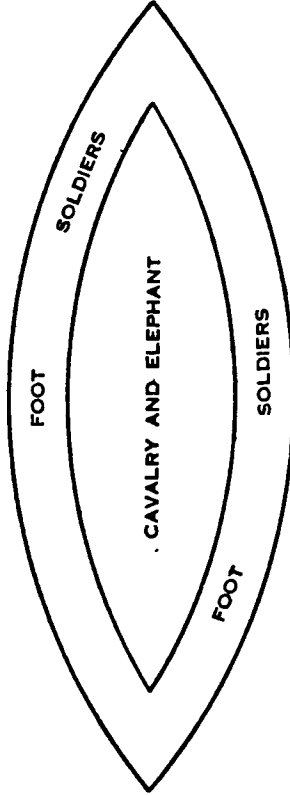


चक्र व्यूहः

गज षोडशकं माये वृता करेणयोजयेत् ।
बाह्य तो रथिभिर्वेष्टयं त द्वाब्धे कुतधारकैः ।
शरचापधरा बाह्ये स्वह् चर्मधरास्ततः ।
बाह्यतोश्चैस्तथा वेष्टयं पथित भित यतःकम्पात् ।
पुनः पुनः प्रकुर्वीत यावद्भवति वाहिनी ।
चक्रव्यूहः स विज्ञेयो दुर्भेद्यस्ति दशैरपि ।

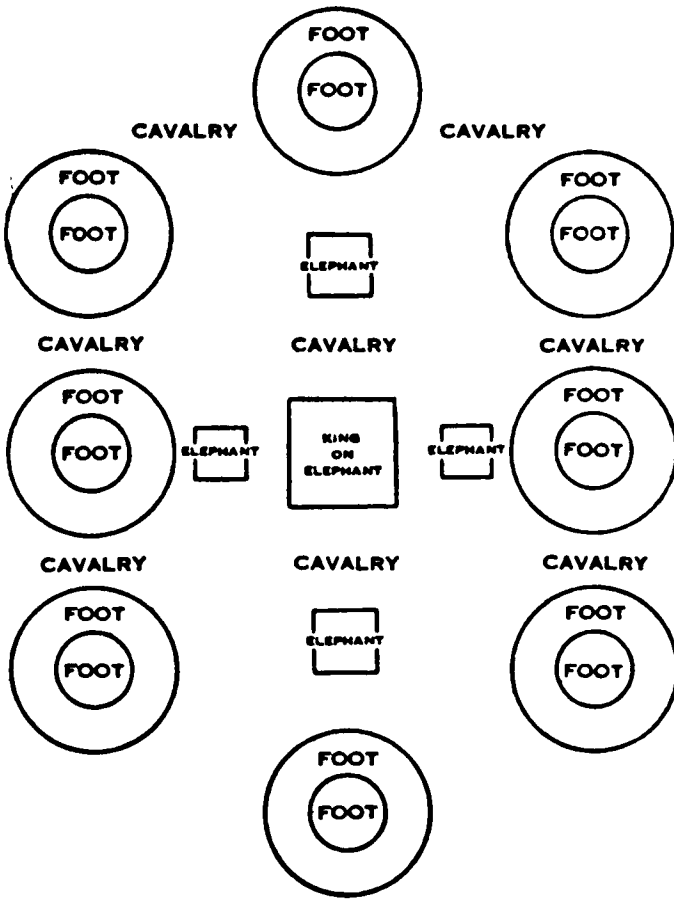
CAVALRY

CAVALRY

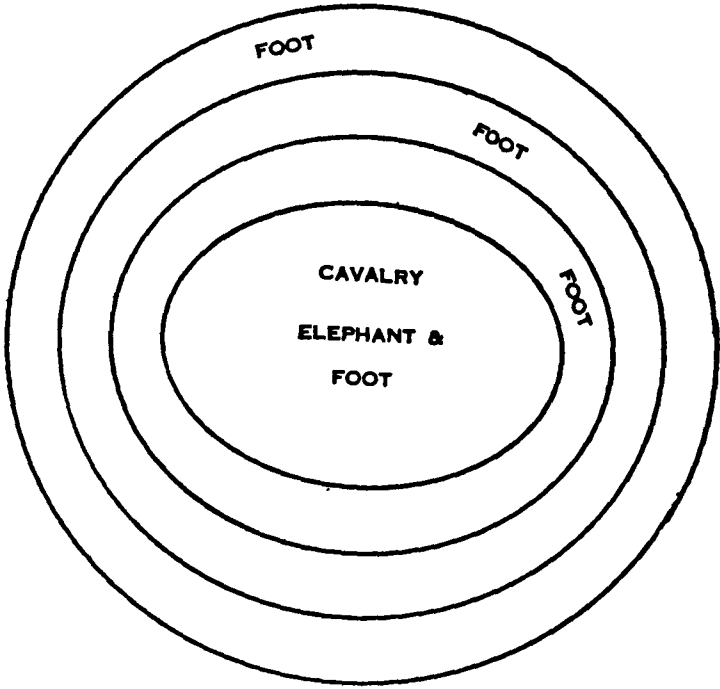


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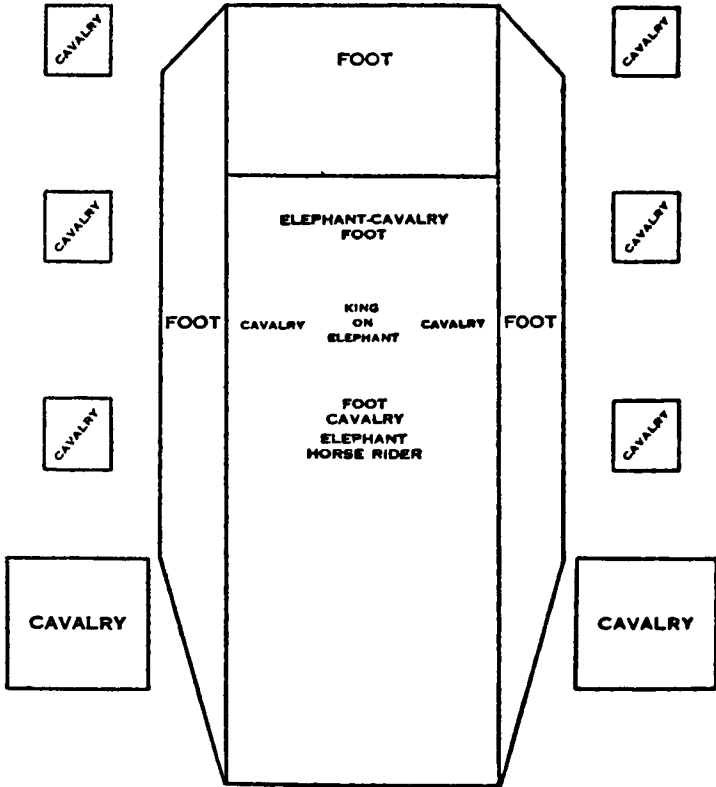
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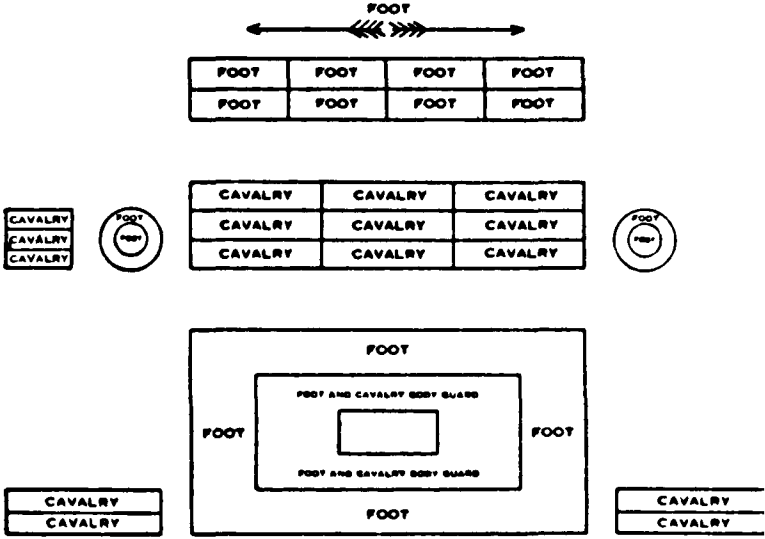
माला व्यूह
 रथं गजं ह्य पत्ति,
 मालाक्षरेण योजयेत् ।
 पुनः पुनः श्रेणि बंधान्माला,
 व्यूहः स उच्यते ॥



माला व्यूह



मकर व्यूह
 'मकरो मकराकृतिः'



शकट भूह

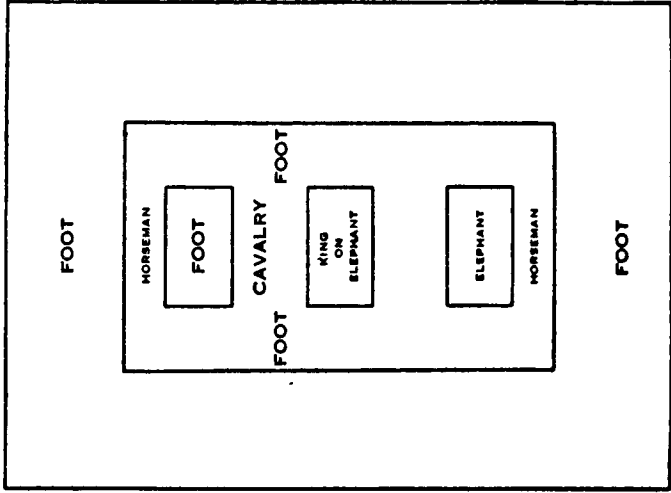
अग्ने रथ द्वयं पश्चाद्गजा सप्त व्यवस्थिताः ।
 तत्पृष्ठे विशतिरिभाः पञ्चाशद्राजिवाहकम् ॥
 सप्त सप्त रथाः पार्श्वे गजौ द्वौ द्वौ व्यवस्थितौ ।
 तत्प्रमाणे रथैर्वेदी बहिस्तद्गजास्थिताः ॥
 मध्ये पादा तयश्चान्ते पार्श्वयोर्भनुरङ्गमाः ।
 विज्ञेय शकट भूहो न भेद्यस्ति दशै रपि ॥

CAVALRY
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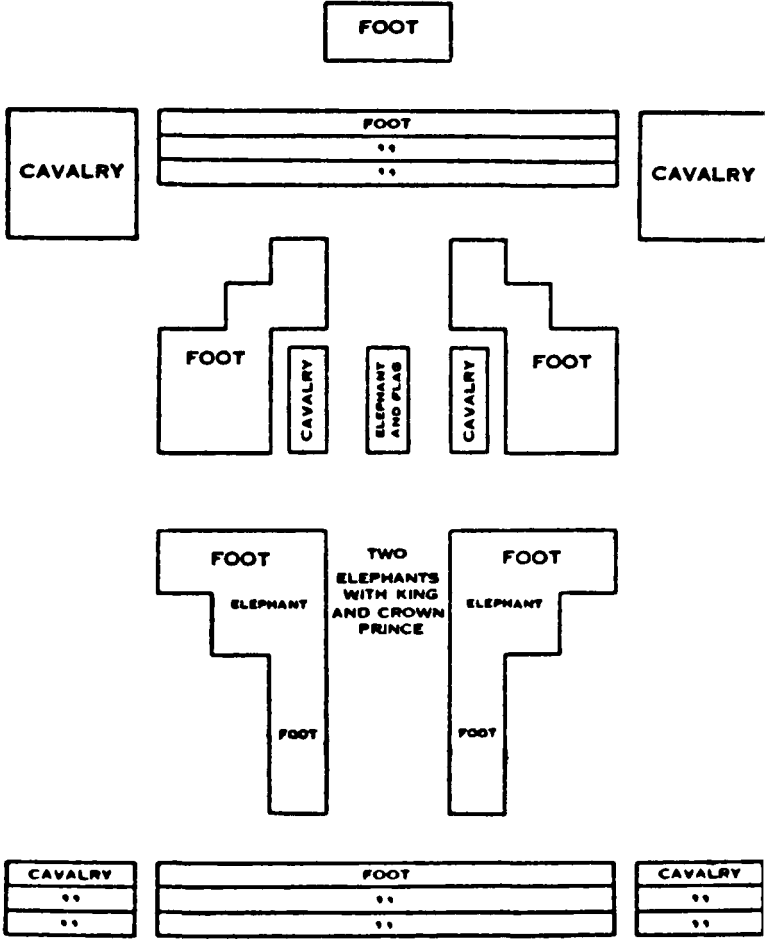
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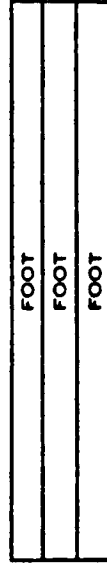
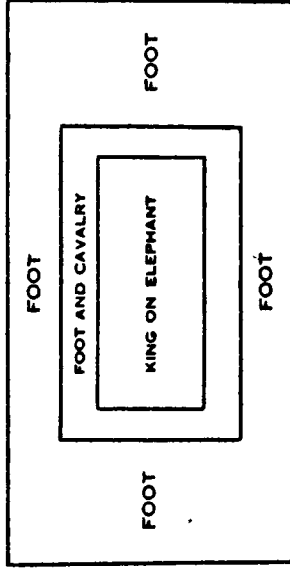
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दाड लू
'दाडाकागे भेवण्डरिति'



‘ रवलक भ्यूह ’

चतुरेखां किंतां सेनां वेधाकारा प्रकल्पयेत् ।
 रथैर्हैर्यैर्गजे गन्धे क्रमेण च चतुर्दिशं ।
 ततश्चतुर्षु द्वारेषु रथौ द्वौ द्वौ तथा गजौ ।
 अग्रभानपि पदार्तीश्च चतुर्दिशु प्रकल्पयेत् ।
 तन्मध्ये नृपति स्तिष्ठे देवा चोरं तरे सुधीः ।
 विशेषः रवलक भ्यूह रवलक द्वारि संस्थितः ।
 सौपर्णः पृथेनकः कार्यस्तस्य द्वियुजितः पुनः ।

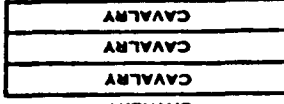
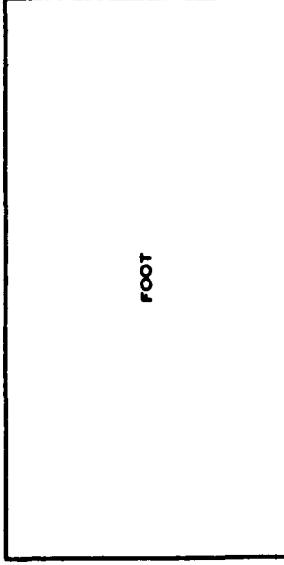


काक पृष्ठ

काक पृष्ठः काक मघः ॥



FOOT



ELEPHANT HORSE AND FOOT

सिंह द्यूहः

द्वारे रथवयं शूरे गजाकारो गजप्रजः ।

स्यन्तः पञ्चशेक्ययो बृष्टिर्धुस्यता ॥

मध्ये पदातयः षष्टि पार्श्वयो रथिनो गजाः ।

शूरे त शक्यया सेना सिट् द्यूह प्रजयते ॥

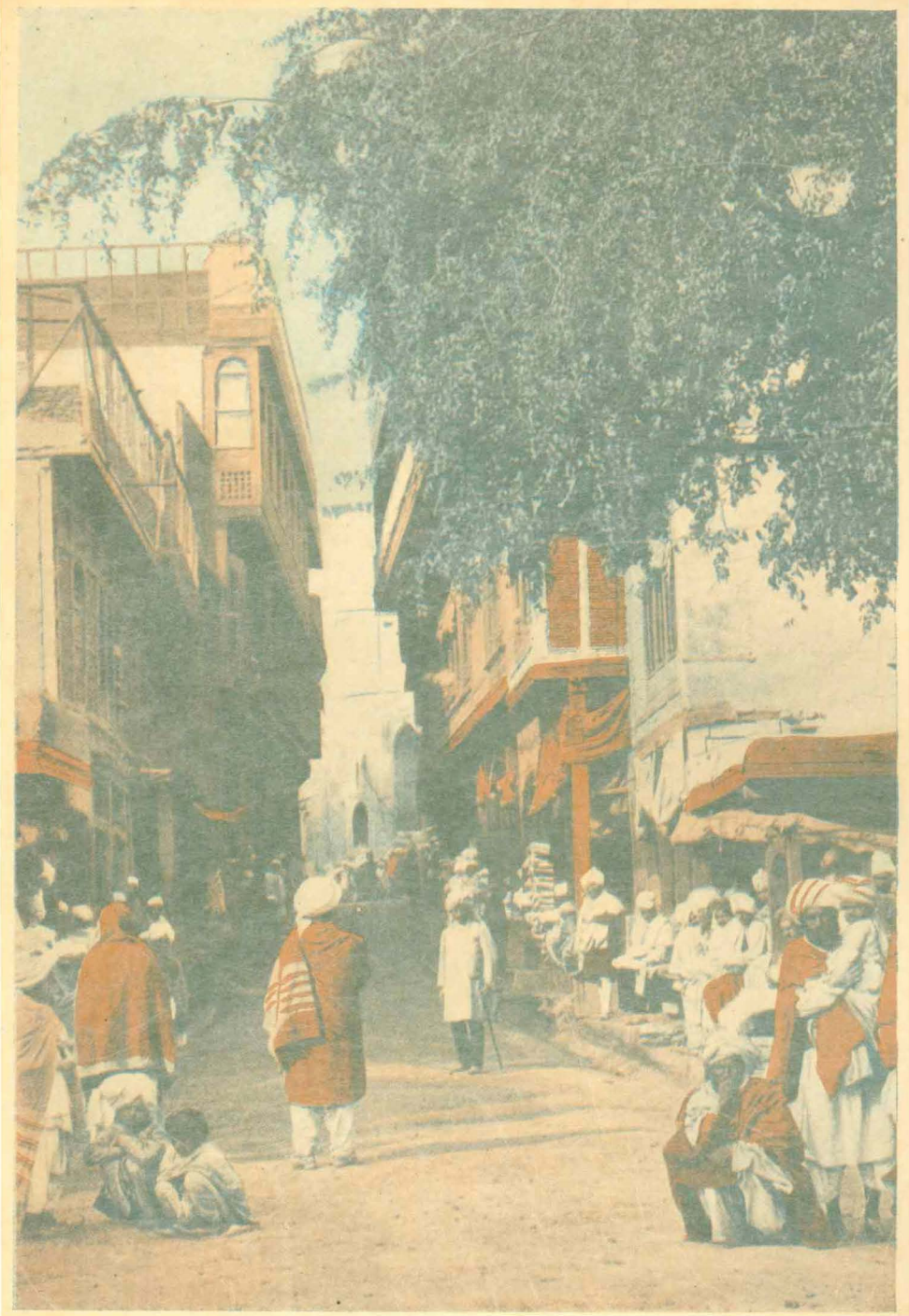
TALES OF INDIA

CONTRIBUTED BY PEOPLE
WHO HAVE LIVED IN INDIA

E. T. BARTON, CONSTANCE BREED,
E. M. CHAMBERS, FRANK MEIGH,
E. B. SHARPE

CHURCH MISSIONARY SOCIETY
SALISBURY SQUARE, LONDON, E.C.4

1930



Photograph]

A Street in Peshawar

[E. N. A.]

TALES OF INDIA

THE BLUDGEONINGS OF CHANCE

A War-time Story of Afghanistan

I.—BAD NEWS

A SHADOW fell across the doorway. The old woman looked up as the huge bulk of a man entered. He sat down cautiously on the end of the low, wooden bedstead and wiped his face on the loose end of his puggaree.

"Well, is it thou, Fateh Khan?" said the old woman. "What news is there in the bazaar?"

"The worst," he grumbled. "There seems no doubt that these rebellious dogs will be upon us in a day or two, and then what will happen Allah alone knows."

He stared mournfully out into the sunny courtyard, visualizing the ruin of his business, the city in flames, men and women in hiding, and worst of all scarcity of food. His reflections were shattered by the voice of the old woman, harsh with old age.

"This settles it then. We must send Abdul and Hussein away at once, to-night. Do you hear? Go quickly to Mohammed Ali, he of the motor lorry, and arrange for him to take them to Peshawar. Did he not say he would not stay if bad news came?"

"He may have gone already," replied Fateh Khan, "and besides," he added with a sidelong glance, "what is the use of this needless expense? Peshawar is a long way, and we can hide the boys here."

"Silence! O my son," cut in the old woman sharply. "Have we not discussed this before many times? Are they not all that remain of our family? If anything happens to them, who is to revenge us for the death of their father? She paused as Fateh Khan mumbled something

into his beard. "Do you say that you yet remain of the family?" she went on. "You who tremble at a mouse, and whose mind and stomach are one," she cackled with laughter, but suddenly checked herself and leant forward, quivering with rage. "You—what have you ever done to help me? Eater of sweets and father of daughters—pah!"

Fateh Khan stared at the floor. He knew too well that he was a failure in his mother's eyes. Allah, it seemed, had cursed him with flesh, a lack of sons, and an easy-going temperament. When his elder brother was killed, he had made but half-hearted attempts to find the murderer, and had been contented to settle down and amass a considerable fortune in business. His mother had said little, but had lavished herself on her orphaned grandsons, and he knew that she held him in the utmost contempt, even though she was dependent upon him for her daily bread. Her one object in life was to bring up the two boys, Abdul and Hussein, that so soon as they attained manhood they would avenge the murder of their father and her eldest son. Now in the face of civil war, and possible death and famine, she was determined to send the boys out of the country. Fateh Khan sighed and, raising himself carefully from the bed, stood up. He had given in, as usual.

"I will go and seek Mohammed Ali," he said heavily.

"That is well said, my son. And look you, I will speak with him myself, so bring him here without delay."

Thus for the second time that day Fateh Khan walked in the bazaar, and as he walked he pondered on how he could exchange his stock of European coats before the entry of the rebels. Were the coats to be found in his shop, he knew nothing could save him.

II.—A BARGAIN

THE stars were beginning to glimmer in a pale green sky, and the city lay shimmering in a haze of smoke and dust, when Fateh Khan re-entered his house, the motor driver, Mohammed Ali, at his side. Abdul and Hussein were playing in the courtyard and teasing a dirty dog by showing it pieces of *roti* (bread) and then eating them themselves. Fateh Khan raised his voice.

"Ho! Mother," he shouted, "Mohammed Ali is here." The boys stopped their teasing to gaze at the visitor.

"Let him draw near," cried a quavering voice from within. The two men crossed the courtyard and squatted a little to one side of the open door. Thus they could hear and be heard but not be seen by the occupant inside. After greetings had been exchanged, Fateh Khan sent Abdul to fetch the *hookah* (water-pipe), and he began to puff at it, every now and then passing it across for his friend to have a turn.

"Allah be praised!" said the old woman from inside. "You are still here, Mohammed Ali. Is it not true that you are leaving immediately for Peshawar?"

Mohammed Ali laughed. "I leave to-night, mother. I am not staying to have my lorry commandeered and my petrol stolen. I have nothing to say against these rebels, for I am a good son of the Prophet, may Allah bless his name! But business is business and a whole skin is better than a broken one. Therefore for a while I go to live in India, and Allah grant that our country of Afghanistan may soon be ready to welcome me back again."

"Listen!" said the old woman. "I want you to take my two grandsons with you. We will pay you for doing so, and you can leave them at the shop of one Gulam Haida Khan in the street of the coppersmiths. Fateh Khan will write him a letter, which you can carry to him, and all will be well, for is he not as a brother, although many years have passed since we heard of him?"

Mohammed Ali looked across at the boys, and sucked meditatively at the hookah, wondering what was the biggest price he could demand for his escort.

"It will not be easy," he said. "Roads are bad and Allah knows we may be shot down by either friend or foe before going a hundred miles. The way is long and these boys are too young to be of any assistance in case of trouble."

"We will give you thirty rupees," broke in the old woman, well knowing the bargaining had begun, and wishing to have her say first.

"By the holy beard of the Prophet, mother, do you think I can afford to carry passengers for *charity*? One hundred

rupees will scarcely pay for the petrol alone ! Of my goodness and for the sake of my old friend Fateh Khan I am only asking one hundred rupees ; less than this I cannot take."

In this strain each side took up battle, and at length in half an hour's time it was agreed that fifty rupees was a fair sum. Mohammed Ali would have liked something better than this, and felt he could have got it had he had the time ; but already it was dark, and he had other prospective passengers to deal with before his start, timed for four o'clock in the morning.

"Very well," he concluded, rising, "the boys must be with me before sunrise. I will take the money now, and the letter they can bring with them. May you never be tired, mother, and Allah be with you!" Fateh Khan accompanied him to the front shop, where the rupees were counted out and a receipt given. Then the motor driver disappeared into the night.

III.—HONOUR, REVENGE

ABDUL and Hussein, shivering in the cool of dawn and still sodden with sleep, were being hurried through the tortuous, smelly streets of the bazaar. Was it real, this awakening in the dark, the hurried packing of their warm bedding, the drink of steaming tea, the farewell blessing of their grandmother, or was it but a dream ? "Peshawar——" what was it they had heard about going away ? Abdul had a sudden vision of his grandmother as she had last appeared to him, her red-rimmed, bloodshot eyes wet with tears, her grey wisps of hair straggling from beneath the dirty chaddah, and her claw-like hand on his shoulder. "Light of my eyes," she was saying, "remember your father. Remember it is left to you to uphold the honour of the family, to avenge that foul murder. Remember nothing else but this—revenge. For this I am sending you away, for this you must return. Never forget your duty to seek out and kill the enemy of your father." With this she had put some money into his hand—yes, it was still there—and he had turned and followed his uncle out of the house.

He came back to the present and found that they had turned in at a gateway, into a sudden blaze of light made by

the head lamps of a motor lorry, which was roaring and coughing from its inside in a most terrifying manner. Hussein slipped behind the comforting bulk of his uncle, still uncertain as to where this strange dream was leading him. Above the din, Abdul became aware that his uncle was speaking to him, and he pulled all his faculties together, for he dimly realized that this was a supreme moment in his life. He was leaving the only home he had ever known; for some reason he was a special person singled out for "honour," "revenge," no new words to him, but leading him now to a different life and strange places.

"See, now, Abdul, my son," his uncle was saying, "there is nothing to fear. Keep this letter safely and give it to the man the motor driver will take you to. There is money sewn up in the corner of your *razai* (quilt), and thou hast food also. Allah will be with you both, and you will return to us in due time. Remember the words of your grandmother, and do not forget your prayers to Allah and his prophet as you have been taught."

He was interrupted by a figure shrouded in a brown blanket who approached and, shouldering the two rolls of



[Photograph]

In the bazaar

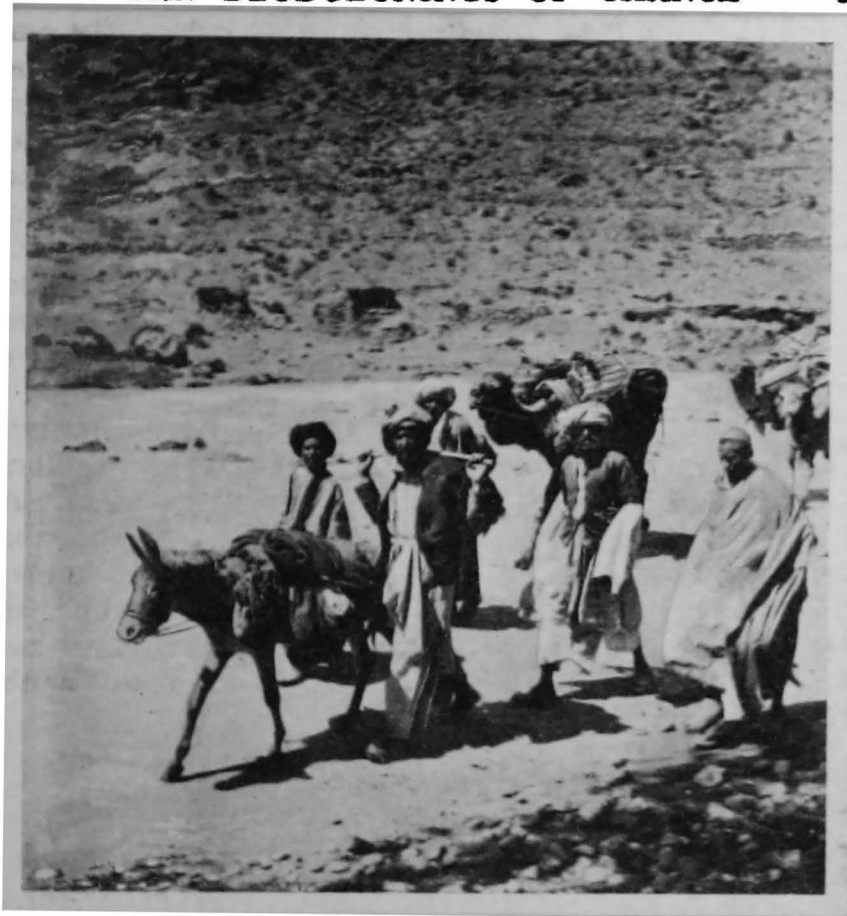
[E. N. A.]

bedding, threw them into the back of the lorry. The same figure then started kicking several prone bodies stretched on the floor, who staggered up and started scrambling into the vehicle. By the time they were in, together with their bundles and bedding, there was not much room left ; but Fateh Khan lifted the two boys up and they found seats on a roll of bedding, huddled together side by side. By this time the other passengers, who had spent the night by the side of the lorry in order that they should not miss it, had wakened up sufficiently to voice their minds on the discomforts of travelling, and other matters of varying importance.

The two boys felt rather dazed, and they could only smile tearfully at their uncle, who stood like some titanic form beyond their gesticulating and noisy fellow-travellers. At last a couple of live cocks, tied together by the legs, were thrown in with a great flutter of wings, the driver climbed into his seat, and, with a harsh grating of gears and a last despairing cough from the engine, the lorry jerked forward into the uneven street, and was soon well on its way southwards to Peshawar.

IV.—A DILEMMA

IN after years Abdul would often recall that long journey into the unknown. The square picture through the back of the lorry of the sandy road rolling away behind them ; the all-pervading dust which made him long to be wearing a puggaree in order to wind the end of it round his mouth and nose, as he saw the other travellers do ; the arrival in the evening at the caravanserai, the stretching of cramped limbs, and the meal round the blazing fire, with the strange, grotesque forms of camels silhouetted behind them against the night sky ; the start in the early morning, eyes clouded by sleep and numbed hands struggling to tie ends of rope round unwieldy rolls of bedding ; the smell of petrol ; the shouting of men ; the bumping up and down when a tyre punctured ; the gift of oranges from the man with the red beard and the huge rifle who sat by them ; the sound of firing in the distance and the sudden gleam of fear in the motor driver's eyes ; all these were to return to him, a fantastic dream that had no relation with what had gone



Photograph]

[Dr. L. B. Case

Part of a caravan passed on the road

before or what followed after. And, above and beyond all these, there was the sickness of Hussein.

It was the very next day that he complained of fever. Hussein had never been as strong as Abdul, and fever was not an uncommon occurrence with him; but this time he did not seem able to throw it off as he usually did. Abdul cared for him as well as he knew; he massaged the aching head at night, although half asleep himself, and held him in his arms in the lorry to try to lessen the jerks and bumps of the vehicle as it toiled onwards over the bad roads. The big, bearded passengers were kind in their own way. They made as much room as possible for the sick boy so that he

could lie down, gave him gifts of fruit, and brought him water to drink whenever they stopped. But it was a weary business for poor Hussein.

At length, he knew not how many days later, as the shadows were beginning to lengthen, he noticed trees and large houses, palaces they seemed, and the road was comfortably smooth. Abdul was craning his head excitedly. He suddenly bent down: "They say it is Peshawar!" he said. "We have arrived!"

Presently they were rattling under an archway into a large bazaar, and as they slowed down for traffic, one by one the passengers dropped off, until at last only Abdul and Hussein were left. The lorry slowly threaded its way through the narrow streets, and Abdul gazed with interest at the police, dressed in neat khaki and regulating the traffic. Gods, surely, these, who with no words, but with uplifted hand could stop them or let them pass as they pleased!

Soon above the clamour and noise of the bazaar they heard the metallic clanging of the coppersmiths at work. They turned down an alley where on either side were small shops gleaming and glinting with all manner of copper and brassware, and where half-naked, sweating men untiringly beat out patterns on pots, trays, and bowls of every size and shape.

Mohammed Ali leant out of his seat and addressed one of these craftsmen: "Know you, brother, of one Gulam Haida Khan, who lives in this street?"

The man looked up: "No, brother, I know him not," he said, and returned to his work.

Mohammed Ali glanced across the street and his eyes met the gaze of a man seated cross-legged in his shop and idly playing with a baby who crawled and slipped and crawled again into his lap. "Gulam Haida Khan you seek?" queried this individual. "You will seek him far, brother, for he is dead."

"Dead!" ejaculated Mohammed Ali. This was bad news. Then his face brightened: "But there will be a son, or sons, who carry on his business?" he questioned.

The man stared at him impassively. "No, brother," he

said, "the hand of Allah struck Gulam Haida Khan and his family with plague, and they are no more. The business came into the hands of others some years since. You may search for any of his name, but you will search in vain."

"Allah Karim, this is ill news," lamented Mohammed Ali. "I have here two brats to deliver to Gulam Haida Khan, and it seems I must travel to the next world to do it!"

By this time several curious passers-by had stopped and were listening to the discussion. Abdul sat unable to understand what was being said, for the conversation was for him in a foreign tongue.

"Moreover," continued Mohammed Ali, "one of these boys is ill with fever." He pushed back his puggaree and scratched his head. "Now, by the Prophet, what am I to do with them?" He addressed himself to all and sundry.

One of the onlookers spoke, a middle-aged man, cleaner and better dressed than the others. He carried an umbrella and wore gold spectacles and European shoes. "Where have the lads come from?" he asked.

Mohammed Ali told him, not without a tinge of bitterness in his tones, hinting that it was hard to have brought the boys so far out of kindness and be left at the end with them still on his hands.

"And you, brother?" went on the spectacled man, "do you stay in Peshawar or return?"

"Neither," replied Mohammed Ali with a short laugh. "My country is no country these days for a peaceable man. I go to Bannu, there to join my brother, also in the motor business. Allah has blessed him with many sons, and he will not welcome two more mouths to feed."

"Did you say one of the boys is ill?" again asked the same man.

"Yes, and the fever remains high. Allah alone knows why he softened my heart to bring them."

"Why not take them to hospital?" said the spectacled man.

"Hospital!" echoed Mohammed Ali, his face slowly brightening. "Now may the hand of Allah bless you, brother, for that good thought. To hospital they shall go!"

"And if I may advise you," continued the man politely,

“ I should take them to the mission hospital just outside the city walls, for the doctor sahib there is well known and speaks our tongue. The government hospital is large, but there *baksheesh* (money) must be large, too,” and he spread out his palms significantly.

Mohammed Ali looked dubious. “ Is that not where the dogs of Christians work ? ”

Here the coppersmith intervened. “ The doctor sahib is a Christian truly, but his work is good. He will house your boys, and besides,” he glanced upwards at Abdul, “ they know neither Pushtu nor Urdu, and so they will not understand, should any Christian teaching be given them.”

Mohammed Ali smiled. “ Allah grant they will come to no harm. I thank you, brothers, for your counsel.” With this he started up his engine, backed out of the street, and drove off to another part of the town, where he finally drew up inside an enclosed courtyard.

Abdul was curious about the interruption in the street of coppersmiths, and when he saw where they were he began to fear there was something amiss. He questioned Mohammed Ali, and when he learnt that Gulam Haida Khan was dead and all his family either dead or dispersed, he felt stunned. “ What, then, will become of us ? ” he stammered.

“ To-night you can remain here, and to-morrow I shall take you to the hospital, where thy brother’s fever may be treated.”

Abdul had no idea what a hospital was, and a cold fear began to grow in his heart. But he said nothing, and busied himself with Hussein’s bedding. Mohammed Ali gave him some roti, and, in spite of anxious thoughts, he was soon asleep.

V.—AT THE HOSPITAL

NEXT morning, Mohammed Ali called a *tonga* (horse trap) and drove with the two boys to the mission hospital. Hussein was no better, indeed, he seemed worse, for he took no notice of his surroundings and lay inert with his eyes shut. Abdul felt cross and lonely, for he and Hussein shared everything ; but now Hussein appeared to be but half alive, and had shown no interest

when Abdul had told him they were friendless and homeless in a strange city. Abdul had no heart even to question Mohammed Ali about their destination. Under such circumstances one place was as good as another.

In a few minutes the tonga turned in at a gateway and stopped. Mohammed Ali paid the driver and lifted Hussein out. Abdul looked about him. Groups of men were standing about in the early morning sunshine; some were old and blind, and some were young. Close by was a man lying on a string bed, his head roughly bandaged, and he was surrounded by several fierce-looking companions who had evidently carried him there on the bed. Mohammed Ali squatted down on the ground holding Hussein across his lap wrapped in a blanket, and Abdul squatted likewise, awaiting developments. Presently a door in a wall opposite opened and every one began to stream inside.

They were now in a large room with a matting-covered floor and whitewashed walls, and they again squatted in rows. From another door there entered a man dressed in a white coat, dazzlingly clean. He stood in front of the crowd and began to speak, but Abdul could not understand a word.

His eyes strayed about the room and his gaze was irresistibly drawn to some queer coloured squares on the walls. What were these things? He stared intently at the one he could see best. It was a jumble of colours and not one, he could see now. There seemed to be a face looking at him. Yes, it *was* a face, and there lower down were two hands. The figure remained motionless, but the eyes looked at him. Try as he could to escape them, Abdul found those eyes watching him whichever way he turned. Queer, very queer. The eyes were friendly eyes, and the hands seemed ready to be laid on his head, if he was only close enough. Abdul met the eyes again and noticed that the head was bare, there was no puggaree, and the dress too was different from those he saw about him. How had the figure got there? He could not understand.

At this moment the man in the white coat began to sing, and Abdul turned to look at him. Some of the men around joined in the singing and the tune seemed familiar, reminding him of long caravans of camels, the acrid smell of smoke,

and the sun setting in a lemon-coloured sky.¹ He glanced again at the figure above him—was there a faint smile in those eyes? He could not tell. When the singing finished, the man in the white coat went out, and a group of men passed through the inner door which was then shut again.

“Mohammed Ali ji,” said Abdul, “what is that?” And he pointed at the wall.

“That is a picture,” replied that man of the world. Abdul understood now. He had heard of pictures, but his family strictly followed the Moslem law, which forbade the possession of such things, and he had never seen one before.

“But there is a man,” he went on eagerly. “Do you see him? He looks at me as if he wanted to speak to me. Who is it?”

“I know not,” said Mohammed Ali indifferently, “observe it not, my son, for maybe it is a god of the Christians, and we are good Moslems, may Allah be praised, and worship no idols.”

Abdul puzzled over the word “Christians.” Was there any one then who was not a Moslem? How could this be? He was burning to ask further questions, but suddenly Mohammed Ali rose and crossed to the door which was again open. They pushed through and Abdul stood as though rooted to the spot. The first thing that met his eyes was a man in a white coat, such as the speaker of the other room had worn, but this man wore no puggaree and had a white face. Abdul stared at him very interested. This strange being with a different coloured skin must be a Christian of whom Mohammed Ali had spoken. He noticed a second thing—he had no hair on the top of his head, which was white and shiny, and what hair he had round the side was not black but a golden colour. He was sitting at a large table in the middle of the room and questioning the man who had pushed into the room before them. Suddenly he got up, and going to the man looked closely at his eyes, and pulled back the lids. He then sat down again, washed his hands in a basin, wrote something on a piece of paper which he handed to the man who shuffled out.

Mohammed Ali strode forward, and Abdul, who was no

¹ Many hymns and psalm tunes are adapted from the age-old folk tunes of the north of India.

coward, went with him. There followed some questions and answers which Abdul did not understand. For a moment the white man looked at Abdul, who noticed that his eyes were light coloured, and smiled. Abdul smiled back. The doctor sahib (as Abdul came later to call him) then rose, and Hussein was laid on a couch and unwrapped from his blanket. The doctor bent over him, and attaching an instrument to his ears and placing the other end on Hussein, appeared to be listening to something. Abdul watched every movement. The doctor then turned again to Mohammed Ali and there was more conversation. Again Abdul felt the doctor's eyes upon him, and then Hussein was picked up by Mohammed Ali, and they were walking out of the room.

The rest of that day held so many new sights and sensations that Abdul began to be quite bewildered. He knew that somehow he had his clothes changed, and was given a clean shirt and a red and white cap; and Hussein was put to bed in a long room where beds were in two rows.

As Mohammed Ali said farewell, Abdul's fright of the unknown again possessed him. He pleaded with Mohammed Ali to stay: "They don't understand what I say," he said in a panic. "Why don't they?"

Mohammed Ali smiled: "I and thou speak the language of the interior, my son. Have no fear, thou wilt soon learn Pushtu, and I daresay Urdu too. Hast thou not heard me speak these? And I, too, was such as thou once. Take courage and keep thine ears open, that is all. Some day, who knows? I will return to see thee, and, if Allah wills, Hussein will soon be well again."

Now that Mohammed Ali's responsibilities were over, he could afford to be friendly.

VI.—A NEW LIFE

THE next few days were full of interest for Abdul. He roamed about besieged by curiosity for everything and every one. Strange smells assailed his nose, and strange sights met his eyes. He found that one or two of the inmates of this strange place talked his language, so he was able to get information and have some of his many

questions answered, not always correctly, though he did not know that. Every day early in the morning the white doctor sahib, with a white woman and several men helpers, visited each patient, and Abdul pattered round behind, and watched with bright eyes. Occasionally the doctor would notice him and give him a cheery smile.

But Abdul's chief friend was the Indian doctor who had taken the service on the first day, for, joy of joys, this man could understand what he said and could even talk to him in a stumbling fashion. In the evenings, when the day's work was done, Abdul would slip like a shadow to the doctor's house, where his kind wife made him welcome, and the doctor would teach him words of Urdu and Pushtu.

In this way he learned the meaning of many things, more particularly the meaning of the picture in the waiting hall, which had attracted him the first day. It was a picture of a man, it appeared, who had given a new law to the world. "Ye have heard that it hath been said an eye for an eye, and a tooth for a tooth——" Yes, that is right, revenge as it had been explained to him by his grandmother—"but I say unto you that ye resist not evil, but whosoever shall smite thee on thy right cheek, turn to him the other also."

Abdul was puzzled by this and was frankly scornful at the doctor's explanation. He told the doctor of his grandmother's last words, and how his life was to be spent in seeking out his father's murderer to slay him. In return the doctor told him of some woman, the wife of a doctor at this very hospital, whose husband had been murdered before her eyes; and who even after that had continued to nurse the sick and bring back to health the countrymen and possibly the very friends and relatives of the man who had killed her husband. "That is our idea of revenge," said the doctor, "doing good to those that hate us, and not evil."

Abdul sniffed contemptuously. "A religion of craven-hearts and women," he said. But he listened attentively on other evenings while the doctor expanded on this theme and told him further stories; and he retailed them to Hussein, who lay hollow-cheeked and big-eyed, but whose fever had at last broken.

A camel cart on the Frontier of India



So the weeks slipped by into months, Hussein was well and strong again, and the two of them, now completely at home, were in mischief from morning till night. They had no cares for the future. They were happy. They were fed, they were clothed, and moreover Mohammed Ali had said he would come back. Then the bomb fell.

VII.—TREACHERY

THE doctor sahib ate his supper in silence. He felt inexpressibly weary. Life on the frontier of India was hard, hard—so often had he hoped, and his hopes had been dashed to the ground. And this time the hopes had been almost a certainty, a glorious vision had opened up before him, and now it was all over. Darkness seemed to engulf him, a darkness all the deeper for the brightness of the vision that had gone before.

His wife sitting opposite understood. She let him be ; afterwards, in the veranda, in the healing beauty of an eastern night, with the scent of the orange blossom drifting towards them, he would tell her all. She knew a part, but not all, and her swift intuition told her that he had been deeply wounded, more deeply than for many years. Looking now at his tired face, a hotness surged over her heart, and before rising she sent up a swift little wordless prayer.

“ Well, I hope the little beggars are enjoying themselves in the city to-night,” he said presently.

“ Tell me about it,” she said.

“ You know a good deal already.” He paused. “ I had arranged to meet the padre sahib with them in tow at 6 p.m. at the station. Everything promised well. They were to go to the C.M.S. school at Clarkabad. They were both such bright little fellows, and I let myself imagine them turning out as really keen Christians, and possibly going to evangelize their own people.” He laughed a little bitterly. “ Well, we had the new clothes ready, you know the ones you helped to make, and Sister and I went down into hospital at five o’clock to bath them and get them ready. When I told them they were going away to school they began to scream and struggle, in fact kicked up such a

shindy that we might have been murdering them. There was no stopping them ; the patients began to cluster outside and things looked ugly. Of course it was a put-up job."

" A put-up job ? " queried his wife.

" Yes, the boys shouted out that they wouldn't be made Christians, and it was obvious that some of the more bigoted patients had incited them to this *tamasha* (show). Such young boys left to themselves would not have shown such strong religious feelings, and in the ordinary way would have been rather pleased than otherwise with their new clothes and the prospect of new adventures."

" What did you do then ? "

" I saw, of course, that it was hopeless. We put them back into their old clothes and let them go. Dr. Joseph has been round to see the Afghan agent to explain what happened, in case rumours should reach his ears, and to ask him to keep an eye on the boys if possible. Joseph told him all the circumstances, how the boys seemed to be deserted, their only friend being this motor driver who has never shown up since he brought them, and how we thought we were doing our best for them by sending them to school."

" And the boys ? " she said hesitatingly.

" They've gone. The patients were all for hustling them away, and I only hope they will make their way to Bannu to their lorry driver friend who brought them."

He sighed and fell again into silence. His wife slipped quietly into the bungalow and put on his favourite Beethoven sonata on the gramophone. As the cadences rose and fell, the lines in the doctor's face softened, and when it was over he rose and stretched himself. " That was good," he said. Suddenly he smiled as he quoted : "' Under the bludgeonings of chance my head is bloody, but unbow'd.'" She put her arm through his as they went in. " I'm sure God will somehow use this interlude in their lives," she said confidently.

* * * * *

Abdul lay on his back on his half of the string bed and gazed at the stars shining so brilliantly into the small, dirty courtyard. Old Baba Mirza, the sweetmeat seller, had taken

them in, for Abdul had been a regular customer while living in the hospital, and the old man had a kind heart.

Abdul sleepily reviewed the events of the day. He and Hussein had evidently done well, for after their fight with the doctor sahib the patients had crowded round laughing and given them many *shabashes* (gifts). But he didn't really understand why they had been commanded to make such a tamasha if the doctor sahib told them they were going away to school. Was school then really a place of torture? He was glad they had escaped if so. But the hospital was a good place, and if the sahib of the school was such a friend of the doctor sahib's, as the doctor had himself said he was, would he not too be a kind man? Oh well, perhaps it was better to be free of it all, and they would find the lorry driver and ask him if they could go back now to Afghanistan, if the war was over. What stories they would have to tell of their time in India!

He closed his eyes, and felt himself again in the grip of the doctor's hands and saw his stern blue eyes. Ah! He was a man undoubtedly. Abdul had rather enjoyed the shaking he had had at his hands. Yes, he had liked the doctor with the shiny head—and Dr. Joseph and Mrs. Joseph who had given him sweet cakes, and their little girl he had flown kites with. Some day he would go back. They had eaten the doctor's salt, and had not perhaps behaved very well at the end.

"Revenge." What was it he had to do? Oh yes, he had to find his father's murderer and kill him. Dr. Joseph didn't like that. Well, he didn't feel specially interested in the idea either, truth to tell. No, time enough for that when he got as old and as fat as his Uncle Fateh Khan. Meanwhile life was exciting; he and Hussein would travel further; he would meet more people like Dr. Joseph; and he would go back one day and tell the doctor sahib he was sorry he had kicked him. . . . He would talk again to Dr. Joseph in the light of his knowledge of the great world. . . . He would look again at the picture of the Christian Prophet Yesu, Who had said such upside down things. . . . He would . . . he was asleep.

E. T. BARTON

SCHOOL LIFE IN SOUTH INDIA

EXTRACTS FROM LETTERS TO A NIECE IN ENGLAND

Sarah Tucker College,
Palamcottah, South India,
December 3

MY DEAR MARGERY,

Thank you so much for your letter. You cannot think how exciting it is out here when the English mail arrives and brings us letters from home. I am so glad you enjoyed your birthday, though it was the first one you had had away from the others. I can hardly realize that my niece is twelve years old now, and away at boarding school and playing hockey!

You know that I am now teaching in a boarding school out here. Have you ever tried to find where I am on the map? I am almost at the very bottom of India. You won't find Palamcottah marked, but you might find Madura, which is not very far north of here. Then further north is Madras. It takes twenty-four hours to come from Madras in the train. I did it when I arrived about six weeks ago.

This is a great school and has a lot of separate buildings in the same grounds. There are nearly six hundred girls of all ages, most of them Christians. The girls do not play hockey, but they are very keen on netball and badminton. This evening, most of the high school section and many others have deserted the rest of the playing fields and are gathered round one of the badminton courts, where some of the masters and mistresses are playing in an exciting match. Compared with an English field the ground looks very bare, though I am told that it is greener than it will be at any other time of year, because we have been having a lot of rain. It is very pleasant there now (6 p.m.) with the heat of the day over. Games periods always have to be in the evenings. In the daytime the field is empty except for a few cows, and a little boy in a loin cloth whose job it is to keep them out of the flower gardens. They really are *dreadful* about eating our cherished flowers! Then, some-

times I see a few girls at mid-day under the mango trees at the side collecting sticks for the fire for a cooking lesson.

Now the match must be over, for the girls are strolling back towards their own buildings. They all belong to a race called Tamils who live in South India, and I am sure you would like them very much. They are dressed in jackets, long skirts and saris of many colours, but they are all bare-footed (some with silver anklets) and bareheaded, with their black hair hanging in a plait behind or twisted into a knot. There are great differences in the colour of the skin among these Tamil girls ; some are a rich, very dark brown, and others like the palest coffee and milk.

Now I can hear a bell ringing, which means that their supper is ready. I do wish you could come to one of their meals. Each girl brings her own plate and brass tumbler, and they all sit on mats spread on the hard, dry earth of the courtyard behind the school. The food consists mainly of a heaped-up plateful of boiled rice with some curried vegetables or pickles. They use no spoons or knives and forks. A small quantity of rice is taken with the fingers of the right hand, mixed with a little of the sauce or pickle, rolled into a ball, and flicked neatly into the mouth. The left hand must on no account touch the food, nor must more than the tips of the fingers of the right hand go into it. I have tried to eat that way, and find it terribly difficult. You try with some rice pudding—but not at a school meal !

II

Sarah Tucker College,
March 15

Oh, it is getting hot ! My hand gets so sticky with the heat that I have put a piece of blotting-paper under it while I am writing. In another month term will end, and we shall go for a six weeks' holiday to the hills.

I want to tell you about a funny thing that happened last night. It was getting dusk, and the girls were washing their hands and plates after supper. Suddenly, we heard an absolutely piercing yell from forty or fifty girls. We all rushed wildly to the spot, and the matron (an Indian lady)



Some of the schoolgirls at supper

discovered that one of the younger ones had started the scream because she thought she saw a snake. And what do you think it really was? Merely a piece of rope lying on the ground! Matron packed the screamers off to their homework with a good deal of energy and scolding!

Although this was a false alarm, the risk of meeting snakes, some of them extremely poisonous, is a very real one. At the foot of a mango tree beside the bungalow where I live is a hole, which was suspected of being the home of a cobra, so just before last Christmas we called in two wandering snake charmers to ply their art. Of course, I went to see what happened. One of the men squatted near the tree and began playing a weird, monotonous tune on his pipe, as if he was calling, calling to the snake. Presently, the note changed slightly, and we saw the hood of the cobra appearing at the mouth of the hole. Then the long body slowly came out, and the creature slipped forward through the grass, fascinated by the strange music.

The men signed to us to keep back (we did not want to

come very near!), but the great snake, six feet long, took no notice of anybody but the player. With lowered hood it moved slowly to and fro in obedience to the tune, ever coming nearer; and at last the man was able to pick it up, unresisting, and slip it into a large, covered basket. These men do not kill the snakes they capture, but take them away and set them free again in the open country. One of them said to an Indian friend of mine: "Oh, no, I do not harm the snakes. As I play to them I am calling: 'Come snake, I will not hurt you, come, come.' If I broke faith with them they would know it, and would not listen to my pipe."

Then last month something else happened. I was roused from bed one night by a missionary who sleeps in the room next mine. She asked me in a calm, if slightly shaky, voice: "Would you mind coming to help me find a snake? It has just bitten me."

You can imagine how I jumped out of bed! Then I held the lantern, and she poked behind the furniture till a little snake wriggled out and was dispatched with a walking-stick. It was only a small one, but she had two red marks on her foot like those made by poison fangs. What do you think she had done before calling me? She had cauterised the place by burning it with a lighted match, so there were no evil consequences. I wonder whether I should be as brave!

III

Eddystone,
Kodaikanal,

May 10

This is a perfectly lovely place, where I have come to spend the holidays. We are on hills thousands of feet up, and can sometimes look down and see the clouds below us. Quite a lot of English flowers grow here, and there are beautiful blue-gum trees introduced from Australia. You might like to hear something about the journey up. The last part up the hill has to be done by motor, but there is a fairly long train journey first.

I came away on the breaking-up day, and, like many of the teachers and girls, caught a train at 6.30 a.m. A very

large party set out under the stars to walk two miles to the station ; but I confess that I had a cab for myself and my luggage—such a ramshackle vehicle it was, too, and the horse's harness was tied up with bits of string. Early as it was, we saw on the way Brahman women coming out of their houses to bathe and say their morning prayers at the river and fill their big, brass water pots. The shopkeepers, too, were beginning to sweep out their shops.

Most of the others reached the station at least an hour too early (people always seem to do that here), so when I got there the scene was already animated. The little bullock waggons, bringing the luggage and some of the smaller children, were arriving, and two school gardeners were seeing that the tin trunks and rolled-up sleeping mats were all put safely on the right platform. Many of the girls had long journeys before them, so they provided themselves with bread and sweetmeats ; some of them also bought little pink roses to put in their hair.

We travelled in a long third-class compartment holding about fifty people, with narrow wooden seats arranged something like those on top of an omnibus ; there was no glass in the windows. At first it was crowded with school-girls, but at various stopping-places some of the girls got out, and other people got in. Some of them were pilgrims going to the holy city of Madura. Sometimes a beggar got in (without a ticket), and sang a mournful song, or showed some injury, to persuade us to give him something. One boy accompanied his song by drumming on his tummy ! One man was blind ; another had only one arm. As the day got hotter, many of the men in the compartment turned round and sat with their bare feet hanging out of the windows to cool them. They looked so funny, especially from outside when I got out at my station.

I had very interesting talks with some of the girls on the way. I can't understand much Tamil yet, you know, but some of the elder ones speak English quite well. A fifth-form girl, Rajammal, was next me, and we were watching some of the Hindu women in the compartment. There was one Brahman girl-widow with her head shaved and her white widow's sari pulled over it. She had one of the most

beautiful faces I have ever seen anywhere, and such sad eyes. "We Christians are really very lucky," said Rajammal, looking at her: "Here we are with all our lessons and games and fun and the chance of doing useful work afterwards, instead of being ignorant and unhappy like so many Hindu women. My mother was a convert, and when they wanted to force her to marry a Hindu, she says she is quite, quite sure that Jesus sent an angel to go with her through the dark streets and guide her to the missionary's house."

Another girl, Karuna, turned round from the seat in front to join in the conversation. "We are lucky most of all," she said, "because we know Jesus. My Granny went to see a Hindu woman who had lost her only son, and Granny says it was dreadful to hear her; she could only weep and say: 'Where is my boy, I shall never see him again!'"

This letter is getting very long, but I must tell you some news that has just reached me about one of my travelling companions, Kamala. She is fifteen years old, and was a patrol leader in the guides and one of those confirmed when the Bishop of Tinnevely last visited the school. She had told some of her friends that she was rather puzzled by a letter from her mother telling her to be sure to bring all her bedding and books home and not leave any until next term. Well, we now hear that when she got home in the evening, Kamala noticed on the table near the hurricane lantern a pile of invitation cards. "What are these?" she asked, and was handed one to read.

I am sure you cannot imagine what it was! It was an invitation to her own wedding, fixed for a week or two later with a bridegroom whom she did not know! Parents here almost always arrange their daughters' bridegrooms for them, though few girls have so little warning as this, and most of the Christians are not married so young. It seems very queer to us English people, but I must say that the arrangement generally turns out very happily.

Now I must really stop this letter and get back to my Tamil grammar. Just fancy! your "aged aunt" has to work hard to take an examination in about a fortnight. I assure you that Tamil is much more difficult than French.

IV

Sarah Tucker College,
August 6

We have just been having one of the happiest days in the school year, the Old Girls' Day. Large numbers of our old girls have gathered together for the annual meeting. Some had children of their own to bring with them, and others had tales of work (perhaps a long way from the old school) as teachers, doctors, or nurses. We had tea, and a short entertainment by the present girls, and lots of conversation ; but the most important part was in the school chapel, where we had quite a thrilling little service and sang our O.G.A. hymn. It is one you know very well :—

“ Stand up, stand up for Jesus,
Ye soldiers of the Cross !
Lift high His royal banner,
It must not suffer loss.”

When you sing well-known hymns like this in church or at school prayers, remember that the same hymns, translated into many languages, are being sung by people all over the world. I think it is rather an exciting thought.

V

Sarah Tucker College,
October 20

Just a year since I first arrived in India ! It has been such a happy, busy, and interesting year. I believe I have only told you about people in the school. Now I have a friend outside.

Every Tuesday, some of the teachers visit the homes of Hindu women and girls. For some weeks now I have been going with one of them to a girl called Danam. I think she is just about your age ; but according to the custom of her religion, she has to stay inside her house all the time. It is just a little mud-built house round a small courtyard, and she cannot even leave it to go to her aunt's across the street, or to fetch water from the well with her mother. Quite little girls are allowed to run about

freely, but the bigger high-caste girls in this part of India have to stay indoors until they are married. Would not you find it dull? But Danam is such a cheerful person that it is a real joy to visit her. We have a hymn and a Bible story, and then reading and writing lessons.

Danam has never been to school and does not learn quickly, but she is very keen. The teacher with me told her that I came from England, and she wanted to know whether that was as far away as Benares, where her aunt once went on a pilgrimage. Benares is certainly a long journey; and Danam could not imagine a longer one!

I think the person you would like best in the household is her elder sister's little boy, Rajah, aged about three or four, like your Michael. We soon became friends. On my second visit, he came up to me with something in his hot little hand, which he insisted on giving to me. It was a small, tired-looking beetle. Another day he got hold of my sunshade, laid it down on the ground, walked round it, and then began to bow to it and pretend to pray, exactly imitating the men before the idols in the temples.

But one of the funniest things I have seen happened last week. Rajah scarcely ever wears any clothes at all. There is a little girl from next door who often comes in, and generally has a skirt tied tightly round her waist. Last week she, too, appeared in the courtyard, with nothing on. Rajah would not have this at all. He rushed up to her and pushed her out of the door with both hands, crying: "*Oodoo-poo, oodoo-poo* (Your clothes, your clothes)!" and she had to get dressed before he would play with her.

I believe that when you say your prayers you sometimes ask God to bless the boys and girls in India. Think of all the Danams who are shut up in their houses, and the little Rajahs who are growing up to see people all round them worshipping in the Indian temples. Then will you ask God to help us Christian people here, both Indians and missionaries, to "Stand up for Jesus"?

Give my love to Michael and the others when next you write home.

Your loving aunt,
E. MARION CHAMBERS

IN THE STONY FOREST

HER name was Monda, and that means bad. Her family were called outcastes, and lived in a separate corner of the little village ; and though they were very useful people, others rarely spoke kindly to them, even when without their service it was difficult to get on.

Monda's parents were *chamars* (leather workers). When a poor old cow died only the chamars could go and get its skin. No one else would dream of lowering themselves to do such a thing. But Monda's country was very hard and stony, and people's feet became cut and sore unless they were able, by hard saving, to buy a pair of slippers or shoes ; so though every one looked down upon Monda's father—big tall man though he was—they were constantly coming to him to have their sandals or shoes repaired. Often they spoke roughly to him ; and when he had made a " good job " of their shoes, very often they would give him but half the sum he had really earned. Yet he was always very humble, and sometimes when he handed back the shoes he would say : " I have put a good piece of leather, and it took me the whole day yesterday to hand-sew your shoes, so I just throw myself on your kindness. I can't say the price. Give me what you feel right. Whatever it is I shall be glad to get. Be kind." But for all his modesty and politeness he was treated unfairly by the rest of the village ; and if anything happened to any of the cattle, people at once said that Monda's relatives were the cause of it.

Now many of the villagers in Monda's land are poor and can seldom afford new shoes, so they have them mended and mended and expect very little to be charged for the mending of them ; and Monda's father was always trying to repair what people in England would have thrown away. One day, probably when he was pulling an old sole off, he rubbed a tiny insect into a scratch in his finger without knowing it. Shortly afterwards the rainy weather came ; generally it is expected on June 15, and goes on for three months. Such

lots of rain. Three and a half inches in half an hour, I once saw, and sixteen in eight hours.

The rain was not good for the shoe-mender's business. "Why not?" some one asks in surprise. "The rainy season, surely, is just the time when shoes must be kept well mended." But as the people in Monda's land are poor they have to take great care of their shoes or they will not be fit to wear when they go to a wedding. And so when it rains they just carry their heavy umbrella (often a bamboo frame and palm leaves, and made never to shut) and their shoes in one hand, and the tail of their *dhoti* (loin cloth) in the other. So a shoe-mender's trade does not increase in rainy weather, and Monda's father earned less than ever. Rice, too, was high in price then, for it would be five months before the new crop was cut. And so with high prices and less work, Monda's father found it very hard indeed to buy food for the family to have enough to eat.

Every pool of water too, by the roadside on in the rice fields, soon became alive with tadpoles, and sprats, and frogs; snakes became more plentiful through being washed out of their homes; the water in the village wells rose up and up until it was soon level with the ground, and the dirty water on the top mixed with it.

But Monda was glad it was now so easy to get water. The rope had not to be pulled thirty feet up with its brass water vessel hanging on to it any more. She did not know when her father became ill with a high fever, that went on day after day, that the well water was the cause of it. Then one day when the fever was better but he was still very weak, lumps were seen on his face, and his hands seemed to swell. It was not the water, however, that had caused this. It was the tiny insect that he had rubbed into the scratch in his finger when he was repairing those old shoes. What should he do? All knew what it was. The great illness.

At once all the caste people refused to give him any more work. What should he do? An evil fate seemed to dog his life. Even Monda lost all her "go" and, instead of playing with the other outcaste girls, just spent her time sitting about silently, listless, and uninterested in all that

IN THE STONY FOREST

was going on and hardly wishing to eat the little food her parents could give her. Was she ill too? Her father thought when he gave her the name of Monda that she would be safe from the evil eye of the gods. She was a lovely, fair-skinned baby really, but they had dared not admit it or they believed some calamity would befall them and her. But now in spite of their precautions—calling her bad when they knew she was good—had she this terrible illness too?

One day her father went off along a fine, hard, stony road carrying his little daughter in his arms. After a long, weary journey he came to a number of brick-built houses in the midst of a great wood. It was a big leper hospital. Throwing himself at the feet of a tall Englishman, Monda's father begged that he and Monda might be taken in and treated. It was the Stony Forest (Purulia) he had come to.

But Monda was not a leper, though her father was, and so she was taken to a home away in the distance where a number of Indian children lived with two English women. Every Sunday, she was told, her father would come along the road and she would be able to see him; but poor Monda was too ill to go.

The English doctor tried one medicine after another, but Monda only grew paler and paler, and day by day would just lie on the bed or sit propped up against the wall of the veranda and stare straight ahead—not a word, not a movement of her face—nothing to show she was alive at all. However nice the food was she did not want it. Whatever was said to her she refused to reply. How stubborn she was! Paler every day. Thinner every day. Just taking no notice of any one or anything, as far as could be seen.

"How are you to-day?" Not a word. "Do tell me where you don't feel well. Unless you do we cannot make you better. Unless you eat how can you live?"

And then one day a splendid doctor came up from Calcutta and was taken to see Monda. The doctor at the Stony Forest had done her very best but no progress had been made; so we said that now we would do only what the big Calcutta doctor said.

At the end of a fortnight poor Monda seemed less shy. When no one else was there she would sometimes talk to

the Memsahib. She began to like a brass cup of milk, and to eat a few more fingersful of lentils and rice. And at last when the doctor had examined her thoroughly, he found the tiny germ that had caused her illness and made her so silent, and not want to do or eat or say anything. And so we just prayed more, and gave her the doctor's medicine and followed his advice ; and then at last after eighteen months Monda was cured.

Such a change there was. After the first month she was sometimes to be seen in the garden, instead of sitting propped up like a doll on the veranda. Then she started going to church on Sunday, and it was a great joy to find her father afterwards waiting on the road to give her a penny, or a packet of biscuits. He, too, was getting better, and spending his time in making slippers from the outer cover of old motor tyres. Such a help those slippers were to the poor folk who had just recovered from sore feet.

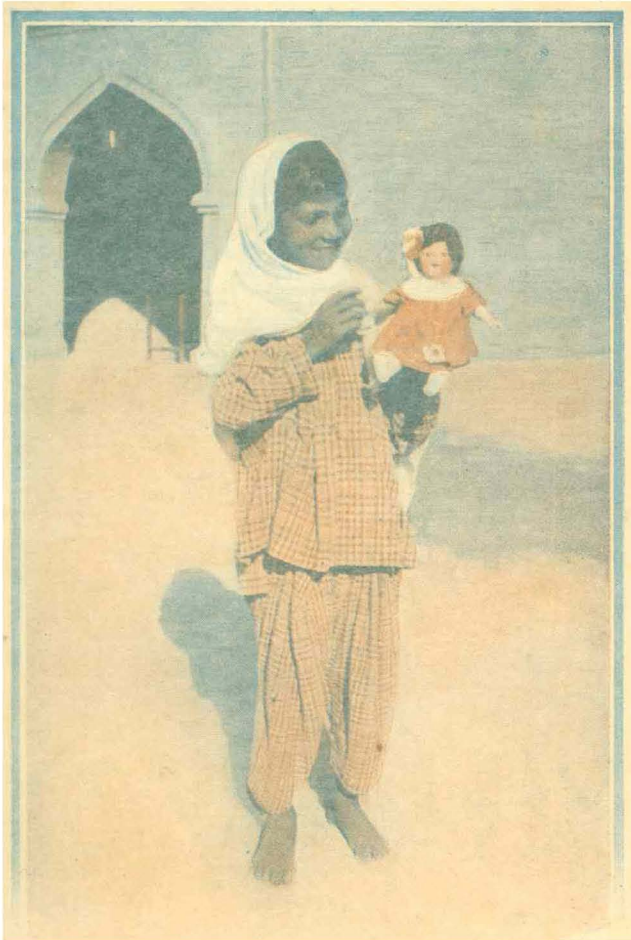
Sometimes after service the clergyman took Monda back with a dozen other little girls in his old Ford car. It was fun, and such a squash. There was really only room for five people, but Monda found, as she sat by the clergyman driving, that there were twelve, as well as his bag ! Round the Stony Forest and past the big hospital they would go, by the houses where the leper women lived, and out on to the main road where the leper mothers were gathered, each so anxious that she should see and be seen by her own daughter. Monda now felt that she was bigger than most of the other small girls, and looked very dignified ; and when up the hill at last they stopped at the big gates it was she who got down and opened them ; and then came back to finish her ride round the garden.

On Sunday afternoons she went to the Miss Sahib's veranda and learnt hymns : " Away in a manger," " Jesus bids us shine," and others ; and every day she went upstairs to school.

Her father felt he must also go to school ; but it was to a church he went, the " Church of the Good Samaritan." There he spent an hour every morning of the week, learning about the Lord Jesus and what it would mean if he and Monda became Christians.

And then on Advent Sunday, 1929, Monda and her father became members of the world-wide Christian family. No longer can Monda be called low caste. She has joined the society of the true twice born—the real Brahmans of India and the world, the people whom we call Christians. Instead of Monda, her name is now Kironbala, which means “a garland of sunbeams.”

E. B. SHARPE



An Indian schoolgirl with a doll from England

MARYAM

A School Story

I.—A CHILD AT THE GATES

IT was Sunday afternoon, and a hot day. The tropical summer was beginning, but Isabel Hardley, curled up in a wicker chair with her English mail spread about her, was unconscious of her surroundings. The clatter of plates and dishes sounded dimly from the school *botel-khana* (scullery, literally, place of bottles) where the washing up after lunch proceeded.

The bearer entered and stood patiently. But the Miss Sahib was far away in England and did not notice his noiseless presence.

“ Miss Sahib ! ” he ventured.

“ *Kia hai* (what is it) ? ”

“ *Huzur* (title of respect),” he replied in Urdu, “ there is a young child, a girl, in the compound, very dirty and alone. She has been sitting at the gate since sunrise, and will not go away.”

“ Tell the *chowkidar* (watchman) to send her home. It is probably a trick of those gipsy beggars to get baksheesh.”

The bearer moved silently away, and the English girl went into her bedroom. The afternoon soon passed. Tea-time came, and then the crocodile of school girls went to church. After they returned and Miss Hardley was dismissing the *chowkidar*, who walked at the head of the double line of girls with a long stick to ward off stray cows and buffaloes, he said : “ The little girl is still there, Miss Sahibji.”

Miss Hardley looked blank. Then a memory of her bearer’s message came back.

“ I threatened her with my stick,” continued the *chowkidar*, not noticing Miss Hardley’s look of horror, “ and she went away for a time. But she came back and she will not go. She does not seem to understand.”

Miss Hardley had not long been in charge of the mission

boarding school for Christian girls. Her predecessor had broken down in health and she had had to take over with very little experience. She was puzzled and stood for a moment looking at the tall, swarthy man, remembering that Miss Sundar Singh, the senior teacher and the one to whom she always turned in moments of perplexity, was away for the week-end.

"I'll go and see about it," she said quietly; and as she made her way across the compound she prayed: "Heavenly Father, show me what to do."

A ragged and filthy little figure crouched on the outskirts of the mission compound. There was something very lonely and appealing in the utter stillness of the child, and her great eyes were fixed on the few girls still walking about the compound on evening errands.

Miss Hardley spoke very gently in Urdu. "You must go home to your parents. You cannot stay here. Do you understand? You must go to your mother and father."

Slowly two great, burning, brown eyes, peering through the child's tangled masses of hair, were raised to the young missionary's face. She gave no other sign of having heard a word.

Miss Hardley tried again, speaking slowly and carefully. Still the impassive stare of the strange eyes.

"She doesn't understand Urdu, and I don't know any other language," thought Miss Hardley.

Evidently something further would have to be done; the child could not remain in the compound. Miss Hardley walked quickly to the matron's room, for Matronji spoke Punjabi, and perhaps could make the child understand. An uneasy thought entered Miss Hardley's mind. "I do hope she's got a home, poor little object! What kind of a place can it be?" The great eyes seemed to haunt her. She explained the situation to Matronji, a comfortable, stout Indian lady of placid temperament.

"*Hai hai* (dear, dear)!" she said, "I will indeed help you to send the child away. No doubt she has been sent by her parents to beg."

She raised her portly form with some difficulty from the *charpoy* (bed) where she had been resting, knees drawn up,

in the squatting position loved by most of her race. It was her off-duty hour, just before the little ones' bed-time.

Matronji surveyed the desolate little figure with great disfavour. "Be off!" she cried sharply in Punjabi, "go to thy parents thou dirty one! Go."

Whether the child understood the words or not, there was no mistaking the tone of voice. She rose stiffly to her feet and crept toward the gate. Matronji, highly pleased with her success walked back to the school with Miss Hardley, who felt vaguely disturbed and unhappy.

Outside her tiny bungalow the head girl, Priti, awaited her. "May I speak to you, Miss Hardley?" she asked shyly in English. The elder girls were all proud of their English, and hoping to improve their accent lost no opportunity of airing it to the new English mistress.

"Come in!" said Miss Hardley, and together they entered her little sitting-room.

Priti sat gracefully in her pink silk Sunday sari, bordered with gold lace. The English girl surveyed with admiration the slender figure and pretty face with its pale olive skin and languorous eyes. The Indian girl in her turn gazed covetously at the delicate white English skin, auburn hair, and blue eyes of the missionary.

"I have come to ask you about the school collections," she said in her careful English. "It is our custom to collect among ourselves each week for some Christian charity. This year we should like to give our money to Dr. Barnardo's Homes." She laid on the table an attractive leaflet setting forth the aims and needs of the homes. It was illustrated profusely with pictures of healthy English babies.

"How very nice of you," said Miss Hardley slowly. She was feeling for an idea at the back of her mind. Then she found it. "But wouldn't it really be better if you gave your money to Indian orphans or poor children instead of English ones? You have so many thousands needing help. I will make inquiries for you if you like. If I cannot hear of a home in India like Dr. Barnardo's, how would you like to contribute towards the keep of an orphan in a missionary school, or a destitute child in a hospital?"

"That is quite true. It would be better. England is :

more prosperous country than ours." Priti spoke quickly in short excited jerks. "Thank you—thank you *veree* much for mentioning this which we had not thought of."

After Priti had run off to tell the other girls about her talk, Miss Hardley sat for a while dreaming as the quick, tropic darkness fell. The bearer brought in a lamp. She stirred and moved to the bookcase. She must prepare prayers for the morning. Her eyes fell on the paper that she was pushing aside. "No destitute child ever refused." The words on the leaflet which Priti had left behind burnt themselves into Miss Hardley's brain. Suddenly she could not bear the comfort and security of her own bungalow, until she knew that the desolate child at the school gates had gone away and presumably wandered home.

With a hurricane lantern she made her way to the compound gates. As she drew near a sound came from the ditch—a sound of hopeless, frightened sobs. Taking hold of a dirty little hand, she led the child into the compound, and, placing the lantern on her own veranda, left the child crouching beside it like a shrinking animal.

After some discussion, during which Matronji's motherly heart was won over, an old charpoy and some very old bedding were found. "The older the better," said Miss Hardley; "it will have to be burned afterwards, I'm afraid." A plate of steaming food and some *chapatties* (flat bread, like pancakes), were ravenously devoured by the child, who never spoke a word. She was given her bed, placed at a discreet distance from the other children, and told in Matronji's best Punjabi that she was on no account to approach any of the schoolgirls when she woke. And so, fed and comforted, the little one was soon asleep.

II.—THE TOP FORM DECIDE

THE next morning Miss Hardley had a practical problem before her. Who was to wash the child and make her fit to go among the others? Impossible to allow the girls, and the task was such an objectionable one that Miss Hardley felt that she could not ask Matronji. She decided that she would do it herself, and went towards the children's sleeping quarters to make preparations, and

asked Matronji for a bath of warm water to be prepared. "The child must stay with us at least for a time, and she must be washed, Matronji. I will wash her," she added as she saw the old lady's face fall.

This was just what Matronji required to fire her with righteous indignation. "You, Miss Hardley!" she cried, as she rose from her relaxed position. "Indeed no! It would not be *menasib* (fitting); I will wash the child!"

The bath took a long time, and Miss Hardley compromised by staying to help. Both were full of horror and pity at the neglect the child had suffered. They burnt her ragged old clothes, and supplied her with some clean garments from a parcel which had been sent from the General Wants Department of their missionary society in England. The critical moment arrived when the little one's hair had to be dealt with. Both agreed that the only possible course was to cut it all off.

The girl had submitted without question or protest to all the rest, but now she broke down. It is a great disgrace to an Indian girl to have her head shaved, as it is usually only done to Hindu girls when they have become widows, which in itself is supposed to be a punishment for sin. It was terrible to be unable to comfort her. If only they could have told her how God Who loved her would like to see her clean, and that to Him there was no disgrace in what they were doing! They had to do their work while they listened to the child's sobs, though even in her grief she did not rebel.

They tied up her shorn head in a pretty cap and smiled and nodded to try to make her understand that they were not in the least displeased with her; and at last she cheered up a little. Perhaps she got some glimmering even in her bewilderment of the kindness felt in those two hearts towards her.

For one whole long day the little girl sat silently watching the school activities. In great perplexity as to what to do with her, Miss Hardley asked the advice of the other missionaries in the town.

"Keep her as well as you can for a day or two and see if she is claimed," they decided at last. "We will make inquiries. Then we shall see."

So the child was made to understand by signs—for it seemed that she did not speak either Punjabi or Urdu—that she could stay. At the end of the day she looked a different child; the food and rest had worked wonders. Never, even in India, had Miss Hardley seen such unquestioning patience. The child showed no sign of wishing to disobey, no resentment whatever at her summary treatment in the bath and the removal of her hair.

On the morning of the second day Miss Hardley summoned the top form to a meeting in her room. Led by Priti they bustled in with much excitement and ranged themselves round on the floor.

“On Sunday,” began Miss Hardley, looking from one to another of the expectant faces, “Priti came to me to ask about the charity that you are going to collect for this year. I suggested that you should collect for some poor Indian children who are perhaps homeless, or in hospital. Have you decided on anything yet?”

“No, Miss Hardley.” Priti spoke for the class. “We all agree that we should like to give our collection to poor



“Yes, we will adopt her!”

Indian children, but you said you would inquire for a Indian home like Dr. Barnardo's."

"So I did!" said Miss Hardley. "Well, a new thought has come to me. The little girl who has come to us unexpectedly, appears to have no home. Have you ever seen any one so sad and neglected?" Murmurs of agreement came from the girls. "How would you like to contribute towards keeping her here for a time until we can find out where she belongs? Remember, you are to do just as you like."

The girls looked from one to another. Perhaps a few of them felt that it was not quite so high and dignified a charity as they had planned. But they had been filled with pity at the sight of the waif; and now one impulsive girl made up their minds for them. Jumping up in her excitement and clapping her hands, she cried with shining eyes: "Yes, yes! We will adopt her! She shall be *our* child. We will give her food and clothes! We will pay for her to go to school!"

She had lapsed into Urdu, and now a babel of excited talk ensued during which all sorts of plans were made for the little girl.

"How much money do you collect?" The quiet voice of Miss Hardley fell into the chatter, and for a moment there was silence. Then Priti named a small sum of rupees (rupee is equal to about 1s. 6d.) that had been collected last year.

Miss Hardley made a calculation. "That would keep her at school for about three months," she said.

Their faces fell. Most of them came from comfortable but by no means wealthy homes, and their pocket money was scanty. But at that moment of generous impulse each girl was thinking what fruit and sweets and coloured beads she could resist buying from the old *box-walla* (pedlar) next time he came, so that she could give more money to the weekly collection.

"Very few can give more than an anna (about 1d.)," remarked Priti sadly. "Some can only give a pice (about ½d.), and some cannot give anything at all."

"Never mind," said Miss Hardley cheerfully. "Remember

ber the widow's mite ! We will all do what we can and give what we can, and ask our heavenly Father to supply our needs."

The girls brightened up at once. The child was given into their care, and they were to help her to join in the life of the school. "She is yours," smiled the missionary. "Find out her name and language if you can. If not, give her a name yourselves. When 'break' is over take her to the kindergarten and ask Miss Mukerji if she may join the class for to-day."

Priti came just before tiffin to report progress. "We cannot make her understand a word," she exclaimed. "So we have called her Maryam because her eyes are like those in the picture of the Virgin Mary in your *daftar* (office). That is not irreverent, is it, Miss Hardley?" she added anxiously.

"Oh, no, I don't think so, Priti," Miss Hardley reassured her. "Very well, then she shall be Maryam."

III.—A STREET ACCIDENT

ON the day of Maryam's arrival at the mission school, a large Chevrolet car made its lordly way through the crowded streets of the *bazar* (streets with shops). It was driven by an Indian chauffeur dressed in a jaunty red cap with a tassel and a European suit of khaki drill. Behind him were seated the owner, a wealthy Hindu merchant in European dress, his two sons, and four grandsons. The women and girls of the families were not expected to take open-air excursions.

The car swung along in fine style, scattering before it the shoppers who thronged the streets, and with them many wandering dogs, sheep, kids, goats, calves, and cows; for in Indian cities the animals roam about freely, eating what they can get from ditches and dust heaps. The chauffeur sounded his horn ceaselessly, as it gave his master an impression that he was working with all his might.

Then suddenly came the tragedy. An old man stood in the road hesitating. The car was almost upon him, the chauffeur hooting confidently, but the old face looked up helplessly with sightless eyes. He was confused by the



Photograph]

[F. Deaville Walker

At the sweet-shop

uproar, not knowing which way to turn for safety. Too late the cry went up: "He's blind!" Next moment he lay quite still in the road while a large crowd gathered quickly about the car and the lonely old figure.

The merchant descended as rapidly as his stout form would allow, and the crowd made way for him. His heart was kind and he was genuinely distressed at what had occurred; but his chief object was to get something satisfactorily done at once so that he could proceed on his evening drive with peace.

"You careless rascal!" he cried violently to the chauffeur. "Is this what I pay you for? Could you not see the old man was blind?"

The chauffeur poured forth volumes of apologies and excuses. "I did not see in time that he was blind. Blind men seldom walk about the streets without a guide!"

This was true, and the merchant now took some pains to discover from the crowd who had been in charge of the old

man. Finally it was established that he had been walking alone.

"Ah then, I am not responsible!" was the next satisfactory thought of the owner of the car. Meanwhile the old man lay still in the road. He stirred painfully and moaned.

"What am I to do with him?" cried the merchant in despair. "I am not responsible!"

Two Indian boys were at this point seen to be pushing their way through the crowd. They had been busily occupied at the side of the road in making a rough stretcher. They wore on their coats the boy scout badge.

"If you will permit," one spoke politely to the fat merchant, "we will take him to hospital."

"A hospital! *Achchha! bahut achchha!* (excellent, excellent)," cried he in great relief. And when they had lifted the old man gently on to the stretcher, the merchant cleared a path magnificently for them through the crowd. Slowly they made their way to the mission hospital carrying their unconscious burden with the skill they had been taught.

* * * * *

When the patient recovered consciousness he babbled wildly for a time, and the doctors thought at first that he was talking mere nonsense. Then one of the ward boys who came from Sind exclaimed: "He is speaking Gujerati!" This boy had lived in Karachi, the port town of Sind, and the home of many languages. Here Sindi is spoke, as also Urdu, Jatki, Marathi, and Gujerati. So this ward boy became the old man's interpreter.

It was a pathetic story. The fame of the great English doctor who gave sight to the blind in thousands, had penetrated even to his remote village home in Sind, and he had travelled by railway for the first time in his life, sitting patiently in the train for two days and a night, to reach the city where the missionary doctor lived who could cure blind people. If he had been younger and less pitifully starved and weak, there might have been more hope for him; but he was not strong enough to undergo the operation

for his sight for which he begged. He was told gently that he must wait until he had recovered from his injuries before the doctor could operate. All were very kind to him and he was made comfortable in the men's free ward.

IV.—SOLVING THE PUZZLE

MISS HARDLEY descended from a tonga, and entered the doctor's bungalow.

"*Koi hai* (any one in)?" she called, as is the custom in India, where there are no front-door bells or knockers.

"Come in!" answered a voice from within, and Mrs. Bryant, the doctor's wife, came on to the veranda to receive her guest.

"I wonder if you can help me," began Miss Hardley when they were both seated; and she related the story of Maryam's arrival and the difficulty in making her understand. "If only we could get started!" she said. "If we could find the language she speaks and get an interpreter occasionally I believe we should soon have her learning and chattering Urdu. Do any of your workers speak any other language besides Urdu and Punjabi?"

Mrs. Bryant was gazing fixedly at Miss Hardley, an idea evidently taking strong hold upon her. "*I wonder!*" she exclaimed. Then she in turn described how an old blind man had been brought to hospital after an accident, and had been discovered to be speaking Gujerati. "And what's more," she pursued, "he says that he was brought here, all the way from some tiny village in Sind, by his little grand-daughter, a child of ten. Can it be the same? He says he lost her the day he was run over, and, of course, poor fellow, he was helpless, as he was blind and couldn't make any one understand him!"

They agreed that Maryam was to be brought to see the old man the next day. "That will settle the question. If she recognizes him we shall know who she is," said Miss Hardley.

Accordingly the next day Maryam was brought to the hospital. When she perceived that it was a hospital, signs

of animation appeared in her. Drawing her sari shyly across her face, she glanced quickly about as though looking for some one. Miss Hardley led her gently to the bed of the old man, and then no doubt remained as to Maryam's identity. She gave a cry of joy, and rushing to his side, poured forth a flood of words. A look of great delight spread over the man's face ; there was no question that he recognized her too.

After that Maryam came to the hospital every day. The kindly ward boy was asked to break the news to her that her grandfather was very, very ill indeed.

Maryam was sorrowful when a week later her grandfather died. She had no parents, and dreaded returning to the village home where she had lived with a crowd of relatives. "How can I go home now that they have cut my hair?" she cried. She begged to be allowed to stay at the school. And so it was arranged, and the schoolgirls contributed towards the little orphan's keep.

She has learned to speak Urdu and a little halting English, but has not forgotten her Gujerati, in which language she is far more at home than any other. Best of all she has become a Christian in the most natural and happy way, as if she had heard with her own ears the voice which said: "Suffer the little children to come unto Me." At her baptism she asked to be allowed to keep her new name "Maryam," and is never known by any other.

She dearly loves to hear of the miracles in which the blind were healed. "The Lord Jesus would have healed my grandfather," she said softly one day. "But he went to heaven and now he can see as he never saw on earth. He believed in the Lord Jesus before he died. He told me!" she added in her quaint way.

Her thin little body has filled out, colour has come into her cheeks, and her hair has grown to a pretty, bushy bob. She has become quite a sturdy girl though her eyes have never quite lost their wistful look.

CONSTANCE BREED

JIMMY'S DIARY

April 25th.—To-day my mistress has left me at Gojra. She has gone to a place called England. She says she will bring me a nice new collar. But what is the use of a promised collar to a desolate dog? None. Decided to keep a diary. Will help to pass the time. I am staying with two ladies. The elder is a friend of my mistress. I call her "Muchli," because her name is the name of a fish, and *muchli* means fish in the Urdu language. The other lady is small and new, and called by the servants "Chhoti Miss Sahib (little Miss)." Muchli is tall and big, so compared with Chhoti, there is "much" more of her. A good joke.

April 26th.—Have explored this place. Across the garden is a large courtyard surrounded by buildings, a curious place which they call school. Was turned out by Muchli in the morning, but went back in the evening. The courtyard was full of girls. When they saw me they ran away. A game, I thought, and followed barking. They screamed, and Muchli came out of a room and called me. Do the girls dislike me?

April 27th.—Helped the *mali* (gardener) chase a big, dirty dog out of the compound. Looked fierce, but was a coward. All dogs in India seem half-wild and very dirty. I am not. I have a mistress who cares for me. The other dogs live as they can and belong to no one. Light dawns. The Indian schoolgirls do not like me because they think of me as fierce and dirty like other dogs here. Pretended to be asleep, and let a crow hop near me, then chased it. Delightful to see its fright. In the evening Muchli talked to me. Told me I could help educate the girls, and must not mind if they were frightened at first. She said they would soon learn that if dogs were properly looked after and cared for, then they were the friends of man, and would help him and protect him, instead of being his enemy. Quite so.

April 28th.—Went into school in evening. Took no

notice of the girls. Chhoti came and petted me in the courtyard. Wagged tail. The girls stared, but did not run away.

May 3rd.—Am making progress in school. The girls come running to meet me and call: "Jee-my, Jee-my!" and then run away again laughing.

May 4th.—In school this evening Muchli caught hold of me and told some of the girls to stroke me. Tried to look pleasant, though out of the corner of my eye I saw a crow laughing at me, and longed to chase it. A small girl hesitatingly put out her hand and touched me, and then the others did too. Muchli very pleased.

May 9th.—Too hot to write diary every day. Consider I am true friend of man, I mean of the girls. Play games with them every evening. This evening slipped in when Muchli wasn't looking and found girls eating their evening meal. They eat, sitting on long strips of matting spread on the ground of the courtyard. They gave me lots of pieces of *chapatti*, the round flat bread they eat. Very good. Shall make a point of going into school at this time.

May 15th.—This evening followed Chhoti into school. While she was seeing to any of the children who needed medicine, or sores or cuts bandaged, I had some games

Some of the little children at Gojra School watching a mechanical toy bird

with the girls. Chhoti then watched the big girls making chapattis for their supper. They are clever at this. They take a lump of dough, and patting it quickly between the palms of their hands, they make a sort of round, thin pancake, as big as a plate, and then bake it on a flat piece of iron over a fire. One of the cooks asked Chhoti to make a chapatti, and showed her how to do it. So she patted a lump of dough, but it didn't come round. The girls laughed and laughed and said it had "ears," because the edge was so uneven. "It takes years of practice," Muchli told her. I consider Chhoti rather stupid.

June 1st.—Too hot and sleepy to write diary much. Sleep most of the day and night. We all three, Muchli, Chhoti, and I sleep on the roof at night. Chhoti tells me I snore. Consider Chhoti *very* stupid. Had a fine chase early after a squirrel. Squirrels have a great advantage over dogs, because they can climb trees. Just when I thought I had this one, up it scampered and then turned and jibbered at me—most aggravating.

June 10th.—Had a postcard from my mistress. Buried it next my best bone.

June 30th.—Chhoti left to-day for a language school. Must be very stupid not to know Urdu and Punjabi. The girls laugh at her, and the mistakes she makes. Went to station to see her off. Saw lots of dogs, but Muchli kept me on my lead, and would not let me speak to any. Chhoti said as she got into the train: "Now Jimmy, you must look after Auntie (that was her silly name for Muchli), because she is all alone with the girls; do you understand?" Futile creature. As if I did not know my duty!

July 9th.—Terrific storm all night. Muchli and I had to sleep indoors. Tremendous rain. One of the teachers came over early with bare feet and her baggy trousers pulled well up her legs. "Miss Sahib," she said, "the courtyard is full of water, and we shall soon be flooded out." What a day! Had a glorious splash in the mud of the garden, but made Muchli very cross. Servants were called out to dig trenches round the outside of the school. The children have had to remain in the veranda all day.

July 10th.—Water going down, but school courtyard full of thick mud, where before was hard, white dust. Muchli fears more rain is coming and is hurrying on the day of the girls' holidays. If much more rain comes the roads will be impassable, she says.

July 12th.—Great excitement this evening. Was dozing on veranda of bungalow when I heard Muchli call out from the school excitedly: "*Koi hai, koi hai? Jaldi ao! Burra sanp hai* (Is any one there? Come quickly! There is a big snake)." The *mali* (gardener) who was working near by, and the *dhobi* (washerman) who was passing, both ran into the school. Rushed after them barking, but was caught and held by one of the teachers. Felt very annoyed with her. A frightened group of teachers and children were standing looking into one of the class rooms, and there in a corner was a big cobra, coiled, with head rearing and hissing ominously. The two men entered the room and killed it with the *mali's* long garden hoe. When it was all over I heard the *mali* say to Muchli: "Have a care, Miss Sahib, there is sure to be a mate somewhere; they always go in couples." This made Muchli very worried, and she organized a thorough search of the whole school; but nothing was to be found. Dreamt of snakes all night.

July 13th.—More excitement. While Muchli was having her dinner, and I was hoping for tit-bits, I heard a faint rustle from the drawing-room. My hair stood on end and I trembled all over. I knew something was there. Again I heard the rustle, and I barked.

"What is it, Jimmy?" said Muchli. I moved slowly towards the drawing room, sniffing and quivering. Muchli called the servants, who brought lamps and sticks. They moved the furniture, but saw nothing. Then suddenly, with an angry hiss, a huge cobra flung up its head from under a corner of the matting. Muchli had put me on my chain, but I nearly tore it out of her hand as I flung myself forward, barking furiously.

"Jimmy, you saved my life," said Muchli later. I licked her hand. "You ought to get the V.C. for this." Slept well. Promised myself my best bone buried in the garden.

July 14th.—Surprised to hear Muchli calling me to go into school with her this morning. Usually am not allowed in till evening. Supposed to be a disturbing influence while girls are doing their lessons. Found girls lined up in courtyard, which is drying up.

“Salaam, Miss Sahib.”

“Salaam, Jee-my.”

A chair was placed for Muchli. She made me sit by her and told the girls what I had done the evening before how I had given the alarm about the snake and probably saved her life. Felt rather pleased, though my mistress has often told me it is wrong to be conceited. Muchli then said: “And now, Jimmy, we are going to give you the Blue Ribbon for valour.” A big girl stepped forward and tied a blue ribbon round my neck. Most uncomfortable and ticklish. Began to repent my valour and tried to make a move. Next all the girls said together: “*Shabash* (well done!) Jee-my,” and clapped their hands. This was too much, and I made a sudden dash into the midst of them barking. They all scattered, screaming with laughter and still crying: “*Shabash!*” Muchli turned me out.

Soon ate up the blue ribbon. It didn't taste at all nice. Must go and dig up that bone.

TEB

AN ADVENTURER

The Story of a Bhil Boy

I.—ON THE FARM

IN a little farm house on a hill-side in Western India, was a happy mother with her new-born baby boy.

Visitors, entering the house through the low doorway from the brilliant sunshine outside, found it difficult to see anything in that mud-walled home of no windows, but becoming used to the darkness they saw the mother and baby lying on a low string bed. Close to the baby's head was a curved sword; a little pile of food was at his left side, and iron at his right. The sword was to ensure protection through life; the food was placed there so that he should never want, and the iron to make him strong—all very necessary precautions to be taken on the day of his birth, said the visitors.

The baby's father and mother decided to call their son, Bada. Since Limba was the father's first name, the baby's name was Bada Limba. Bada's parents were Bhils, and like all other Bhil tribespeople of this large jungle district they were farmers, growing their own corn and vegetables on the land around their house.

At one time their ancestors were the lords of this part of India, and had their own king and queen, but Hindus and Moslems came upon them raid after raid, and drove the Bhils into the jungles and hills. They were cruelly treated, some being impaled on stakes, and others chained to red-hot plates and burnt to death. The survivors of those cruel days sought revenge by killing and plunder; and many Bhils to-day are clever robbers, and in some respects are untamed like their jungle mates, the panther, tiger, and monkey!

Bada grew into a sturdy youngster. One day his mother, who had been busy grinding corn in the house, missed her two-and-a-half years old son.

"Bada, Bada!" she called. And there away by the

well she saw a tiny figure, brandishing a bamboo stick three times as long as himself, toddling after a big cow.

"Look, mother, I am doing *gawal* (work of cowherd and goatherd)."

"*Shabash, shabash!* (well done, well done!)" exclaimed his mother. "Soon you will be able to go out and help your sister Ratni to take the cattle to graze."

Indeed, Bada soon learned to help his elders; and when he was four he actually started going out each day with his sister taking the cattle into the neighbouring jungle in search of grass; and two years later, when his sister married, he proudly took charge of his father's cattle.

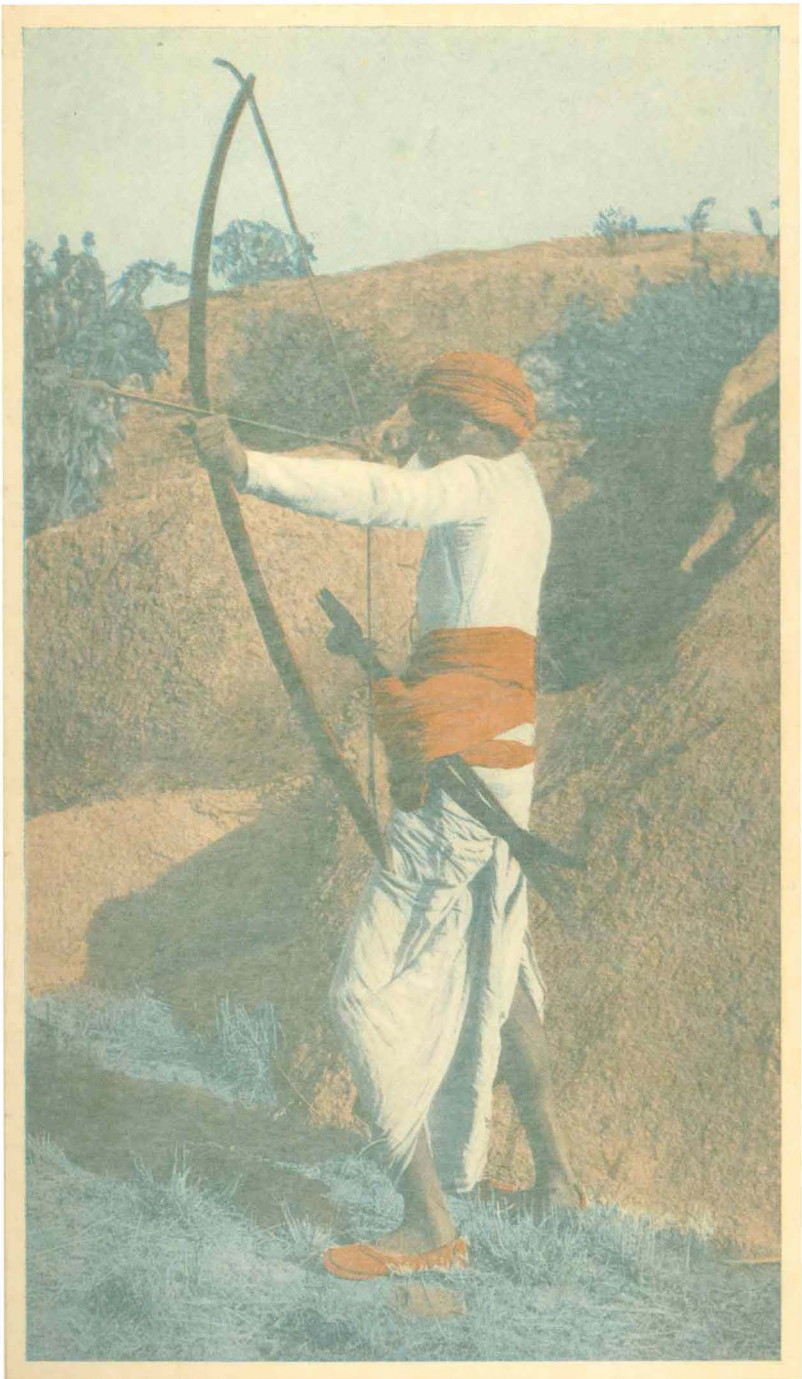
Then it was that his father made him his first bow and arrows, and a catapult. For he must be prepared for wild animals and be able to protect the cattle.

"I won't let anything hurt our cows and buffaloes and goats!" said Bada proudly, as he took the weapons and began to fire off some of the arrows.

How Bada loved the cattle, especially the goats. You should have seen him pick up in his arms a goat as big as himself; sometimes he would hug one round the neck. Other boys and girls were in the jungle with their cattle; they were not slow to make their own fun so it was no such a very lonely or dull work.

Bada delighted in the jungle and came to know every inch of his own neighbourhood, and to recognize every bush and tree. He soon learnt which were the best animal and birds for food, and which green stuff was the nicest vegetables, and which fruit was good to eat. In the moon soon time, when fish came down the flooded watercourses he would watch quietly from the branch of a tree, or from the bank, and cleverly shoot with his bow and arrows at the fish in the stream or pool.

Yes, these were pleasant days. Few Bhils ever left their village, or if they did they always came back again. For if not, who would do *puja* (worship) at the memorial stones of their grandparents? They believed that evil things would happen, that there would be calamity after calamity, if they neglected to make offerings to the spirit of their ancestors.



A Bhil farmer with bow and arrows

Once when Bada was still a small boy he went with his father away into the jungle to a place where under some trees were some large blocks of stone. Here his father placed some *ghee* (butter) and rice.

"Why are you doing that?" questioned the boy.

"It is for the spirits of our forefathers," came the answer "If I forgot to do this trouble would come; our cattle would die; or the rains would fail and our crops be ruined and then there would be famine and sickness."

"Bapa, is that why my friend Rupji's father says that one day he will come home for good. You know he is working in the mills in Ahmedabad, but he keeps returning home again. He tells us such wonderful tales about the big city."

"Yes, Bada, a Bhil must always come back. It would be dreadful to die away from home," replied his father.

It was not only that he loved his country. He believed that a Bhil dared not forsake the hills where his ancestors were buried. In an encounter with a panther or tiger none could beat his courage. But it would be a fearful thing to neglect to worship the ancestors.

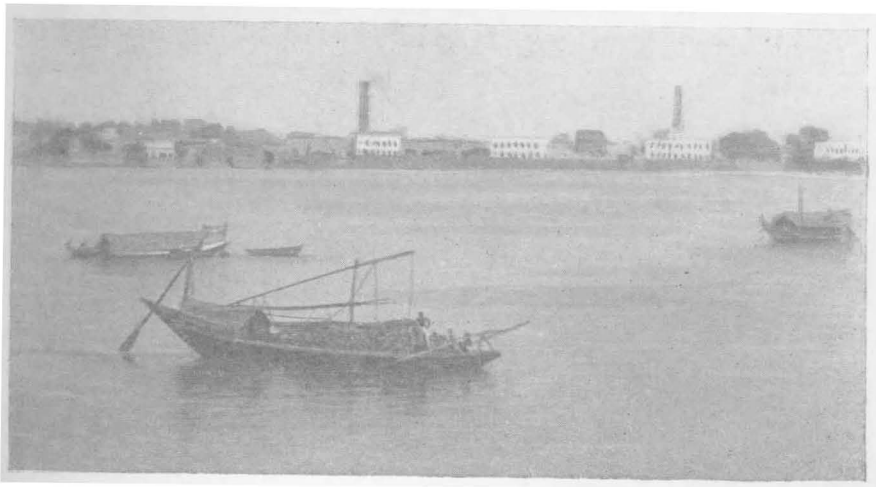
II.—A LOST GOAT

ONE day, while the cattle were quietly grazing, Bada and some other boys were engrossed in play when Bada suddenly found that his favourite goat was missing. It was the pretty brown one with white patches.

"Jeva, Rupa," he called to his friends, "have you seen 'Brownie'?"

But no one had noticed the goat straying away. The alarm was quickly given, and very soon the cry: "Bada's goat is lost!" could be heard echoing from hill to hill. Some one from nearly every house in the village turned out to join in the search. What could have happened to it? Some one lifted it? Perhaps a panther! Ever if it had only strayed it was exposed to the dangers of the jungle.

Leaving the rest of his animals in the care of the other children, Bada was off like a shot. Over one hill, round



Photograph]

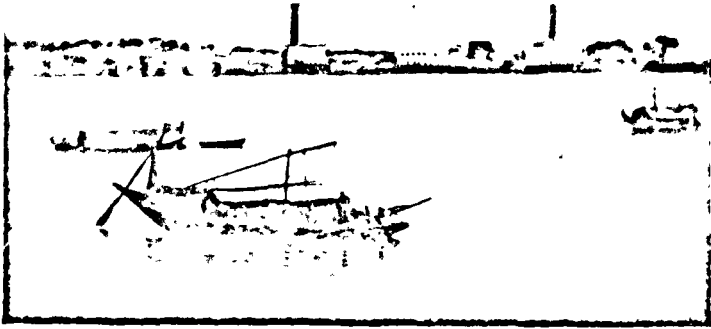
[P. Deaville Walker

Modern mills on the river bank

the side of another, on, on, from hill to hill, over a gully, through a stony river bed, across the stream, calling, calling as he went. At last a small shrill bleat answered his call. That bleat was the sweetest soundⁿ on earth. One dash round the next bend and there was "Brownie." Poor thing! It was entangled in a horrible thorn bush, and overhanging a steep, stony chasm. Bada cut away the thorns—thorns two inches long—with his hunting knife, but not without getting badly scratched and torn himself. But he quite forgot his own pains, hunger, and thirst in the joy of finding Brownie again.

A few days after this, Bada happened to be at home when two Bhils called at their house with some pictures. One of the pictures was of a Man carrying a lamb in His arms, and one of the visitors began to tell the story of the picture. He said that this was the Good *Gowal* (Shepherd) Who went in search of His lost lamb until He found it; it meant actually giving His life for the lamb. At the end of the story he said to Bada: "You are like that lamb, and the Good *Gowal* is searching for you to save you as you save your goats when they get lost in the jungle."

When the visitors had gone, Bada thought to himself: "That story is like me and my lost goat, but I don't quite



Photograph

Modern mills on the river bank

[F. Danville Walker

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When the visitors had gone, Bada thought to himself : " That story is like me and my lost goat, but I don't quite

understand. Am I really like my goat, and is some On really looking for me? Those men said we could lear more about the Good Gowal if we went to the master a that school at Chitaria, two miles from here."

Bada continued to think about the story, and some day later he suddenly said to his father: "Bapa, may I g to school?"

"What, to that place at Chitaria?"

"Yes."

"But why should you? None of our family have eve been to school, neither your grandfather, nor I, nor you brothers. Besides I have heard queer stories about thos schools. They say that when the boys are clever enoug those *Angrej* (English) people take them to England."

"But Bapa, Ratna goes to school and he says it is fin They teach all sorts of useful things. If I learn, thos *voras* (traders) won't be able to deceive you. I shall t able to read and reckon up their accounts."

"But if you go to school who will do 'gowal'?"

"Bapa, can't you arrange for cousin Rupli to do 'gowal' Girls don't go to school."

It took a long time for Bada's father to agree, and Bac had several tries. The master from Chitaria called, an reminded him how good the missionaries had been to th Bhils in the terrible famine; and at last the Bhil farmer son was allowed to go to school.

So at the age of ten Bada started to sit in the infant class. But he was no baby. He soon pushed his wa to the top of each class he entered. His parents we proud of him, and enjoyed hearing him read. Yet whe he passed the entrance examination and gained a scholarsh for the C.M.S. boarding school at Kherwara, twenty mil away, they did not know whether to be glad or sorry.

The quickest and best of the boys from the sever village mission schools for Bhil boys were at the Kherwa school; and Bada made friends with boys of other clan In his lessons his mind travelled to pastures new, ar not only his own country, but the countries of the wor revealed their treasures to him, and many of his old theori and fancies fell out.

III.—TWO GREAT EVENTS

WHEN Bada was sixteen his father said that it was time to think about his marriage. Who should they ask to be his bride? How about Lali, an orphan girl living with her uncle at Limbda? She was nearly fifteen and about the right age for Bada. No one thought that it mattered that the boy and girl did not know one another, had probably never even seen each other. According to custom their elders made all arrangements. Bada's father assured himself that Lali was healthy, and would be strong enough to look after Bada's house, prepare his meals, draw the water, and help to look after the animals when necessary; and that was all that mattered so long as the price was paid. So Bada was married to Lali. After the wedding, like all Bhil brides, Lali returned to her home for a time, until Bada should want her to live with him; then he would be expected to bring her to his parents' home. There was no need for the marriage to interfere with Bada's education, and he continued at the mission boarding school.

The lesson that interested and gripped Bada more than any other was the study of the Bible. And because he could see the teaching and life of Jesus Christ lived out, to a great extent, in the lives of Christian boys and masters he came to the conclusion that Christ is real. And so one day he went to the missionary who was in charge of the boarding school and said: "Sahib, I want to be a Christian. I know that Jesus Christ loves me and died for me; and I love Him too and want to follow Him."

"But do you know that you may have to suffer if you become a Christian? Are you prepared to suffer for Christ? Your parents may perhaps turn you from home, and your friends may refuse to have anything more to do with you?"

"Oh yes, I know that, but even if all this happens I still want to be a Christian."

So Bada began to go for special teaching, and after a time he, with four others, boldly confessed his faith in Christ and was baptized.

He passed well in his final school examination, and a

junior mastership falling vacant he was offered a post in village school in the Kherwara district.

The fact that Bada had left the religion of his for fathers and become a Christian did not spread rapidly. Not that he was keeping it secret. He could not, for he had made such a tremendous difference to him. But he was living twenty miles away from home.

On his first visit home after his great decision, he had to see his parents and his boy friends in the village. His parents were much disturbed, though not altogether surprised. They had so often listened to him reading the gospel and had noticed the effect the Christian teaching had upon him. In fact it had made a difference to them too, though they were not ready to tell people so. At any rate, they had a real love for Bada, and Bada loved them, and they stood by him.

Bada was glad about that. It made things much easier for him than for Kachera, another schoolboy, whose father was furious and said he would kill him for daring to become a Christian, and he had to take refuge in a place two hundred miles away. Yet at times when Bada saw how much his parents were suffering on account of him, he came almost to the breaking point.

At first the neighbours taunted the parents with the cry: "He has been defiled. You must not eat with him. You must not let him eat with you. If you do, we will outcaste you."

For the sake of peace, when Bada went to see his parents they agreed to eat separately; but except for this they did not allow the fact that their boy was a Christian to make any difference in their fellowship.

When Bada claimed his wife Lali, she left her uncle's home and went to live with him at his little school, instead of in his parents' home.

Then an outcry was raised against the Christian school. "These schools are 'defiling' our children, making them Christians," said the Bhils. People were so much alarmed that some of the children left the village school which Bada had first attended. Two opposition schools were started, but one of them soon closed down.

IV.—MORE STORMS

STILL more storms were to come. After some two years Bada left his school work to go on tours in the district and tell of Christ his Saviour. The visits included his own village. Some people there had already heard the Gospel from Bada, and two boys who had been learning privately from him were hoping to become Christians; and in the village of Chitaria where Bada had first gone to school three men asked to be baptized. This stirred up fresh persecution.

The chief mischief-maker wrote to his own son to try to get him to influence Bada. "You are Bada's friend," he wrote. "He will listen to you. You must do all you can to get him to renounce Christianity, and come back into caste."

But nothing they could do or say would make Bada give up Christ; and because his parents still allowed him to come home, the persecutors at last went to the house and said to his father: "If you do not promise to have nothing more to do with Bada we will outcaste all your family."

Many stormy scenes were raised at the farmer's house. Stones were flung; cattle were prevented from drinking at the common watering place; water pots were smashed.

Then Bada's sister was turned out of her home by her husband, who said: "I will not have you back unless your brother gives up this new religion." She had to return to her father's house and has remained there.

Bada's wife Lali also became a Christian, and was baptized. Her uncle and most other people were very angry; and she has been kidnapped by her uncle who refuses to let her go back to Bada.

Poor Bada himself has not escaped attacks. Lately he has been at Lusadia teaching in the mission school there, and spending much of his time preaching the good news of Jesus. His father frequently comes to the nearest mission house to ask after his son, and sometimes Bada goes to see his parents, usually at night, when except on one journey he has escaped being seen and set upon by his enemies.

One day he was heard telling a heathen neighbour :
“ They may kill me if they will, but I will never deny my Saviour.”

Speaking of his parents, he said not long ago : “ They have suffered much on account of me, yet never once have they asked me to give up Christ.”

For a time Bada returned to work at Kherwara where he was further from his enemies ; but hearing that there was no one to take his place on a missionary tour through the jungle villages he volunteered to go.

* * * * *

“ Where is he ? ” “ Surely we heard that he was at Kherwara ? ”

Two men had arrived at Kherwara intent somehow on catching Bada—only to find that he had left. Not to be outdone, they set out to find the mission camp. Succeeding in this, they tried by peaceful persuasion to get Bada to return with them to his own people and village. Failing, they eventually departed.

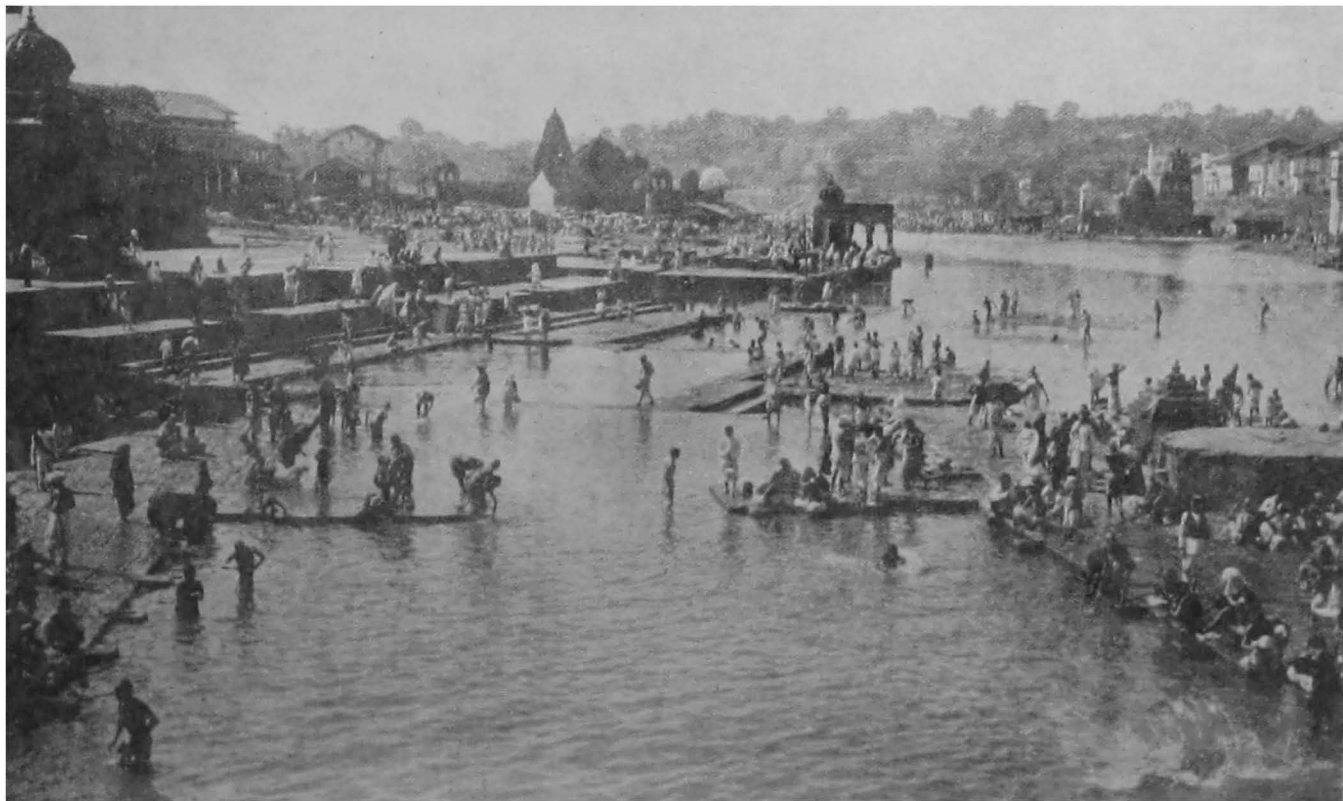
But they soon came back saying : “ We can't find the path home from here. Come a little way and show us.”

Unsuspectingly Bada went. Now was their opportunity. They had not gone far when they grabbed the Christian convert and tried to take him by force, but he managed to wrench himself away, and ran back to camp.

* * * * *

And the end of the story ? It is one of those stories which has no end. It has already spread over hundreds of square miles, and into most out-of-the-way villages among the hills. Bada has lived over again the story of himself both as goat and “ gowal,” and has been badly torn and pricked by jungle thorns. Yet he does not want to leave the jungle now, but rather to change it into a garden. Some thorns may still remain, but the blossoms will be beautiful roses.

FRANK MEIGH



A River Scene at Nasik.

Clays ('MOTHER')

GLIMPSES OF
ROSALIE HARVEY
OF NASIK
AND HER FRIENDS
THE LEPERS

By A. DONALD MILLER

THE MISSION TO LEPERS (Copies may be obtained
33 HENRIETTA STREET in India from the S.
LONDON :: W.C.2 The Mission to Lepers,
Parralia,
Bihar.)

AN INTRODUCTION

by the

REV. T. CARTER, Th.D.,

one of the Secretaries of the Zenana Bible and Medical Mission.

Miss Harvey is an honoured missionary of the Zenana Bible and Medical Mission. She went to India in the year 1882, and by 1884 was on active service in Nasik.

For a considerable period Miss Harvey had to overcome prejudice and superstition, but, by the grace of God, the way opened out and she laid the foundations of a widespread activity. Her efforts were supported by the constant prayers and gifts of the friends of the Z.B.M.M. and welcomed by the Committee. Beginning with a little school, and the visiting of zenanas, her work opened out through prayer and great human sympathy, and before long she had started a kind of hospital for animals in the Z.B.M.M. compound, a home for orphaned, deserted and unwanted babies, and had provided a shelter for suffering, wandering lepers. Everything begun by her received the approval of the Committee.

In 1898, the Mission to Lepers made a grant towards the leper work and shortly afterwards assumed full responsibility for it. The Babies' Home has grown into a large institution, and is known throughout Western India. The Women's Hospital is now in spacious, modern buildings, and has three fully qualified women doctors with a large staff of European, Canadian and Indian nurses. There are three City schools.

The total number of Z.B.M.M. workers in Nasik, including missionaries, assistant missionaries, sisters, Indian nurses, teachers and Biblewomen, is fifty-nine. All this work has sprung out of the first beginnings made by Miss Harvey. This book deals appreciatively with one side of the labours of this devoted servant of Christ.

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FOREWORD

The last person in the world to desire to be written about is Miss Harvey, the subject of this very slender and inadequate sketch. Publicity is utterly uncongenial to her. It has ever been the love of Christ that has constrained her in all her quiet, unadvertised service, and never for a moment the love of name or fame.

And so, while the sketch gives glimpses into the life of Miss Harvey, she would ardently desire that they might only be the means by which fresh friends should be won for the sick and needy folk whom she serves. Only if this little book quickens a new sensitiveness in its readers' hearts for all who are friendless and in distress will its publication be other than a cause for embarrassment and regret on the part of her whom we meet in the pages that follow.

A. D. M.

*“ There is no evil in the world so great
That God cannot raise up to meet it
A corresponding beauty and glory
Which will blaze it out of countenance.”*

JOSEPHINE BUTLER.

I

The second finger of Miss Harvey's left hand carries upon it an old gold ring bearing a signet of curious stone. The ring was left to her by her father ; and the signet bears upon it the figure of a phoenix and the single word "spero." The phoenix is the family's crest ; and their motto "Dum spiro spero."

Miss Harvey has been true to her family tradition. So long as she has breathed she has hoped. And to-day, though she has lived a life unshrinkingly exposed to man's deepest ills and has wrestled long with neglect and cold indifference and downright evil, her hope in God and for man is still unshaken.

In the little house where she lives you will find her, serene and unhurried, wearing a plain black skirt, and a white shirt blouse. Upon her head, nurse fashion, is a black silk kerchief. And when she travels abroad from her cottage on her errands of mercy a voluminous long black cape, a rather "poke" bonnet, and a shiny stick make her look exactly the part of the Granny of our childhood's fairy books. Her hair, parted in the middle, and

GLIMPSES OF ROSALIE HARVEY

disappearing beneath the folds of the black silk kerchief, is silvering with age, though gold strands still mingle with the white. The deep lines of age are upon her face; there is a pallor upon her cheek; and her blue-grey eyes gaze at one with a penetrating though kindly observation.

It was seventy-five years ago, while England was becoming involved in the Crimean War, that upon the twenty-fifth day of June, 1854, Rosalie Harvey was born in a house standing between the Sussex Downs and the sea. Her father, a clergyman, was then in charge of a parish near Seaford, and the new little daughter arrived on a Sunday only just in time to enable her anxious parent to hurry off to the afternoon service when, it is no wonder he resorted to a printed homily for his sermon. Years afterwards Miss Harvey discovered it, and found the text to be "Walk worthy of the vocation wherewith ye are called." If the silent prayer of the preacher was that the little new life that had been given him might walk worthily of the vocation to which God should call her it has certainly been abundantly answered.

The child's early days were spent in the quiet discipline of a well-ordered Christian home. Once or twice there was the excitement of moving house to places in Sussex, Yorkshire, and Devon, where her father in turn held charges. The middle child of nine, she was not likely to be spoiled. A

AND HER FRIENDS THE LEPERS

governess with an addiction for teaching the children verses from Proverbs ruled the vicarage schoolroom; and one brother, warned by the verses he had memorised, ever declared he would never marry, lest he be afflicted with a "brawling woman"!

With the advent of womanhood there came to Rosalie the call of Christ to the Mission field. To a reluctant mother and a happy father she made known her desire. And in the autumn of 1882 she saw for the first time the lovely harbour of Bombay and obtained her first glimpse of the land she was to serve.

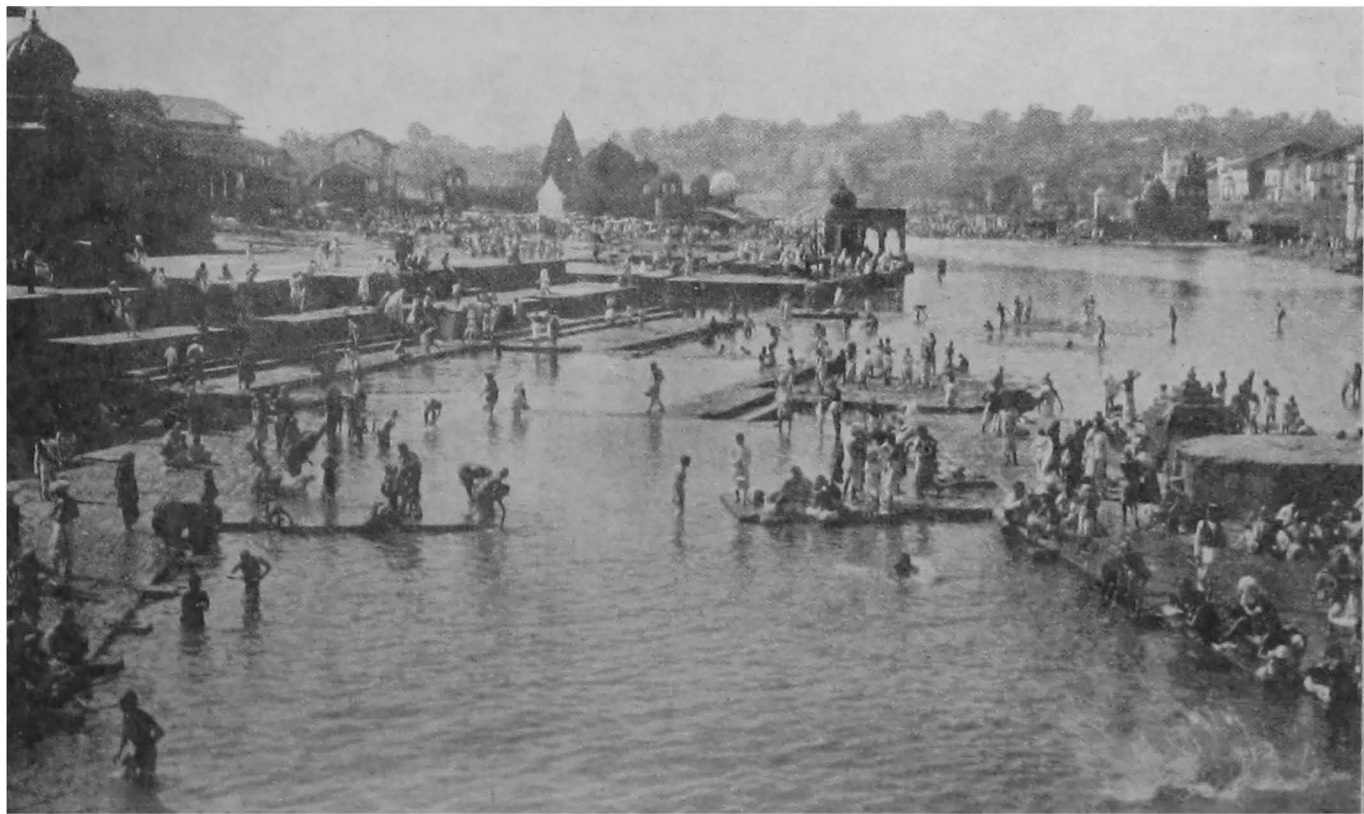
It was not till the spring of 1884 that Miss Harvey saw the town of Nasik which was to be her home thenceforward. At first, upon her arrival in India, she went to Poona, and there she promptly fell ill and nearly lost her life from diphtheria. From Poona she was despatched to Nasik. Down the steep *ghats* her train zig-zagged to the humid lowland behind Bombay. And then again another train, jolting and straining, took her up another section of the same range of hills, on to the main plateau of the plains of India, and so to Nasik Road station, where she was deposited with her boxes, five miles from the sacred city. So sacred a city, indeed, that when the railway was built its residents successfully opposed every attempt to bring the smoking chariots to the town itself; and

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now the children live to lament their parents' orthodoxy, as a consequence of which they are for ever compelled to take a trap or a taxi every time they want to catch a train.

Along this road Miss Harvey drove to the end of her journey. On either side peepul trees abounded with their streamer-like pendant roots hanging from the branches. The golden mohur trees flashing vermilion in the sun, were just showing their first flowers of the year. Ox carts with their jingling bells plodded along, the horns of the oxen gaily painted and tipped with brass ornaments. Women, dressed in coloured saris, chiefly of blue and dark red, bore their bundles of wood, or their baskets, or their glistening brass and copper pots. Men, less laden, passed along on their various business. Beyond the road the grass of the fields bleached by the sun, dazzled the eyes; only here and there did new ploughed land reveal the dark nature of the soil. And edging the horizon were the irregular low hills, blue and hazy and pale.

In time she came to the town itself, with its narrow crowded streets, its timbered buildings, its many temples, and its winding river. At last she drove up to the mission house which was her destination. And having descended from her seat dusty and travel-stained, she immediately began to make Nasik her home, and its people her children and her friends.



A River Scene at Nasik.

II

There is a double reason why Nasik is a sacred place of pilgrimage. It is, for one thing, situated a few miles below the source of the great beneficent Godavari river, and to bathe in its God-given waters is an act of piety and of merit. But it is also notable because, on the far side of the river from the main town, there are five ancient banyan trees that mark the spot where Sita, the devoted wife of the exiled Ram, was stolen by Ravan. The Ramayan is the most popular and attractive of the stories of ancient India. Ram and Sita have been given divine honours, and to these trees devotees from all directions come with their garlands of fragrant flowers. The trees stand with their trunks smeared with vermilion paint. Bells are hung about them that the pilgrim may sound to call the attention of the gods to his presence. And near by are little shrines and temples with their priests and dust-smeared sunyasis gazing out upon the passers-by.

It was not long before Miss Harvey began to see much more than these evidences of a religious spirit, attractive at first sight to a friendly and sympathetic visitor. She saw in so many of the

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people that strange and baffling contrast between a punctilious observance of the forms and ceremonies of religion, and an indifference to those human needs which to her were the true objects which should evoke religious response. She had seen the contrast in lesser degree in England, spending her childhood at a time when even eminent divines preached non-interference with cruel and inhuman conditions of factory labour on the ground that the matter was one entirely to be determined by employer and employee. But here in Nasik the contrast was more marked. The needs of men and child and beast beat upon her sensitive spirit like the waves of a swelling tide, brooking no resistance. There were the poor, suffering dumb animals ; and there were little children, fatherless, for whom the only future was a life of degradation ; and there were the untended lepers by the roadside, living by the very exposure of their deformities, so filthy and repulsive, so homeless and alone among the crowds of chattering pilgrims.

Though Miss Harvey had not been deputed by her Society* to care for such as these, her commission was an open one and naturally involved unknown financial expense. But what service of love was there which did not include, if it were not to break at the very point

* The Zenana Bible and Medical Mission, formerly known as the Indian Female Normal School and Instruction Society.



*A Street Scene
at Nasik.*



*Miss Harvey
down by
the River.*

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that tested its reality, the spending of money? The scheduled duties of the day accomplished, she was still unsatisfied that she was fulfilling her mission. Speech needed the reinforcement of deed. And it seemed clear to her that while the needs could not all be met by her she could, at any rate, so far as resources would permit, demonstrate her will.

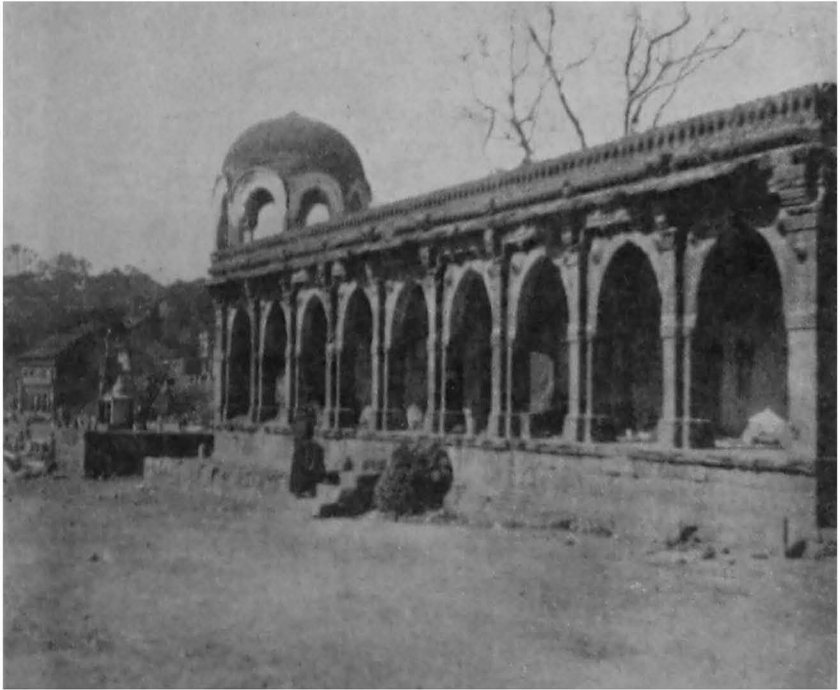
So it was that there began, in quite the early days of Miss Harvey's missionary career, works of mercy for those in chiefest need about her. The Mission compound began to be a tethering ground for injured beasts. Lame donkeys, dogs with broken legs, injured cattle, kept company with one another. And with kettles of hot water and rags and carbolic and splints, this young missionary Miss-Sahcb showed herself more ready to tackle nasty sores and ugly fractures than did strong men about her.

And then there were the children. There were immediate cases of distressing need, children who in Christ's name simply could not be refused. And so they were taken in in faith, and sensible arrangements made for them to be cared for in the homes of respectable women that Miss Harvey could visit and control.

It was not so easy in those early days to know what could be done for the lepers. There were so many of them, and the condition of one was

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much the same as that of the next. Moreover, though it was a degrading, demoralising living to which these disfigured, friendless people had been driven, yet, since there were so many pilgrims to Nasik, and almsgiving was an act of merit, they did not fare badly during many months of the year. It was not so much their poverty as their helplessness and neglect and degradation which seemed to demand her help, though it seemed sad that for the sake of the public welfare so many cases should sit by the highways with their open, undressed sores. And there were some who had little children with them, who would crawl around and play in the dust and then return with a happy gurgle to the outstretched stumps of hands, and laugh up at the featureless, broken faces. At night this little colony of beggar lepers and their children lived on an outer verandah of the courtyard of the Naru Shanker Temple, a temple not at that time in good repute with the pilgrims, and consequently largely neglected in favour of the more popular ones. And here Miss Harvey, together with a fellow missionary, would visit them, and talk to them as *friends*, and tell them—though how hard a message to bring home to such people—that God really was Love, and that His love for each one was infinitely deep and was revealed in Jesus Christ. There were little comforts that they were able to give, little services that they could



*The Verandah of the
Naru Shanker Temple
where the Lepers used to live.*



*Aayi and her
adopted Son.*



*Aayi at
her desk.*

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render, but there was a consciousness of inadequacy and a longing that something better might be done. Little did Miss Harvey realise in those days the events by which her desire to help these people in a more adequate way was to be fulfilled.

III

This brief sketch cannot attempt to tell of Miss Harvey's unwearying labours for fatherless children and for dumb animals. It must suffice to say that the rescue work of these children has grown continually. For many years the whole financial responsibility of it was Miss Harvey's and depended on her personal efforts, but it has in recent years become a responsibility of the Z.B. & M.M., and the fruits of the labour of those early days are rich and abundant. Over fifteen hundred children have been rescued during the years that have passed since Miss Harvey began in faith to care for them. One, now a giant of a man, is Miss Harvey's own adopted son, and greets his "Mother" with a resounding kiss when he comes occasionally from his work to Nasik. But though this son of hers is in a special way her own, yet she is regarded by all as Mother. Indeed, the title "*Aayi*"—"Mother"—has gradually come to be the natural form of address by which all the people of Nasik speak to her. Go into the bazaar with her and you will hear her greeted on this side and that with a respectful, loving "*Aayi, Salaam!*" Follow her into people's houses, and welcome is made for the

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“Mother.” From rich and poor this tribute of affection and respect is given. To be no longer “Miss Saheb,” respectful but remote, but to have crossed the threshold into the family ; to have become “*Aayi*” wherever she goes, loving and intimate, that is the people’s happy tribute to one whom they have learned to love with a real and profound devotion.

For the animals, too, the work that began in the mission compound has grown and become firmly established. Indian friends, led by a sub-judge, banded themselves together in service, and with Miss Harvey’s co-operation and encouragement the work went forward until a generous gift of a Parsi baronet made possible the erection of the present animal hospital for which the S.P.C.A. hold financial responsibility, and in the welfare of which Miss Harvey still takes an active part, constantly visiting the animals to encourage the veterinary surgeon and his assistants to do their best for these silent sufferers. She also took personal charge of the Bhisti (Water Carrying) Bullock Relief Corps. For the three hundred and sixty-five days of the year these animals would know no break from drawing water for the people of Nasik. This Relief Corps of bullocks provided periodic rest for these hard-worked beasts of burden, and one may be sure that Miss Harvey delighted in the task of bringing relief to these patient creatures of God.

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Fourteen years passed, however, before two strange allies appeared to help Miss Harvey fulfil her desire to serve the lepers in a more adequate way. They were famine and plague, the one following close upon the heels of the other. Famine brought poverty and hunger, and plague brought suffering and death. For two dreadful years Nasik suffered this dual affliction. The city to which pilgrims had flocked became the city from which people fled. Government established famine kitchens and plague camps, and thither the hungry turned and the sick were taken. For months Miss Harvey worked among the plague-stricken people, poulticing from morning till night, attending to these helpless people in all the multiplicity of their needs, and becoming herself bitten from head to foot with the plague-carrying flea. Sometimes limbs ached—ominous sign—but no plague developed, and she laboured on at her task of mercy. Then it was that one day she found in a deserted plague camp on the outskirts of the city—it had been given up in favour of a larger one—a company of the most wretched lepers that it was possible to imagine. To their deformities and their sores was added the bitterness of prolonged hunger. Their livelihood of begging was gone. And so, friendless and hopeless, they were just waiting their death, yet clinging desperately to their miserable life.



*Early inmates
and temporary
shelters.*



*General View
of the Nasik
Leper Home.*



*Group of
Men outside
their Compound.*

AND HER FRIENDS THE LEPERS

When Miss Harvey saw these unhappy folk she could so easily have answered their pleas with the statement that she, a woman without authority or wealth, could do nothing. That is the easy answer that so many of us make, and we have little difficulty in persuading ourselves that we are quite true in what we say. But Miss Harvey knew that such an answer would not be true until she had at least *tried* to do something. And so, visiting the Collector, she managed to secure for them a famine ration which, if small, yet was sufficient to sustain life. And she visited them from time to time, bringing her commonsense wisdom to bear upon their various problems, and becoming more and more a Mother and a friend.

By April, 1898, plague had been stamped out, and famine no longer held sway. People began to return to Nasik. Even pilgrims resumed their visits. Soon the deserted booths by the riverside were displaying their wares again. Life began to become normal, and the lepers in the old plague camp, no longer able to draw famine rations, began to plan for their return to the uncertain fortunes of begging. During the last few months they had enjoyed for the first time for years regular, if austere meals. They had found a leader and a friend. "That which was death to others," they said to their *Ayi*, "was life to us, but now our time for perishing in the streets has come."

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And so it seemed that these men and women and children must return to beggary. Once more Christ must bear with them their neglect. His suffering spirit must share in the lepers' loneliness among the crowds. His heart must be torn as little children, snuggling at night under the same rags which covered their leper parents, themselves became smitten with the fell disease. Miss Harvey pictured it all, and as she saw the return to wandering beggary of these folk that she had come to love in all their need and folly and simplicity and trust, she became challenged to act so that the work which she had begun at a time of public calamity should not end with the return of public prosperity. That would have been irony indeed.

No response at first encouraged Miss Harvey's efforts in Bombay to secure private funds. To save others from beggary she herself became a beggar. "Oh, not now!" was the reply everywhere from those who had been called upon so recently to help relieve the famine and the plague. And it was only a gift from Sir Dinshaw M. Petit that made it possible for Miss Harvey to return to Nasik just before the rains broke and to make a temporary shelter for her family of thirty-five, by the purchase of seventy-four sheets of corrugated iron for the sum of Rs. 175-12. Has ever leper home been begun so cheaply?

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Once committed to a more permanent service of the leper Miss Harvey found that her Lord would not let fail the good work begun by His inspiration. In a little report issued at the end of the first year's work Miss Harvey pays tribute to the ready (if at first small) help of the Mission to Lepers. "The Mission to Lepers in India and the East, besides giving a donation of £23 5s., has placed us in its estimates for 1899. Special thanks are due to the Committee of the Mission for the prompt and timely publishing of an appeal for help for this new asylum when their own work was greatly in need of funds." Increasing help was given by the Mission, and soon it became the responsible body for the maintenance of the work. The one matter for regret is that the assumption of financial responsibility by the Mission resulted in Miss Harvey's first report being also the last, and so there is no annual record of the Home's growth, of its problems, vicissitudes, and victories, and much of Miss Harvey's labours must forever remain unknown, buried in obscurity. It is only in the rescued lives and the happiness brought in place of abject misery that the record of her work is written. The lepers themselves, as a recent visitor wrote, "are indeed her epistle, even as they and their needs are written in her heart." In them, and in their rescued children, does her buried work find its resurrection.

IV

The little house in which Miss Harvey lives is situated at the entrance of the main asylum. Thither she moved from the Z.B. & M.M. bungalow on the far side of the river when, at the age of seventy, she withdrew from her other work to spend the evening years of her life with her "friends." "A very simple thing to do" was all her comment upon the move. How could she desert these her most needy children? Once, indeed, years ago, it was suggested that she might leave them. "That cannot be," one young leper promptly rejoined. "When the Mother gets up and walks away the children walk after her. We shall do the same." "The hopelessness of attempting to embark with such a family," commented the Mother with amusement, "is too self-evident to need any further comment!" And now, seventy-five years old in the year 1929, when this is written, she still has no thought of retirement. She feels herself to be a lowly soldier in the holy warfare of God, a warfare in which, so long as evil and preventable suffering militate against the victory of the Kingdom, there can be no truce. "There's no discharge in *this* war,"

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she has said more than once.

The room in which guests are received—a drawing-room and office combined—is bright with the gleam of well-polished brass ornaments. The pigeon holes of the roll-top desk are packed with neatly placed papers. The bookshelves that line the walls indicate the varied subjects that interest Miss Harvey, and keep her mind fresh amid her labours. Dickens and Francis Thompson are great favourites, and the historical books of the Old Testament, with their great stories of the battle of good and evil in men's hearts, hold an unfailing spell. If one takes at random the names on one shelf of books they read thus : Diseases of Dogs, Stevenson's Poems, Ellicott's Bible Commentary, "Shepherd Easton's Daughter," Dan Crawford's "Back to the Long Grass," some Marathi Books, one or two Mission to Lepers' publications, "Wild Animals I have known," and "Lives of the Hunted." Outside on the little verandah a tailor is busy making garments for the healthy children. A couple of big dogs, stretched out on the floor, eye one another with friendly rivalry. One special corner is the favourite. The first arrival has undisputed claim to it ; but move he for a moment to run out and bark at a passing motor, and he will return to find his place taken and his rival quietly growling to let him know that he is not going to surrender the cherished spot now he has

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won it and now that it is his by all the rules of the game !

It is not easy to get *Aayi* to talk about herself. She is, so, she feels, so unimportant. Her life is lived in the happenings of others, and it is only in talking of them that one can really secure any glimpse into her own life.

So it is that the black painted box that holds bundles of old photos is treasure trove for the visitor. In the box are little cotton bags with tape-drawn necks, and in them is a variety of photos, many yellowing with age. "What is this, *Aayi*?" "And this?" And so gradually one gets little glimpses that help to make up the picture of the years, even though the parts are scattered, jig-saw fashion.

"That's the Polwarth Home for Healthy Children," says *Aayi*. "It was the first of our permanent buildings. Our present asylum was built later, but while the leper folk were still at the converted plague camp this home was built in 1901, through Lady Polwarth's gift to the Mission. What fights I've had sometimes to get the children away from their parents! There's young Narayan Salunké—meaning 'the song-bird'—in the home now, for instance. His mother is a leper widow-woman. When she first came to the asylum she brought the boy with her, but in spite of her need she wasn't ready to be separated from

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him, and so off they went, even though there were tears on the *boy's* cheeks. Again they came, this time with the child full of scabies, and so more liable to infection. But again the mother would only stay if the boy could live with her and the other lepers. So a second time they departed. But again they returned and my battle was won. It's the only way. Once I submitted I would never get a child. Their affection runs away with their reason, though once I have got them separated and they see their children week by week growing up into sturdy, healthy men and women they realise that I am right. There are numbers doing well, and it is always a happiness to welcome them back 'home' when they come to see me.

"Ah, here is a photo of the lepers in the old plague camp. They didn't get their permanent home till 1903. Some, you see, are wearing soldiers' tunics. A kind old Hindu gentleman sent a supply of sepoy's old blue coats and red caps. When I next went to issue the food I found them all lined up in military order, and was greeted with a soldier's salute! One humorous old fellow—the lamest of the lot—said that nothing more was now needed but my word of command for them all to go off in search of a celebrated dacoit who was then terrifying the neighbourhood!

"A more recent instance of a leper's humour was of a more sensational kind, and might have

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had very serious consequences. There came to us a few months ago for admission a leper who, we found, was a second year medical student. He proved to be out of his mind, but was quite amiable and apparently harmless. One day, however, when the post came, it brought a card for him from a firm of Bombay chemists giving the prices of Croton Oil, Datura (a strong poison), and some acids. He had got it into his head that the other lepers wanted to kill him, and when our doctor asked what he wanted these articles for he roared with laughter as he told him he intended giving all the lepers 'a good purge!' Of course we had to have him moved away for observation. What a mercy I saw the postcard!"

Another photo is produced. It shows *Aayi* with a company of the lepers, the shape of her topee and skirt proclaiming that the photo was taken many years ago. Miss Harvey is reminded by the skirt of a summons she received to appear before His Excellency the Governor when he visited Nasik a few years ago. "I had to hunt around for something to go in, and my one respectable black silk skirt was years and years old! It even had a train! I'm sure they had a good laugh after I'd gone. I expect they thought I'd come out of the Ark!" Whether the Governor had a good laugh or not, it did not affect his admiration of this stalwart servant of his Presidency. He wrote



*Miss Harvey with a
group of the leper men.
The preacher-steward on
her left.*



*Aatmaram,
a new disciple,
the Biblewoman
and a leper child.*

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after his visit to the asylum of the "ability and self-sacrifice" shown by Miss Harvey, and added "I am glad to be able to bear my testimony to the excellent work being done in the home. The work being done by Miss Harvey is invaluable, and I cannot believe that the inmates could be better off than they are." It is significant of *Aayi's* dislike of public recognition of her services that though the gold Kaiser-i-Hind Medal had been awarded to her and was waiting to be presented to her at this time she protested against receiving it publicly from the hands of the Governor (as is the usual way) and received it privately later.

Then one comes across a photo of a leper in a wheel chair. His face is unaffected, but his hands and feet are badly mutilated. "That is Aatmaram, our great preacher, now long dead. What a good Christian he was! Not only did he use his influence for good and preach in the asylum but sometimes he was wheeled in his chair to the bazaar, and there he gave his witness and called men to the Master. And this other photo here shows another of our best men, Dhondu. He, too, is long dead. He never became an open Christian, but he showed much of the spirit of Christ. 'If any man have not the Spirit of Christ, he is none of His.' But if he has a Christ-like spirit, what then? Dhondu used to hear week after week of Christ, His sufferings, His gentleness, His forgiveness, and he came to

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show Christ's spirit in a real and beautiful way. He lived in the asylum with another man called Kamala. And Kamala got a dreadful attack of smallpox. I wanted to put Kamala in a special hut by himself, but Dhondu objected. 'We have suffered so many things together that we may as well go on to the end,' he said, and so faithfully did he nurse his friend that he recovered. It was the worst case of smallpox I ever saw, and the smell made me reel out of the room. Yet poor Dhondu was there night and day, sleeping beside the patient and eating his food there. When Kamala got well, what was our horror one day to hear that he would not speak to Dhondu. When we gave expression to our indignation in no mean terms Dhondu said 'I will go on being kind.' How many a time since have these words helped me when I have been tempted to say, 'Well, it is the last thing I'll do for you, so and so, after such ingratitude.' 'He is kind to the unthankful.' 'Other sheep I have which are not of this fold!'

"Here are photos of some of my dogs—Pat, and Toby, and King, all gone now. And here we are among the poor beasts at the animal hospital. What a bad-tempered horse that was! Do you know, one of my first recollections as a child is of a horse biting me on the shoulder. And then I once had a dreadful time in 1914 with a monkey bite on my leg. The leg got poisoned, and it

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seemed I might lose my leg and even my life. It was extremely painful, and for a long time after I had to wear a heavy chain around my ankle to help defeat the tendency to contraction. There's the chain among the other brass ornaments, a little reminder of an unpleasant experience and a mercifully complete recovery."

Other photos are looked at—of temples down by the river, of poor starved people during the great famine, of the present asylum, of the great tamarind tree under which Miss Harvey, when a young missionary, used to talk to some beggar lepers every Sunday, of orphanage babies, and of plague patients after their recovery. There is a series of views of Australia and New Zealand. To these countries Miss Harvey went on her one and only furlough in her forty-six years' service; and not once has she ever been to a hill station in the Himalayas for escape from the summer heat! And among the photos are one or two reproductions of Indian pictures. "This one of Savitri I love, remembering the beautiful story of how, by constant and eager prayer, she saved her husband." One feels very sure that that admiration for Savitri is born of the fact that Aayi's own prayer life is rich and fruitful. Have all these victories of hers, these defeats of apparently insuperable obstacles, these years of strength for such abundant service, been possible without a secret life of close communion

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with God? When the doors have been shut
the little private chamber, with its hard, spring
bed and its simple furnishings, may we not be sure
that there, in fervent and confident prayer, courage
has been revived, doubts dismissed, spirit cleansed
and strength renewed?



*The Evening meal
at the Polwarth Home.*



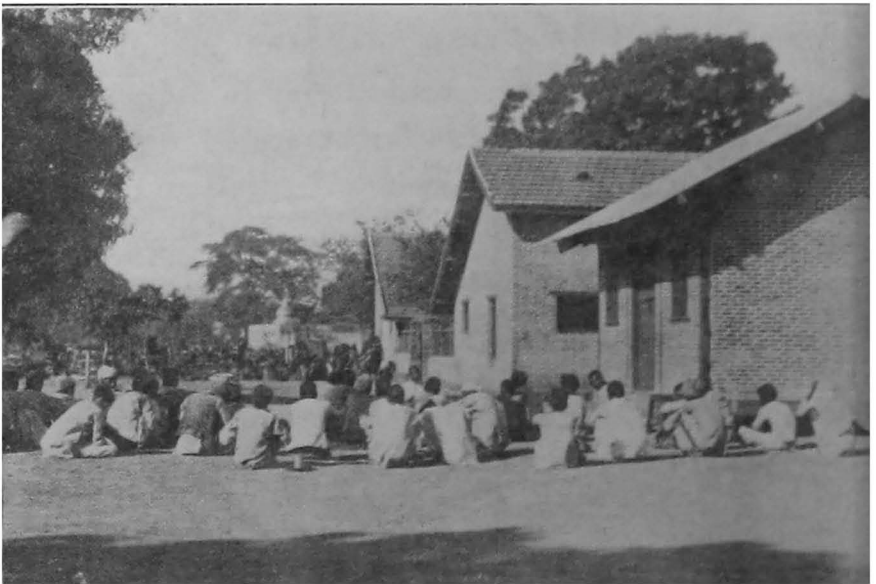
*Leper men sorting out
Cactus wood they have
cut down.*



*Aatmaram,
a new disciple,
the Biblewoman
and a teper child.*



*The Blind
Christian Minstrel.*



*Lepers listening
to the blind
Christian Minstrel.*

V

Cross over from the bungalow and you will find a family of some one hundred lepers in the home. There are two main compounds, one for the men and one for the women, the buildings forming the sides of little courtyards in the middle of which are tall shady trees and pots of ferns and flowers. Between the two compounds are the dispensary and stores. And in front is an open stretch of grass where games can be played or special gatherings held, and on this open plot the church building stands. It, and numerous other buildings, are memorial ones, and an additional ward for women is just going up, given by an Australian friend. The church is a simple and eminently suitable building. The sides are largely open, but the birds used to lodge so much in the roof and take command of the singing that wire netting has had to be put in over the open window spaces. It is delightfully typical of *Aayi's* thoughtfulness that you will always find a tin of fresh water and a handful of grain upon the floor. Once a little bird, having flown in at a service through the open door, got caught inside when the door was shut and was left there to suffer hunger and thirst

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through the heat of the day. So now, in case the same should ever happen again, provision is made for the little prisoner until he makes his escape at the following service.

Bordering upon the open plot of grass are the little cottages of the staff, one a blind Christian minstrel that *Aayi* took in of her pity, and who holds the leper folk enthralled for as long as he chooses to sing, telling the stories of the Lord Jesus in song, and beating his *tabla* and *baya* (small drums) with the energy of one intoxicated with his own singing. When he has had his morning visit to the asylum he goes out to the roadside, and there he sings to the wayfarers that he cannot see, always telling of the Word of God that dwelt among men, and Whose glory he, with his spiritual eyes, has beheld.

The whole asylum is a model of neatness and tidiness ; and the inmates, too, look so well-kept and prosperous that except for the extreme cases one soon forgets that one is among a company of people smitten with a dread disease, who have just the same sort of background to their lives as have those who still beg by the roadside, objects of misery, dirty, in tattered rags, with undressed sores and uncut hair. " Those who come after me," Miss Harvey has written, " will not be able to realise as I do what a contrast the happy condition of the lepers presents to that which I knew when they

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were homeless and destitute, shunned by all and a burden to themselves. I never cease to compare the two conditions. Out of those depths of abject want Christian people of other lands have raised them and made life a changed thing to them. Many of the lepers are not only cheerful, but even merry; and so clean and tidy one would scarcely know they are lepers." It is what one would expect from Miss Harvey for her to attribute all the change to the generosity of outside friends and not to consider herself as having had a share in the transformation.

Recently Bishop Gwynne of Egypt and the Sudan visited India and included Nasik in his tour. Writing of the leper home afterwards, he said, "The whole atmosphere of the asylum at Nasik is that of love and fearlessness and trust. I soon saw that under God it was Miss Harvey from whom radiated that wonderful spirit of Christ which seemed to fill the whole compound. I know the awful dread Easterners have of leprosy and how dread often breeds cruelty and how the poor lepers can have no friendship even with their nearest relatives, and often their only chance of release from their utter loneliness and suffering is death. In the beautifully clean quarters, the little chapel, the school, the playground where the men were playing football, I saw that the poor lepers had a home where their disease was arrested, their

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wants supplied, their minds developed, and their souls inspired by her who in pitying love moved among them as the tenderest, kindest friend they ever had."

The change that has taken place in the leper has its counterpart in the change that is taking place in the attitude of Indians outside to the Christian faith that has inspired this service.

"One of the proofs of the truth of Christ's ministry," wrote Miss Harvey not long ago, "was the cleansing of the leper, and just as the leper figured in those far-off days in the realm of proof so he figures now. He is appealed to, pointed out as an object which illustrates the working out of a principle, of a creed.

"Among those who frequently visit the asylum are rich pilgrims who come to the sacred city of Nasik to make offerings and to distribute charity. They from time to time give the lepers the most substantial feasts, and almost invariably when they thank them they say, 'It is not for you to thank us, it is for us to thank you. We have come here once or twice a year to feed the lepers, but the Mission works all the year round. It is a good work, and we earnestly desire to express our sincere appreciation of it.'

"Most of these pilgrims who visit the asylum are merchants, clear-headed, far-sighted men of business, whose daily occupation is the adjustment



*Miss Harvey and
some of the elder girls
from the Polwarth Home.*



The Polwarth Home, Caretaker's House and Storeroom.

AND HER FRIENDS THE LEPERS

of profit and loss. 'Is it worth it?' 'Will it pay?' are the questions uppermost in their minds, the test by which they measure any work. And these men, these hard-headed men of business, know what is behind the work they appreciate so much—they know that the mainspring is religion, the Christian religion. And as they think, the truth comes home to them, and they admit it, only theoretically it may be, but still they see and believe what we state, that the love of Christ constrains us to alleviate the sufferings of our fellow-men. The still small voice of self-conviction, working its unseen way in the hearts and minds of Indians, accounts for the breaking down of that prejudice which we older missionaries were up against so long.

“‘Go, show John again those things which ye do see and hear’—the incontrovertible proofs, the healing, the cleansing, the uplifting, the transformations . . . should not this encourage us all, at home and on the field, to work with renewed energy and zeal amid discouragement? We are being watched, people are drawing their own conclusions, prejudice is giving way to conviction, to appreciation, and to belief in our statement, ‘We seek not yours, but you; and you, not for the honour and glory of making converts, but for the salvation of your immortal souls.’ What we are doing for the perishable part of man, we desire

GLIMPSES OF ROSALIE HARVEY

to do for the imperishable part, if they will only let us. 'Brethren, my heart's desire and prayer to God . . . is, that they might be saved.'"

VI

Aayi, wearing her long black cape and carrying her shiny stick, comes out of her bungalow into the warm afternoon sun. The horse trap is waiting to take her on her errands, but before she gets in she calls at the asylum to see that all is well. A group of leper men are busy cutting back some invading cactus that resolutely seeks to get a hold in every unused spot. Other inmates are just leaving their little school where, turning their adversity, they are learning to read and so have opened to them the hidden treasures of literature. Round at the dispensary the visiting doctor is giving injections to some of the early cases. *Aayi* visits him, discusses the medicine list, and inquires about the cases. Then she passes into the women's compound to see a poor sick body, hot with fever, restless and bright-eyed. A smile lights up on the woman's face, and *Aayi* listens to her wants, and speaks words of encouragement and cheer. Then, passing out, she makes arrangements for special fruit and food. Now she passes to the store room to get out a blanket for a new arrival, and some clean clothes. There is also a fresh supply of coats made by the tailor to check, and afterwards the

GLIMPSES OF ROSALIE HARVEY

steward-catechist shows her the supply of grain for issue on the following day. So she passes into the men's compound, and has a word of goodwill for all, some so desperately crippled, others with their strange little eccentricities, a few in pain and curled up under their blankets.

As *Aayi* comes out into the open plot in front of the main compounds a group of the earlier cases are beginning a game of football, calling excitedly to one another. The horse outside is shaking his head, anxious to be off. Up *Aayi* gets into the trap, and away they go towards the town. Soon they pass the old site where the first lepers had gathered in the deserted plague camp, and a picture flashes up in *Aayi's* mind of that sorry, leaderless, dying throng. The road begins to slope down, houses become thicker on either side, and soon the trap is crossing the broad bridge of the river. There is a never-ending fascination in the view. To the right the river winds away out of the city towards its source ; to the left there is a great collection of temples, pilgrims, and market stalls, with the stream of the river between, directed into a series of stone-walled channels, the water gleaming like bright blue ribbons. The sombre stone of the temples helps to throw into bright contrast the many-coloured garments of the slowly-moving crowd. The canvas roofs of the stalls are dazzling white against the sun. In the water the

AND HER FRIENDS THE LEPERS

brown bodies of the bathers are touched to gold. The sight of it all awakens again the old affection for the place and the people and also the longing that all the thronging pilgrims should find in Christ the one Object worthy of their devotion and service. There are certainly evidences of the breaking down of old orthodoxies, old loyalties. But *Aayi* knows that this itself is not enough. Rather, as she sees posters for cigarettes flagrantly placarded on the walls of temple precincts, does she bemoan the invasion of secularism. Not in favour of materialism would she have the old traditions of religion break down, but only as they fade into the fuller light of God's love as shown in her Lord and Master.

But the bridge is already crossed, and the bell of the trap is ringing ceaselessly to awaken the leisurely, preoccupied crowds who wander in the middle of the road. The houses on either side are full of memories for *Aayi*. In this one there were those talks with that deeply spiritual woman held back from a confession of her secret faith only by the strong ties of family. In that one there was the battle with that rascal of a man whose sinister purposes she exposed. In this one is that grateful family that she was able to help in distress. Here is another with a man and woman saved from plague years ago by her nursing. And now the trap pulls up at the Christian reading-room, where one of the boys saved in the Polwarth

GLIMPSES OF ROSALIE HARVEY

Home, and now a catechist of the C.M.S., is in charge, and where he is doing a good work among those who come in to read the papers and to talk over the old and yet ever new problems of our spiritual life. He came, years ago, brought by his leper widowed mother to the asylum. Both were frail, but Wassant was a clever boy and, brought up in the healthy surroundings of the Polwarth Home, he grew up to be a drawing master until at last he gave himself definitely to Christian work. Where would he be now, and what would be his condition, if it were not for the old lady who now comes in to the reading-room to have a word about some new hymn books she wants for the lepers?

After a little shopping for the asylum the trap passes out beyond the coppersmiths' workshops and the incessant clang of the craftsmen's hammering, into a less crowded road. Suddenly a herd of white donkeys comes trotting along, empty packs on back, with a donkey boy behind urging on the good-natured beasts. "Too bad," exclaims *Aayi*. "They make them carry the heavy loads of stones one way, and then trot them back to the quarry so that they get no rest either way. Stop, driver, stop!" The trap pulls up. Down gets Miss Harvey, and immediately the donkey boy is rounding up his animals for *Aayi's* inspection, knowing her of old and that it does not pay to escape. *Aayi* quickly looks through them, orders

AND HER FRIENDS THE LEPERS

the packs of two to be removed—one is lame and the other has nasty sores—has the packs put in the trap and sends the boy along with the two donkeys to the animal hospital. “Tell your master he can have the packs at the hospital, and see that the animal’s food is sent down.” Then, quite unperturbed—for it is all in the day’s work—she gets in the trap again and drives along to the Polwarth Home, leaving a little basket of eggs on the way at the house of an Indian friend, where there is a three-weeks-old baby that *Aayi* delights to see.

Here at the Polwarth Home, where the children of the lepers in the asylum are being rescued for useful citizenship, a loving and respectful *salaam* greets *Aayi* on her arrival. She sees that all is well, the rooms tidy, the evening cooking begun. She talks to the housefather about the arrangements for the marriage of one of the girls a week or two hence ; and the housefather says that the dead rat found the day before in the girls’ sleeping-rooms has been examined by the municipality and found to be a plague rat. “Then all the children must be inoculated, and the girls moved out from their room until it is whitewashed and the cement work repaired. I’ll make arrangements at once for the inoculations and you will please see that the repairs are begun to-morrow, and the girls moved to-night.”

The evening is falling as the trap turns home-

GLIMPSES OF ROSALIE HARVEY

ward. A brief inquiry is made at the animal hospital to see that the two donkeys have safely arrived, and then there is a straight drive back to the asylum. The chequered patches of sunlight and shadow on the outward journey now have given place to a restful even shade. Little lamps are beginning to be lit in the shops. Down by the river the reflected lights from many windows dance in the rippling waters. And by the time home is reached the stars are shining in their prodigal abundance from a deep blue-black sky. Only one more duty of the day remains. Daily evening prayers are held in the asylum church, and soon a little company gathers together to sing a hymn, read a lesson, and offer a few brief prayers. The birds have ceased their chirrup amid the eaves outside. The heat of the day has passed, though the air is not yet fresh. Moths flutter against the glass of the lamp. One of *Aayi's* dogs has managed to steal inside, and lies watching his mistress from a dark corner. The blind singer leads the music. *Aayi* is numbered among the congregation. The catechist leads the reading and the prayers. "Let us rejoice in hope of the glory of God," he reads. "And not only so, but let us also rejoice in our tribulations: knowing tribulation worketh patience; and patience, probation; and probation, hope; and hope putteth not to shame; because the love of God hath been shed abroad in our hearts through



*The Church
at the Nasik
Leprosy Home.*



*Aayi and
the children of
the Polwarth Home.*

AND HER FRIENDS THE LEPERS

the Holy Ghost which was given unto us.”

Where could we better leave *Aayi* and that little company than at their evening worship? There, in the night, are the sick and stricken folk, so broken and yet so content, and the old warrior of Christ with the signet ring upon her finger with its phoenix and the one word “Spero”; and the blind minstrel with his drums and his songs; and the open Bible with its words of comfort and hope. Truly *Aayi*'s hope is one that “putteth not to shame.” It has a sure, eternal foundation. And although, after these many years of service, there are still about her so many proofs of the power of evil, yet the sure evidences of the realisation of her hope for India and its people are unmistakable as she sees the love of God more and more shed abroad through the Holy Ghost in men's hearts, bringing cleansing for ill, and light and beauty where before there was darkness and despair.

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PRESS & PRESS LAWS
IN INDIA

BY
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Great Britain*

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PREFACE.

The following pages contain a rapid review of the measures adopted by the British in India to circumscribe the liberty of the Press. They are written from the journalist's point of view and are the result of researches conducted and experience gained during thirty years spent in Indian journalism. Originality is not claimed in the work as the treatment of the subject is practically historical. I have striven to prove by facts that the British in India have an almost superstitious fear of a free Press in a conquered country.

My thanks are due to my dear friend and nephew Mr. Narendra Kumar Basu, Advocate, Calcutta High Court for having revised the manuscript.

July, 20, 1930.

H. P. GHOSE.

“It is not by laws, far less by bayonets, that nations are governed; they may enable either a man or a nation to conquer the world, but not to rule it. Sympathy boundless sympathy can only conquer the hearts of people.”

CARDINAL NEWMAN.

PRESS & PRESS LAWS

I

In the Earlier Days.

In his own island home the Englishman prides on his love of freedom in every sphere of activity and Tennyson has described England as

“The land where girt with friends or foes
A man may speak the thing he will.”

But in conquered countries the Englishman has not always shown great regard for freedom of expression especially when his own actions have been criticised. In fact British administrators have, in India and in Ireland, shown great intolerance of comment and criticism.

In India this attitude has come down to the present time from the days of the East India Company through the years that have witnessed changes in the methods of government.

The press in India is an European institution and owes its origin not to the Government but to individuals who had in them the spirit of the adventurer. That the trials and troubles they had to encounter at the hands of the powers that be could not prevent the press from growing and gaining in power testifies to its inherent strength.

Sir William Wilson Hunter, the Historian of British India, has remarked about the work of Calcutta journalists in the earlier days who for years "uttered their feeble voices in peril of deportation and under menace of the censor's rod," thus:—"Who could have foreseen that those cat-callings of bugleboys, practising their prentice windpipes in some out-of-the-way angle of the ramparts were destined to grow into clear trumpet notes which should arouse sleeping camps to great constitutional struggles, and sound the charge of political parties in battle?"*

That the peril of deportation was grave and the rod of the censor was freely used goes without saying.

In 1768 Mr. William Bolts proposed to set up a printing press in Calcutta. But before the proposal could materialise the Select Committee of the Council at Fort William directed him "to quit Bengal and proceed to Madras on the first ship that shall sail from that Presidency in order to take his passage from thence to Europe." And it was not till 1780 that the first Indian newspaper could actually appear. In that year Mr. James Augustus Hicky published the *Bengal Gazette* "a weekly political and commercial paper open to all parties, but influenced by none." But within ten months of its first appearance it incurred the wrath of the Government and the following order was promulgated by the Governor-General:—

Fort William, 14th November 1780.—"Public notice is hereby given that as a weekly newspaper called the *Bengal Gazette or Calcutta General Advertiser*, printed by J. A. Hicky, has lately been found to contain several improper paragraphs tending to vilify private characters and to disturb the peace of the settlement, it is no longer permitted to be circulated through the channel of the General Post Office."

* *Thackerays in India.*

But this order, though it hampered the circulation of the paper, could not crush it. It was circulated in Calcutta and Mr. Hicky had it delivered through peons in the neighbouring places. Soon after Mr. Warren Hastings attempted to crush the paper as well as its editor. In June, 1781 the editor was arrested under an order from the Chief Justice in connection with a suit instituted by the Governor and kept in jail. The paper, however, used to appear regularly. Mr. Hicky was fined. Yet he conducted the paper and in March, 1782 the following appeared in his journal:—

“Mr. Hicky addresses his citizens and fellow subjects with heartfelt joy, and tells them that on 7th March (1782) the King’s judges inclined to admit him to plead in *forma pauperis* in defending four fresh actions brought him this term by Warren Hastings, Esq., and that Mr. Counsellor Davis (for plaintiff) did make a motion and plea in bar of Mr. Hicky’s types being exempted from seizure, setting forth that the said printing types did constitute and form a great part of Mr. Hicky’s property and hoped their Lordships would not protect the said types from being seized upon should judgment be obtained against him. This motion the honourable the King’s judges strongly opposed as repugnant to the British Legislature and constitution and treated it with the contempt it so very justly merited. Thus by protecting the types they have protected the liberty of the subject and the liberty of the press.”

Relentless Hastings instituted suit after suit against Hicky and at last succeeded in strangling the paper.

In 1791 William Duane was arrested by the Bengal Government and ordered to be sent to Europe for some paragraphs in the *Bengal Journal*.

In 1799 Lord Wellesley’s Government laid down the following rules to regulate the activities of the Press:—

1st.—Every Printer of a newspaper to print his name at the bottom of the paper.

2nd.—Every editor and proprietor of a paper to deliver in his name and place of abode to the Secretary to the Government.

3rd.—No paper to be published on Sunday.

4th.—No paper to be published at all until it shall have been previously inspected by the Secretary to the Government, or by a person authorised by him for that purpose.

5th.—The penalty for offending against any of the above regulations to be immediate embarkation for Europe.

Lord Wellesley, it may be mentioned in passing, proposed to publish a Government organ, but his proposal was turned down by the Court of Directors.

In 1811, during Lord Minto's tenure of office the proprietors of all the presses in Calcutta and its dependencies were directed to cause the names of the printers to be affixed to all papers &c., printed or published by them.

In October, 1813 Lord Hastings framed the following rules for the control of the printing offices in Calcutta :—

1. That the proof-sheets of all newspapers, including supplements and all extra publications be previously sent to the Chief Secretary for revision.
2. That all notices, handbills, and other ephemeral publications, be in like manner, previously transmitted for the Chief Secretary's revision.
3. That the titles of all original works, proposed to be published, be also sent to the Chief Secretary for his information, who will thereupon either sanction the publication of them, or require the work itself for inspection, as may appear proper.
4. The rules established on the 13th May 1799 and the 6th August 1801 to be in full force and effect except in so far as the same may be modified by the preceding instructions.

The rules of 1801 evidently refer to those prohibiting the Editor of the *Calcutta Gazette* from publishing any

military orders, Army List, book or pamphlet relating to the number or situation of the army without the immediate sanction of Government, and the other papers from publishing any military order except such as had previously appeared in the *Calcutta Gazette* as also Army List &c., without the permission of the Government.

Lord Hastings was personally averse to the manner in which the East India Company tried to thwart the legitimate activities of the Press and, being inclined towards the liberty of the Press, encouraged Dr. James Bryce who on his arrival at Calcutta on the 28th November, 1814 became the editor and managing proprietor of the *Asiatic Mirror*. Dr. Bryce had to fight with the censor and in 1817 complained against the Chief Secretary Mr. John Adam for having "overstepped the powers of his office" as censor, in striking out of the proof-sheets a critique on a historical, political and metaphysical work. Mr. Adam held that he considered the article "to be written in a tone of sarcasm and bantering, likely to produce irritation and to have occasioned an angry discussion in the newspapers."

Dr. Bryce's repeated representations against the censor eventually brought about the abolition of the post of censor. But to appease the Court of Directors Lord Hastings had to formulate the following regulations prohibiting editors of newspapers from publishing any matter coming under the following heads:—

- I. Animadversions on the measures and proceedings of the Honourable Court of Directors or other public authorities in England connected with the Government of India, or disquisitions on political transactions of the local administration or offensive remarks levelled at the public conduct of the members of the Council, of the judges of the Supreme Court or of the Lord Bishop of Calcutta.
- II. Discussions having a tendency to create alarm or suspicion among the native population of

any intended interference with their religious opinions or observances.

- III. The republication from English or other newspapers of passages coming under any of the above heads otherwise calculated to affect the British power or reputation in India.
- IV. Private scandal and personal remarks on individuals to excite dissension in society.

J. Adam.

Chief Secretary to the Govt.

Council Chamber,

19th August, 1818.

In 1818 James Silk Buckingham started the *Calcutta Journal* and conducted it with ability with the result that he became unpopular with the Government and was served with the following communication from them :—

To

Mr. J. S. Buckingham.

Sir,

Referring to the editorial remarks contained in the *Calcutta Journal* of the 8th instant and to the communications officially made to you on former occasions, I am directed to apprise you that in the judgment of the Governor-General in Council you have forfeited your claim to the countenance and protection of the Supreme Government.

2. I am further directed to transmit to you the enclosed copy of an order passed by Government on the present day by which the licence of the Court of Directors authorising you to proceed to the East Indies is declared to be void from and after the fifteenth (15th) day of April next.
3. You will be pleased to notice that if you should be found in the East Indies from and after that date, you will be deemed and taken to be a person residing and being in the East Indies

without licence or authority for that purpose and will be sent forthwith to the United Kingdom.

Fort William,
12th February, 1823.

I am,

Sir,

Your most obedient servant,
W. B. Bayley

Chief Secretary to the Government.

Within a fortnight after Buckingham's departure Mr. Adam published in the *Government Gazette* (March, 20th 1823) the following draft of a rule to regulate the future publication of newspapers &c., within the settlement of Fort William :—

A Rule, Ordinance and Regulation, for the Good Order and Civil Government of the Settlement of Fort William in Bengal, made and framed by the Honourable the Governor-General in Council of and for the Presidency of Fort William in Bengal, the fourteenth of March, in the year of our Lord, one thousand eight hundred and twenty-three.

Whereas matters tending to bring the Government of this country as by law established into hatred and contempt, and to disturb the peace, harmony and good order of society, have of late been frequently printed and circulated in newspapers and other papers published in Calcutta for the prevention whereof it is deemed expedient to regulate by law the printing and publication within the settlement of Fort William in Bengal, of Newspapers, and of all Magazines, Registers, Pamphlets and other printed books and papers, in any language or character published periodically containing or purporting to contain public news and intelligence, or strictures on the acts, measures and proceedings of Government or any political events or transactions whatsoever.

1. Be it therefore Ordained by the Authority of the Governor-General in Council of and for the Presidency of Fort William in Bengal, at and within the said settlement or factory of Fort William in Bengal aforesaid, by and in virtue of and under the authority of a certain Act of Parliament, made and passed in the thirteenth year of the reign of His late Majesty King George the Third, entitled "An Act for the better management of the affairs of the East India Company as well in India as in Europe," and by a certain other Act of Parliament made and passed in the fortieth year of the reign of his said Majesty King George the Third entitled "An Act for establishing further regulations for the Government of the British territories in India, and the better administration of justice within the same" that fourteen days after the Registry and Publication in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court if the said Supreme Court shall in its discretion approve of and consent to the Registry and Publication of the same, no person or persons shall within the said settlement of Fort William, print or publish, or cause to be printed or published, any Newspaper or Magazine, Register, Pamphlet or other printed book or paper whatsoever in any language or character whatsoever, published periodically, containing or purporting to contain public news and intelligence, or strictures on the acts, measures and proceedings of Government or any political event or transactions whatsoever, without having obtained a licence for that purpose from the Governor-General in Council, signed by the Chief Secretary of Government for the time being, or other person officiating and acting as such Chief Secretary.
2. And be it further Ordained by the Authority aforesaid that every person applying to the Governor-General in Council for such licence

as aforesaid, shall deliver to the Chief Secretary of Government for the time being, or other person acting and officiating as such, an affidavit specifying and setting forth the real and true names, additions, descriptions and places of abode of all and every person or persons, who is or are, intended to be the printer and printers, publisher and publishers, of the Newspaper, Magazine, Register, Pamphlet or other printed book or paper in the said affidavit named, and of all the proprietors of the same, if the number of such proprietors exclusive of the printers and publishers, does not exceed two, and in case the same shall exceed such number, then of two of the proprietors resident within the Presidency of Fort William, or places thereto subordinate, who hold the largest shares therein, and the true description of the house or building, wherein any such Newspaper, Magazine, Pamphlet or other printed book or paper as aforesaid is intended to be printed and likewise the title of such Newspaper, Magazine, Register, Pamphlet or other printed book or paper.

3. And be it further Ordained by the Authority aforesaid that every such affidavit shall be in writing, and signed by the person or persons making the same, and shall be taken without any cost or charge by any Justice of the Peace, acting in and for the town of Calcutta.
4. And be it further Ordained by the Authority aforesaid, that where the persons concerned as printers and publishers of any such Newspaper, Magazine, Register, Pamphlet or other printed book or paper, as aforesaid, together with such number of Proprietors as are hereinbefore required to be named in such affidavit as aforesaid shall not altogether exceed the number of four persons, the affidavit hereby required shall be sworn and signed by all the said persons who are resident in and within twenty miles of Calcutta; and when the number of such persons shall exceed four the same shall be signed and sworn by four

such persons if resident in or within twenty miles of Calcutta, or by so many of them as are so resident.

5. And be it further Ordained by the Authority aforesaid, that an affidavit or affidavits of the like nature and import shall be made, signed and delivered in like manner, as often as any of the Printers, Publishers or Proprietors, named in such affidavit or affidavits shall be changed or shall change their respective places of abode or their printing house, place, or office, and as often as the title of such Newspaper, Magazine, Register, Pamphlet or other printed book or paper, shall be changed and as often as the Governor-General in Council shall deem it expedient to require the same, and that when such further and new affidavit as last aforesaid, shall be so required by the Governor-General in Council, notice thereof, signed by the said Chief Secretary or other person acting and officiating as such shall be given to the persons named in the affidavit to which the said notice relates, as the Printers, Publishers, or Proprietors of the Newspaper, Magazine, Register, Pamphlet or other printed book or paper in such affidavit named, such notice to be left at such place as is mentioned in the affidavit last delivered as the place at which the Newspaper, Magazine, Register, Pamphlet or other printed book or paper to which such notice shall relate is printed; and in failure of making such affidavit in the said several cases aforesaid required, that such Newspaper, Magazine Register, Pamphlet or other printed book or paper, shall be deemed, and taken to be printed and published without licence.
6. And be it further Ordained by the Authority aforesaid, that every licence which shall and may be granted in manner and form aforesaid shall and may be resumed and recalled by the Governor-General in Council, and from and immediately after notice in writing of such recall signed by the said Chief Secretary or other person acting and officiating as such have been given to the person or persons to

whom the said licence or licences shall have been granted; such notice to be left at such place as is mentioned in the Affidavit last delivered, as the place at which the Newspaper, Magazine, Register, Pamphlet or other printed book or paper, to which such notice shall relate is printed the said licence or licences shall be considered null and void, and the Newspapers, Magazines, Registers, Pamphlets, printed books or papers to which such licence or licences relate shall be taken and considered as printed and published without licence; and whenever any such licence as aforesaid shall be revoked and recalled notice of such revocation and recall shall be forthwith given in the Government Gazette for the time being published in Calcutta.

7. And it is further Ordained by the Authority aforesaid, that if any person within the said settlement of Fort William shall knowingly and wilfully print or publish, or cause to be printed or published, or shall knowingly and wilfully, either as a proprietor thereof, or as agent or servant of such proprietor or otherwise, sell, vend, or deliver out, distribute, or dispose of, or if any bookseller or proprietor, or keeper of any reading room, library, shop or place of public resort, shall knowingly and wilfully receive, lend, give or supply, for the purpose of perusal or otherwise to any person whatsoever, any such Newspaper, Magazine, Register or Pamphlet or other printed book or paper as aforesaid, such licence as is required by this Rule Ordinance and Regulation not having been first obtained, or after such licence, if previously obtained, shall have been recalled as aforesaid, such persons shall forfeit for every such offence a sum not exceeding Sicca Rupees four hundred.
8. And be it further Ordained by the Authority aforesaid, that all offences committed and all pecuniary Forfeitures and Penalties incurred under or against this Rule Ordinance and Regulation, shall and may be heard and adjudged and determined by two or more of the

aforesaid Justices of the Peace, who are hereby empowered and authorised to hear and determine the same, and to issue their Summons or Warrant for bringing the Party or Parties complained of before them, and upon his or their appearance or contempt and default, to hear the parties, examine witnesses, and to give judgment or sentence according as in and by this Rule Ordinance and Regulation is ordained and directed, and to award and issue out warrants under their hands and seals for the paying of such forfeitures and penalties as may be imposed upon the goods and chattels of the Offender, and to cause sale to be made of the goods and chattels if they shall not be redeemed within six days rendering to the party the overplus if any be, after deducting the amount of such forfeiture or penalty, and the costs and charges attending the levying thereof; and in case sufficient distress shall not be found, and such forfeitures and penalties shall not be forthwith paid, it shall and may be lawful for such Justices of the Peace, and they are hereby authorised and required by warrant or warrants under their hands, and seals to cause such offender or offenders to be committed to the common Gaol of Calcutta, there to remain for any time not exceeding four months, unless such forfeitures and penalties and reasonable charges shall be sooner paid and satisfied and all the said forfeitures when paid or levied shall be from time to time, paid into the Treasury of the United Company of Merchants of England trading to the East Indies and be employed and disposed of according to the order and directions of His Majesty's said Justices of the Peace at their General Quarter or other Sessions.

9. Provided always and be it further Ordained by the Authority aforesaid that nothing in this Rule Ordinance and Regulation contained shall be deemed or taken to extend or apply to any Printed Book or Paper containing only Shipping Intelligence. Advertise-

ments of Sales, Current Prices of commodities, rates of exchange or other intelligence solely of a commercial nature.

J. Adam,

Edward Paget,

John Fendall,

John Herbert Harington,

W. B. Bayley,

Chief Secretary to the Government.

On the 15th March, 1823 this Rule was laid before the Supreme Court of Calcutta by the Standing Counsel to the Company to be registered when it was publicly read.

On the 17th March petition was made objecting to the Rule. The petition was signed by :—

Chander Coomar Tagore

Dwarka Nauth Tagore

Ram Mohan Roy

Hur Chunder Ghose

Gowree Churn Bonnerjee

Prosunnu Coomar Tagore

who protested against the attempt of the Government to assail the liberty of the Press.

The petition, however, was rejected and the Rule Ordinance and Regulation became law on the 4th April, 1823.

On the 23rd September, 1823, Mr. Arnot of the *Calcutta Journal* was ordered to leave India, and on the 10th November the paper was suppressed for having reprinted Leicester Stanhope's pamphlet the *Sketch of the History and Influence of the Press in British India*.

In 1826 Lord Amherst issued a circular prohibiting the servants of the East India Company from having any connection with the public press in any way. And the next

year the following order was issued suppressing the *Calcutta Chronicle* :—

Mr. William Adam and Mr. Villiers Holcroft.

Proprietors of the Calcutta Chronicle.

Gentlemen,—The general tenor of the contents of the *Calcutta Chronicle* having been for some time past highly disrespectful to the Government and to the Hon'ble the Court of Directors, and the paper of the 29th instant in particular comprising several paragraphs in direct violation of the Regulations regarding the Press, I am directed to inform you that the Right Hon'ble the Vice-President in Council (Lord Combermere) has resolved that the licence granted to you (on the 25th January last) for the printing and publishing of the *Calcutta Chronicle* be cancelled and it is hereby cancelled accordingly from the present date.

Council Chamber.

31st May, 1827.

I am, etc.,

C. Lushington,

Chief Secretary to Government.

II

Liberty of the Press and After.

Under Lord William Bentinck the Press was never seriously molested. Lord William was succeeded by Sir Charles Metcalfe who had always been an advocate of the freedom of the Press and instructed Macaulay, Legislative Member to draft an Act to confer freedom on the Press in India. At the meeting of the Supreme Council held on the 18th May, 1835, Macaulay introduced the Bill together with the following Minute by himself:—

In the accompanying draft of an Act on the subject of the Press, I have attempted to embody what at several of our recent meetings appeared to me to be the general sense of the Council. It is difficult to conceive that any measures can be more indefensible than those which I propose to repeal. It has always been the practice of politic rulers to disguise their arbitrary measures under popular forms and names. The conduct of the Indian Government with respect to the Press has been altogether at variance with this trite and obvious maxim. The newspapers have for years been allowed as ample a measure of practical liberty as that which they enjoy in England. If any inconveniences arise from the liberty of political discussion, to those inconveniences we are already subject. Yet while our policy is thus liberal and indulgent, we are daily reproached and taunted with the bondage in which we keep the Press. A strong feeling on this subject appears to exist throughout the European community here, and the loud complaints which have lately been uttered are likely to produce a considerable effect on the English people, who will see at a glance that the law is oppressive, and who will not know how completely it is inoperative. To impose

strong restraints on political discussion is an intelligible policy, and may possibly, though I greatly doubt it, be in some countries a wise policy. But this is not the point at issue. The question before us is not whether the Press shall be free, but whether, being free, it shall be called free. It is surely mere madness in a Government to make itself unpopular for nothing: to be indulgent, and yet to disguise its indulgence under such outward forms as bring on it the reproach of tyranny. Yet this is now our policy. We are exposed to all the dangers—dangers I conceive greatly over-rated—of a free Press; and at the same time we contrive to incur all the opprobrium of a censorship. It is universally allowed that the licensing system as at present administered, does not keep any man who can buy a press from publishing the bitterest and most sarcastic reflections on any public measure or any public functionary. Yet the very words ‘license to print’ have a sound hateful to the ears of Englishmen in every part of the globe. It is unnecessary to enquire whether this feeling be reasonable, whether the petitioners who have so strongly pressed this matter on our consideration would not have shown a better judgment if they had been content with their practical liberty, and had reserved their murmurs for practical grievances; the question for us is not what they ought to do, but what we ought to do; not whether it be wise in us to incur odium unaccompanied by the smallest accession of security or of power. One argument only has been urged in defence of the present system. It is admitted that the Press of Bengal has long been suffered to enjoy practical liberty, and nothing but an extreme emergency could justify the Government in curtailing that liberty. But, it is said, such an emergency may arise, and the Government ought to retain in its hands the power of adopting in that event the sharp, prompt and decisive measures which may be necessary for the preservation of the Empire. But when we

consider with what vast powers, extending over all classes of people, Parliament has armed the Governor-General in Council, and in extreme cases, the Governor-General alone, we shall probably be inclined to allow little weight to this argument. It seems to be acknowledged that licenses to print ought not to be refused or withdrawn except under very peculiar circumstances, and if peculiar circumstances should arise, there will not be the smallest difficulty in providing measures adapted to the emergency. No Government in the world is better provided with the means of meeting extraordinary dangers by extraordinary precautions. Five persons who may be brought together in half an hour, whose deliberations are secret, who are not shocked by any of those forms which elsewhere delay legislative measures, can, in a single sitting, make a law for stopping every Press in India. Possessing as we do the unquestionable power to interfere, whenever the safety of the State may require it, with overwhelming rapidity and energy, we surely ought not in quiet times to be constantly keeping the offensive form and ceremonial of despotism before the eyes of those whom nevertheless we permit to enjoy the substance of freedom. It is acknowledged that in reality liberty is and ought to be the general rule, and restraint the rare and temporary exception. Why then should not the form correspond with the reality? Why should our laws be so framed as to make it appear that the ordinary practice is in the highest degree oppressive, and that freedom can be enjoyed only by occasional connivance? While this system is established in the Presidencies of Fort William and Agra, and in that part of the Presidency of Bombay which lies beyond the jurisdiction of the Supreme Court, a system open to objections not less serious, but of a very different kind, prevails throughout the Presidency of Fort St. George. In that part of India every man who chooses is at liberty to print and publish, and it is very

difficult to bring the fact of printing or publication home to him. Thus, while the inhabitants of one province are complaining of the tyrannical restrictions which our laws impose on the Press, the inhabitants of another province suffer from the irresponsible licentiousness of the Press. The editor of a newspaper at Calcutta must have a license from the Government. The editor of a newspaper at Madras may excite his fellow subjects to the most criminal enterprises, or may destroy the peace and honour of private families, with small risk of being convicted before any legal tribunal. The Act which I now propose is intended to remove both evils, and to establish a perfect uniformity in the laws regarding the Press throughout the Indian Empire. Should it be adopted every person who chooses will be at liberty to set up a newspaper without applying for a previous permission. But no person will be able to print or publish sedition or calumny without imminent risk of punishment.

Calcutta, 16th April.

T. B. Macaulay.

With this Minute the following Minute by the Governor-General was placed before the Council :—

“ The reasons which induced me to propose to the Council the abolition of the existing restrictions on the Press in India accord entirely with the sentiments expressed by Mr. Macaulay in the minute accompanying the draft of an Act which at our request, he has had the kindness to prepare with a view to give effect to the unanimous resolution of the Council. Those reasons were as follows : first, the Press ought to be free if consistently with the safety of the State it can be. In my opinion it may be so. I do not apprehend danger to the State from a free Press ; but if danger to the State should arise the Legislative Council has the power to apply a remedy ; second, that the Press is already practically free, and that the Government has no intention to

enforce the existing restrictions, while we have all the odium of those restrictions, as if the Press were shackled. It is no argument in favour of the continuance of these unpopular restrictions that they may at any time be enforced, for if restrictions should be necessary to ward off danger from the State, they may be imposed and enforced instantly; third, that the existing restrictions leave room for the exercise of caprice on the part of the Governments in India. Our Council or our Governor may be for leaving the Press free; another may be for restraining it. There is no certain law, and any one connected with the Press might be any day subjected to arbitrary and tyrannical power for any slight violation of rules, the total violation of which has been long tacitly sanctioned; fourth, the different state of the law, or the want of any law, at the other Presidencies, renders the enactment of some general law for all India indispensable. To extend the odious and useless restrictions which now exist is out of the question; and no law, in my opinion, could be devised with any good effect except a law making the Press free. We are much indebted to Mr. Macaulay for the Act which he has had the goodness to prepare for us. The penal provisions which it contains have been already partially discussed and will come more fully under consideration of the next Council. They are, I conclude, unavoidable; but they show how much easier it is to rescind laws than to make them, for while the existing restrictions are got rid of in a few words, we are compelled to make a long enactment for the sole purpose of making printers and publishers accessible to the law of the land.

C. T. Metcalfe.

Calcutta, 17th April.

The Act passed was as follows:—

Act No. XI of 1835.

Passed by the Hon'ble the Governor-General of India in Council on the 3rd August 1835

1. Be it enacted, that from the fifteenth day of September, 1835, the four Regulations, hereinafter specified be repealed.

1st.—A Regulation for preventing the establishment of Printing-presses, without license, and for restraining under certain circumstances, the circulation of printed books and papers, passed by the Governor-General in Council on the 5th April, 1823.

2nd.—A Rule, Ordinance, and Regulation for the good order and Civil Government of the Settlement of Fort William in Bengal, passed in Council 14th March, Registered in the Supreme Court of Judicature 4th April, 1823.

3rd.—A Rule, Ordinance, and Regulation for preventing the mischief arising from the printing and publishing Newspapers and Periodical and other books and papers by persons unknown, passed by the Hon'ble the Governor in Council of Bombay, on the 2nd day of March 1825, and Registered in the Hon'ble the Supreme Court of Judicature at Bombay, under date the 11th May, 1825.

4th.—Regulation for restricting the establishment of Printing-presses and the circulation of printed books and papers, passed by the Governor of Bombay in Council on the 1st of January, 1827.

II.—*1st.*—And be it enacted, that after the said fifteenth day of September, 1835, no printed Periodical work whatever, containing public news or comments on public news, shall be published within the Territories of the East India Company except in conformity with the rules hereinafter laid down.

2nd.—The Printer and the Publisher of every such Periodical work shall appear before the Magistrate of the jurisdiction within which such work shall be published and shall make and subscribe in duplicate the following declaration :—

“ I. A. B. declare that I am the Printer (or Publisher, or Printer and Publisher) of the

Periodical work entitled and printed (or published, or printed and published) at—”
And the last blank in this form of declaration, shall be filled up with a true and precise account of the premises where the printing and publication is conducted.

3rd.—As often as the place of printing or publication is changed, a new declaration shall be necessary.

4th.—As often as the Printer or the Publisher, who shall have made such declaration as is aforesaid, shall leave the Territories of the East India Company a new declaration from a Printer or Publisher resident within the said Territories, shall be necessary.

III.—And be it enacted that whoever shall print or publish any such Periodical work, as is hereinbefore described, without conforming to the rule hereinbefore laid down, or whoever shall print or publish or shall cause to be printed or published any such Periodical work, knowing that the said rules have not been observed with respect to that work, shall, on conviction, be punished with fine to an amount not exceeding Five Thousand Rupees, and imprisonment for a term not exceeding two years.

IV.—And be it enacted that each of the two originals of every declaration so made and subscribed, as is aforesaid, shall be authenticated by the signature and official Seal of the Magistrate before whom the said declaration shall have been made, and one of the said originals shall be deposited among the records of the office of the said Magistrate, and the other original shall be deposited among records of the Supreme Court of Judicature, or other King's Court within the jurisdiction of which the said declaration shall have been made. And the Officer in charge of each original shall allow any person to inspect that original on payment of a fee of One Rupee, and shall give to any person applying a copy of the said declaration attested by the Seal of the Court

which has the custody of the original on payment of a fee of Two Rupees.

V.—And be it enacted, that in any legal proceeding whatever, as well Civil as Criminal, the production of a copy of such a declaration, as is aforesaid, attested by the Seal of some Court empowered by this Act to have the custody of such declarations, shall be held (unless the contrary be proved) to be sufficient evidence as against the person whose name shall be subscribed to such declaration that the said person was Printer, or Publisher, or Printer and Publisher (according as the words of the said declaration may be) of every portion of every Periodical work whereof the title shall correspond with the title of the Periodical work mentioned in the said declaration.

VI.—Provided always that any person who may have subscribed any such declaration as is aforesaid, and who may subsequently cease to be the Printer or Publisher of the Periodical work mentioned in such declaration, may appear before any Magistrate and make and subscribe in duplicate the following declaration :—

“ I, A, B., declare that I have ceased to be the Printer (or Publisher, or Printer and Publisher) of the Periodical work entitled——.”

And each original of the latter declaration shall be authenticated by the Signature and Seal of the Magistrate before whom the said latter declaration shall have been made, and one original of the said latter declaration shall be filed, along with each original of the former declaration :—and the Officer in charge of each original of the latter declaration, shall allow any person applying to inspect that original on payment of a fee of One Rupee, and shall give to any person applying a copy of the said latter declaration attested by the Seal of the Court having custody of the original, on payment of a fee of Two Rupees :—and in trials in which a copy, attested as is aforesaid, of the former declaration, shall have been put

in evidence it shall be lawful to put in evidence a copy, attested as is aforesaid, of the latter declaration; and the former declaration shall not be taken to be evidence that the declarant was at any period subsequent to the date of the latter declaration, Printer or Publisher of the Periodical work therein mentioned.

VII.—And be it enacted, that every book or paper printed after the said fifteenth day of September, 1835, within the Territories of the East India Company shall have printed legibly on it, the name of the Printer and of the Publisher, and the place of printing and of publication; and whoever shall print or publish any book or paper otherwise than in conformity with this rule, shall, on conviction, be punished by fine to an amount not exceeding Five Thousand Rupees, and by imprisonment for a term not exceeding two years.

VIII.—And be it enacted, that after the said fifteenth day of September, 1835, no person shall, within the Territories of the East India Company, keep in his possession any Press for the printing of books or papers who shall not have made and subscribed the following declaration before the Magistrate of the jurisdiction wherein such Press may be; and whoever shall keep in his possession any such Press without making such a declaration, shall, on conviction, be punished by fine to an amount not exceeding Five Thousand Rupees, and by imprisonment for a term not exceeding two years:—

“ I. A. B., declare that I have a Press for printing at———.” And this last blank shall be filled up with a true and precise description of the premises where such Press may be.

IX.—And be it enacted, that any person who shall in making any declaration under the authority of this Act, knowingly affirm an untruth, shall, on conviction thereof, be punished by fine to an amount not exceeding Five Thousand Rupees, and imprisonment for a term not

Servants of the Company like Mountstuart Elphinstone had, when consulted, opposed the proposal to repeal the laws circumscribing the liberty of the Press in India. But Sir Charles Metcalfe attached little weight to their objections and in an elaborate reply to an address presented to him, declared the repeal justifiable on general principles. At the same time he thought that it had become "almost unavoidable" from circumstances. "The (Indian) Press" he said, "had been practically free for many years, including the whole period of the administration of the late Governor-General, Lord William Bentinck; and although laws of restriction existed in Bengal which gave awful power to the Government, they had ceased to operate for any practical purpose. They were extremely odious. They gave to the Government arbitrary power, which British subjects in any part of the world detest. No Government could now have carried them into effect, without setting universal opinion at defiance. After the liberty given by Lord William Bentinck's forbearance, no Government could have ventured to enforce those laws, unless it had been gifted with a most hard insensibility to ridicule and obloquy. Even supposing them to be good, they were utterly useless, and as they brought unnecessary odium on the Government, it would have been absurd longer to retain them."

Needless to say the public regarded the measure with favour and testified their approbation, not merely by laudatory addresses but by the erection of a handsome public building devoted to literary purposes and designated the Metcalfe Hall in order to celebrate the liberation of the Press and perpetuate the name of the liberator. But the Directors of the Company looked upon this generous measure with disfavour and their attitude became so galling to Sir Charles's sense of self-respect that he despatched a letter intimating his determination to retire from the service of the Company.

Though the authorities in England had expressed their disapproval of the action of Sir Charles Metcalfe in bestowing on the Press in India freedom, for twenty years and more it was not considered necessary to fetter it. And it was during this period that John Bruce Norton wrote as follows :—

“ As a whole, the Press of India is conducted with singular ability; and it is astonishing to mark the giant strides with which it has advanced within the last few years. It discusses all topics with an ability which, looking back a few years, was scarcely to be anticipated. The Press of Madras is not, I am proud to believe, last in the race. The existence of a free Press is incompatible with a despotism, however paternal.”*

Among the measures taken during the dark days of the Sepoy Mutiny was a Press Act. On the 13th June, 1857, a Bill was introduced by Lord Canning himself into the Legislative Council, and on the same day became Act XV of 1857, an Act to regulate the establishment of Printing Presses and to restrain in certain cases the circulation of printed books and papers. It temporarily placed the Indian Press very much in the position in which it had been before Sir Charles Metcalfe's Government in 1835 passed Act XI of that year. The Act prohibited the keeping or using of Printing Presses without license from the Government. The Government took discretionary power to grant licenses, subject to such conditions (if any) as were thought fit; it was also empowered to revoke at any time the licenses granted. The publication or circulation in India of newspapers, books or other printed papers of any particular description, might also be prohibited by order of the Government. The Act made no distinction between the English and the Indian Press and its duration was limited to one year.

* *The Rebellion in India.*

The licenses above-mentioned were given on certain conditions, the violation of any of which enabled Government to seize the types and presses of the offender. The conditions were as follows:—applications for licenses to keep or use any printing press or types or other materials and articles for printing within the town of Calcutta were to be made to the Commissioner of Police and the Commissioner was to forward a copy of every such application to the Government of India, in the Home Department, from whence licenses were to be issued. The Lieutenant-Governor was authorised to grant licenses outside Calcutta, and to appoint any person to receive applications for such licenses in any part of Bengal. The conditions upon which licenses to keep or use any printing press or types of other materials or articles for printing were ordinarily to be granted, were:—

“That no book, pamphlet, newspaper, or other work printed at such press, or with such materials or articles, shall contain any observations or statements impugning the motives or designs of the British Government either in England or in India, or in any way tending to bring the said Government into hatred or contempt, to excite disaffection or unlawful resistance to its orders, or to weaken its lawful authority, or the lawful authority of its civil or military servants :

“That no such book, pamphlet, newspaper or other work shall contain observations or statements having a tendency to create alarm or suspicion among the native population of any intended interference by Government with their religious opinions and observances :

“That no such book, pamphlet, newspaper or other work shall contain observations having a tendency to weaken the friendship towards the British Government of native princes, chiefs or states in dependence upon or alliance with it.”

The inclusion of the English and the Indian press in the same category provoked the wrath of the English com-

munity in India. Referring to the third clause John Bruce Norton in his *Rebellion in India* wrote thus :—

The third is of course expressly intended to prevent any allusion whatsoever to our shameless usurpation of our neighbour's property—a cause which I, for one, believe lies at the very root of the rebellion.

Further, as these conditions extend to extracts as well as original matter no discussion in Parliament on any Indian subject, no comment in any London journal, unless indeed laudatory of the Company, can be copied into an Indian newspaper under pain of the like penalties.

Even in France the Press has its three warnings. In Austria, despotism is not so despotic as it is in India. Our gag is a garotte.

Mr. Norton expressed the conviction that "the Press will ultimately prevail in the struggle which Lord Canning has called into existence" and wrote:—"It has thrown back India fifty years, and raised the most fatal bar to the influx of European capitalists and enterprise into this country. The only protection against the giant injustice in the provinces has been destroyed; magistrates may now ride rough-shod over the land; no man will be fool enough with his eyes open to invest his money, or risk his independence in localities where folly, or stupidity, or vanity, or pique may at any moment ruin him, without a chance of his injury being heard of. While I write, I know of three cases now pending in different parts of this Presidency, in any one of which the acts of the official would necessitate immediate dismissal, but which here call for no public remark from Government. In one, a judge has been guilty of little short of felony in order to obtain possession of the whole of a man's papers after his conviction. In another, a magistrate broke forcibly into a woman's house in order to obtain a deposition from her; and the third is of a somewhat similar quality, only with circumstances of aggravation."

He warned his "fellow-countrymen in England" against being deluded by the plea put forward by Lord Canning in support of his measure and said—"Let them depend upon it, that this attack upon the Press is in reality intended to screen the cowardice and incapacity of the real authors of the revolution. Lord Canning's arm may have dealt the blow, but there is a power behind which directed the arm. It is not that the crisis necessitated the measure but that the crisis has been seized as the fittest moment for striking a long meditated blow at the Press, and gratifying a grudge of ancient standing. Political capital has been made out of the bloodshed in the North-West."

,III.

New Order of Things.

The Act of 1835 was replaced in 1867 by the Press and Registration of Books Act [Appendix A] and till 1878 the Press was left unmolested. That theatrical personality Lord Lytton was then the Governor-General and he was impatient of criticism. A bill was introduced into the Legislative Council and passed into law as Act IX of 1878 on the 14th March. Its main object was to place newspapers published in the vernacular languages of India under better control and furnish the Government with ampler powers than the existing law provided. Then for the first time the Government put its seal of sanction on invidious distinction between one section of the Indian Press and another, exempting the Anglo-Indian (old style) papers from the operation of a law which militated against the freedom of the Press. It was on a par with the racial discrimination which had been recognised in the law courts also where European accused were entitled to especial privileges. The Act contained a provision (section 51) which enabled the publishers of vernacular newspapers to withdraw themselves from its restrictive provisions by submitting their proofs to a Government Officer. The Secretary of State, when assenting to the Act, objected to this provision and it was repealed on the 16th October, 1878.

In Bengal the *Amrita Bazar Patrika* evaded the new law by appearing as an English weekly. How this was done has been thus described by Mr. W. S. Caine :—

“When Lord Lytton’s Press Gagging Act was first broached, and it became evident that journals, published in the vernacular, would be more or less heavily shackled,

the brothers Ghose, believing that the Act was specially aimed at their journal, determined that the *Amrita Bazar Patrika*, which at that time was printed in both vernacular and English, should in future be published in the English language alone; and the change was effected in a single day, with the help of borrowed type, a very remarkable feat of journalism."

But proceedings were taken against the *Soma Prokash* newspaper and a bond was demanded from its printer. The action was taken by the Magistrate of the 24 Parghanas under orders of the Bengal Government, who were set in motion by the Government of India. The printer executed the bond but stopped the issue of the paper.

This measure was denounced by Mr. Gladstone in the House of Commons in a masterly speech [Appendix E]. And when in 1880 the Government was changed in England and Mr. Gladstone came into power and appointed the Marquis of Ripon, Governor-General, the latter came to India with instructions to repeal the obnoxious Act. It was repealed in 1882 by Act III of the year, which retained power to the Post Office authorities to search for and seize any vernacular publication of a seditious nature, the importation of which had been prohibited under the Sea Customs Act, 1878. On the 19th January, 1882 on the occasion of the repeal of the Vernacular Press Act Lord Ripon made the following remarks in the Legislative Council:—

I do not wish to detain the Council by any observations of my own; nor do I think that I am in any way called upon to review the reasons or motives for which this Act was originally introduced. All I desire to say is, that it will always be a great satisfaction to me that it should have been during the time that I held the office of Viceroy that the Act was remov-

In his reply to an address from the Rifah-i-Aam Association of Lucknow, the same year, he referred to the Government's desire to advance public education in all its branches—higher, middle and primary and added:—

It was the same object of intellectual and social development that we set before us when we re-established in its plenitude the freedom of the press in India, because we believed that it was a great public advantage that all measures of the Government of every description, should be freely and fully discussed by the public in the press. The Government derives very great advantage from that discussion; any errors that may creep into its proposals are pointed out; suggestions, often very valuable, are made, and the Government has an opportunity of learning in what respects the public misinterprets or misapprehends the intentions by which it is animated, so that by timely explanation the real meaning of those intentions may be made plain.

A bitter feeling, however, obtained among officials trained in bureaucratic traditions and by no means free from the demoralising prejudices incident to their position in this conquered country, that they were denied the protection they demanded against Press criticism. And in 1898 by Act IV of that year section 124A of the Indian Penal Code (introduced in 1870) was repealed and a new section to deal with "Sedition" substituted in its place. It inserted a new section, 153A, in the Code, to punish "promoting enmity between classes"; and it substituted a new section, 505, to punish "statements conducing to public mischief."

Prior to this the Government had passed an Act (No. XV of 1889) to prevent the Disclosure of Official Documents and Information [Appendix B.]

Attempts had also been made to prosecute newspapers under the law then existing. At the Police Court of Calcutta on the 7th August, 1891 the Officiating Standing

Editor, the Manager and the Printer and Publisher of the *Bangabasi* under Sections 124A and 500 of the Penal Code for sedition and defamation. At the High Court the case for the defence was very ably argued by Mr. Jackson. But the jury brought in a divided verdict and the Chief Justice ordered the case to remain as a *remanet* at the next Session's Court Board. In the mean time the accused were prevailed upon by some persons to tender apology and the case was withdrawn. The interpretation put upon Section 124A by the High Court was eminently satisfactory to the Government.

The next case of importance was that instituted against Bal Gangadhar Tilak in 1897 resulting in Tilak being sentenced to 18 months' rigorous imprisonment. It was in this case that the Judge (Mr. Strachey) directed the jury that *disaffection was the absence of affection*.

The most important case after the amendments in the Indian Penal Code was perhaps that instituted against Bal Gangadhar Tilak in 1908 in which the accused was convicted.

This case amply demonstrated that the arm of the law was long enough to reach and strong enough to punish journalists considered by the Government to have transgressed the bounds of legitimate criticism.

Yet in that year was passed another Act (Act No. VII of 1908) [Appendix C] empowering the Government to forfeit printing presses in certain cases.

Not content with the power thus obtained the Government of Lord Minto in 1910 passed yet another Act [Appendix D]

The Select Committee appointed to consider the Bill to amend the Indian Penal Code (1898) consisted of—

- Mr. M. D. Chalmers.
- „ C. M. Rivaz.
- „ C. C. Stevens.
- „ H. E. M. James.

Rai Bahadur Ananda Charlu.

Sir Griffith H. P. Evans.

Maharaja Bahadur Lakshmishwar Singh.

Mr. C. C. Stevens was the man who had realised the especial position of the Indian Press. He had said :—

“The position of the Native Press must necessarily be peculiar. It must, from the nature of things, be always in opposition. If we found a Native Paper constantly expatiating on the blessings of English rule, on the unmixed advantages of Western civilisation, and on the administrative and private virtues of English officials, we think, we should not respect the editor or his staff the more for it; we should think him a hypocrite who was playing what he considered to be a paying game. We must, therefore, look to Native writers for criticism of Government measures and of Government servants.”

The Indian members of the Select Committee signed the report subject to their notes of dissent. And the Indian members of the Council—Mr. Chitnavis, Rai Bahadur Ananda Charlu, Pandit Bishambar Nath and Mr. Sayani had their objections to the Bill. Their worst apprehensions had, after the passing of the Act, proved true.

The Bill which ultimately became the Press Act of 1910 was strongly criticised in the Council by Mr. Bhupendra Nath Basu and Pandit Madan Mohan Malaviya. The former said :—

My Lord, my Hon'ble friend has referred to the Press legislation of 1878 and to the speech of Sir Ashley Eden which had preceded that unfortunate enactment. My Lord, I have not seen the extracts on which Sir Ashley Eden based his animadversions on the Vernacular Press. And my testimony, even if I had seen them, would not much avail. I shall take the liberty to quote Mr. Gladstone to show that those extracts were not so

dangerous after all. Mr. Gladstone said in the House of Commons: 'They (the people of India) have or think they have plenty of causes of complaint. I am sorry to say I regard this Press Act as one of the most salient among them: but as I observe most of all from reading extracts sent home in order to make a case for the Act, all these complaints in India appear to me to be particular complaints. They complain of the errors of Government just as we complain of them in this country.' Yet on the strength of these extracts the Government here passed the Press Act of 1878, and the statements of officials then made, based on these extracts, have been dug up from their grave after the lapse of thirty years in support of the present measure. My Lord, this shows the danger to which the Indian Press will be exposed under the new law. If a man with the breadth of view and wide culture of the Hon'ble mover, a profound student and scholar, can take exception to the Press on grounds like these, what chance is there for the Press when the Secretary of a Local Government in times of panic, in the hurry of multifarious duties, has to decide the fate of a journal submitted as offending by the Magistrate of the district? The result will be that at no distant date most, if not all, Indian presses will have to furnish security or go; and knowing the conditions of my country as I do, I feel certain that they will go, security or no security. My Lord, the law indeed proposes to provide a safeguard: but what is the value of that safeguard after all? How many press proprietors in India will be able to afford the expense? Very few indeed. How many newspapers will be able to stand extinction for the period for which it may remain suspended? I shall be surprised if any will stand it. Therefore, I said, my Lord, that the effect of the legislation will be to enhance the cost of knowledge, to restrict its growth, to narrow its sphere and so extinguish the indigenous newspaper press

Lord, I will take the liberty to quote from the memorable reply which Sir Charles Metcalfe the liberator of the Indian Press, gave to a deputation which waited upon him:—'It rests with them to show that the communication of knowledge is a curse and not a benefit and that the essence of good government is to cover the land with darkness: for otherwise it must be admitted to be one of the most imperative duties of a Government to confer the incalculable blessing of knowledge on the people, and by what means can this be done more effectively than by the unrestrained liberty of publication and by the stimulus which it gives to the powers of the mind?' Continuing, he said, 'If their argument be true, the spread of knowledge may eventually be fatal to our rule in India. I close with them on that point, and maintain whatever may be the consequence it is our duty to communicate the benefits of knowledge. If India could only be preserved as a part of the British Empire by keeping its inhabitants in a state of ignorance, our domination would be a curse to the country and ought to cease.' My Lord, I am quite sure your Lordship, who has throughout your rule shown a generous appreciation of the problems of Indian administration, does not want to go back upon these principles. The statesman who is at the helm of Indian affairs in England will not go back upon them, and I feel confident that your Lordship has given sanction to the present legislation in the view that it will not have the effect of stifling the Indian Press. I have ventured to show that that view is not correct. My Lord, I do not know what are the actual materials which my Hon'ble friend has got before him. I frankly admit that the writings of a certain section of the Press require to be checked; they have mistaken license for liberty. I believe, however, that their number is not so large as to call for a special legislation in which the loyal but the outspoken

year 1902; the number of registered printing-presses was 2,192, the number of newspapers 708, the number of periodicals 575, the number of books published in English 312, in Indian languages 7,081. These numbers must have considerably increased since, but there were only 47 cases in which it was thought fit to take proceedings, all of which succeeded. The *Sandhya* has gone, the *Yugantar* has gone, the *Bande Mataram* has gone, and others which offended against the law have also gone. If we have got plenary powers under the law as it stands, and we have the powers of confiscating the press, of having the offenders tried by special tribunals, powers which have never been thwarted, why have a measure which may have an effect, and to my thinking will certainly have the effect, which is not desirable? If it is the publicity of a trial, take steps to avoid publicity; if it is the delay in the proceedings, take steps to curtail it. My Lord, what we complain of is that the Bill provides punishment before trial, which even the Austrian Government does not; a temporary censorship would be better, because, while it will emasculate, it will not extinguish the Press; it will stifle criticism of Government, but not put a tax on knowledge. My Lord, it would be impertinent in me to dwell on the advantages of a free Press, specially to a Government situated as the British Government is in India; it is an institution with which the greatest names in England are associated, it is the foundation of its civic liberty. Consecrated by the impassioned and matchless eloquence of Milton and vindicated by the writings of Burke and Mill, its growth has been unimpaired in England for the last 300 years, while in India for 70 years or more we have enjoyed its blessings and knowledge has grown more and more. My Lord, I have shown that the present situation, the anarchical movement, is not owing to the license of a particular section of the Press. I do not deny that such license has been harmful and must be put down, but I maintain that the

existing laws are sufficient; if not, let us strengthen them: but, my Lord, I cannot agree that a measure should be passed which to my mind threatened the very existence of an indigenous and free Press in India, which will choke the springs of knowledge, which will bar the road to progress and which will not after all secure the object in view. The Press may go, but will that stop the mischief? I shall take the liberty to quote Lord Morley himself. In December, 1908, from his place in the House of Lords, he said, "Supposing you abolish freedom of the Press or suspend it, that will not end the business. You will have to shut up schools and colleges, for what would be the use of suppressing newspapers if you do not shut the schools and colleges? Nor will that be all. You will have to stop the printing of unlicensed books. The possession of a copy of Milton or Burke or Macaulay or of Bright's speeches and all the flashing array of writers and orators who are the glory of our grand, our noble English tongue, the possession of one of these books will on this peculiar and puerile notion of Government be like the possession of a bomb, and we shall have to direct the passing of an Explosive Books Act. All this and its various sequels and complements make a policy if you please. But after such a policy had produced a mute sullen, muzzled, lifeless India, we could hardly call it, as we do now, 'the brightest jewel in the Imperial Crown.'"

My Lord, it will be impossible to touch the picture drawn with such master strokes without spoiling its effect. To the British nation British rule in India may be a source of glory, of prestige, of rank in the scale of nations: to us it is our very life, and what is dearer than life? To us it is our only hope, our only hope of a brighter future for our country: it is to us the rescuing hand held out to a drowning man in the darkness of the night. To us it means much more than Empire, much more than glory and fame and prestige; and be

cause we want that this rule should continue on an ever-widening base, welding the peoples of India into a nation, justly proud of its comradeship with England, possessing common rights, common privileges and sharing common dangers, that I venture to ask that this Bill may not pass into law. Your Lordship has inaugurated a noble scheme of reform; let it have a fair chance, let it bring peace to my distracted country; and in the mean time we shall support Your Lordship's Government in any measure it may bring forward to punish but not to anticipate the guilty."

The Pandit made the following remarks in course of his speech :—

My Lord, when the Press is left at the mercy of the Local Government, when it is left to the Local Government by merely issuing a notice to demand a security, I submit the freedom with which newspapers have expressed their criticisms of the acts and omissions of Government is very much likely to suffer. After all, Local Governments are composed of human beings who are liable to err; and we have had instances of Local Governments committing mistakes which sometimes the Government of India have had to correct. If it should happen my Lord, that a paper has been writing a little more outspokenly than it should have done, if a paper has offended by a series of criticisms passed upon the Local Government, any incautious or careless expression in it might much sooner be construed as falling within the definition of prohibited matter than might be the case if the paper had not been so criticising the Government. A notice issued to the keeper of the press or the publisher to deposit a security will, I fear, in many instances, at least in some instances, lead to the extinction of the paper. The paper might be owned by an individual who may not be in a position to lose the little property he has. It may be owned by a company, and they may wish at the first indica-

tion of danger to close the business to avoid the threatened loss. In that way, my Lord, I submit papers generally will be constrained to write under a greater sense of restraint than is needed for the purposes of good administration or of fair discussion. For these reasons, I submit that the further consideration of this Bill should be postponed. And in support of this submission I would remind the Council of what Mr. Gladstone said in connection with the Vernacular Press Act. He said: 'I think, if one thing is more obvious than another it is that, whatever we do give, we should not retract, and that when we have communicated to India the benefit which is perhaps the greatest of all those that we enjoy under our own institution viz., the publicity of proceedings in which the nation is interested, and the allowance of sufficient time to consider them at their several stages, to afford securities against wrong and error—it is deplorable in a case like this in India that the utmost haste.....should have been observed, not in amending or altering, but in completely over-turning, so far as the Press was concerned, a cardinal part of the legislation of the country.' I have omitted the word 'Native' because the present Bill affects the whole Press, European and Indian, English and Vernacular. My Lord, I submit that those weighty observations give us very sound guidance as to the lines which the Council should pursue. We should not expose ourselves to a similar criticism by passing this Bill to-day.

The effect the passing of this Act had on the Press was thus summarised in a cable sent to the Prime Minister and the Secretary of State for India by the Secretary, the Indian Press Association, on the 2nd July, 1919 :—

The Press Association of India begs to invite attention to repression of the Indian Press under Press Act, 1910, resulting in suppression of legitimate expression of Indian opinion, creating great alarm in public mind. Act since

enactment, penalized over 350 presses, 300 newspapers, demanded securities amounting over £40,000, proscribed over 500 publications. Owing to demand of security over 200 presses, 130 newspapers not started. Since 1917, Act even more rigorously administered. Leading, influential Indian English journals like *Amrita Bazar Patrika*, *Bombay Chronicle*, *Hindu*, *Independent*, *Tribune*, *Punjabee*, leading vernacular papers like *Basumati*, *Swadeshmitran*, *Vijaya*, *Hindvasi*, *Bharatmitra*, subjected to its rigors. Several Indian newspapers arbitrarily barred from different provinces. On other hand, violent provocative writings in Anglo-Indian Press entirely immune. Government refused last September open inquiry into the operation of Press Act urged by Indian members in Imperial Council. Legitimate criticism on Rowlatt Act, Punjab martial law and other grievances crippled by executive action. Influential journals disappearing because of existing Act and its administration. Unventilated expression public opinion bound to discontent, unrest underground. Extreme and unjustifiable severity to which journalists are subjected is painfully evidenced by arbitrary deportation of Mr. Horniman, editor, *Bombay Chronicle* and president of the Association.

A detailed list of newspapers which suffered under the provisions of the Act was given in an article contributed by Mr. L. A. Adwani to the *Home Rule* in 1919 (Appendix F).

IV.

Repeal and Re-enforcement.

The operation of the Act of 1910 proved a great hardship. Sir William Vincent, Home Member, Government of India spoke thus of the objections to the Act in his speech in the Legislative Assembly (February 22nd, 1921):—

We are quite alive to these criticisms of the Act. At the same time, during the war it was quite impossible for us to undertake any revision of it, and many Members of this Assembly will remember, that in 1917, a deputation visited His Excellency and he declined at that juncture to make any alteration in the Act. In the same year, however, in August of that very year,—I had just come into office at the time,—we consulted Local Governments as to the possibility of amending the Act, with particular reference to the wide scope of section 4. We had in our minds, at the time, I may say the case of the 'Comrade', a very well known case in which the wording of the Act was criticised. We received various opinions from Local Governments, but owing to the dangerous situation created at the time by the war, we thought it was inopportune to take action; nor indeed, with the pre-occupations which filled our time at that moment, was it possible for us to do so. Later, however, I received another informal deputation from the Press, and discussed the whole question with them.

The following resolution was at that time moved by Mr. S. P. O'Donnell:—

"This Assembly recommends to the Governor-General in Council that a Committee of officials and non-officials be appointed to examine the Press and Registration of Books Act, 1867, and the Indian Press Act, 1910, and report what modifications are required

The Committee took evidence and submitted their report on the 14th July, 1921 (Appendix G).

The Act was, at the recommendation of the Committee, repealed in 1922.

Just as the prohibition against the use of the Dum-Dum Bullet had not made the use of fire-arms obsolete, so the repeal of the obnoxious Act of 1910 did not put an end to Press prosecutions. After rejecting the weapon forged in its furnace the bureaucracy had recourse to another weapon reminiscent of the use of the "rusty sword" of 1818 (Regulation 111) by Lord Minto's Government.

Section 124A had originally stood as follows:—

Whoever attempts to excite feelings of disaffection to the Government established by law in British India, shall be punished with transportation for life or for any term, to which fine may be added, or with imprisonment for a term which may extend to three years, to which fine may be added, or with fine.

Explanation.—Such a disapprobation of the measures of the Government as is compatible with a disposition to render obedience to lawful authority of the Government and to support the lawful authority of the Government against unlawful attempts to subvert or resist that authority, is not disaffection. Therefore the making of comments on the measures of the Government with the intention of exciting only this species of disapprobation, is not an offence within this clause.

The Statement of Objects and Reasons explained:—

Sections 121 to 130 of the Code deal with offences against the State. But there is no mention of seditious speaking or writing.

In the draft Code originally prepared by the Indian Law Commissioners, and published in 1837 appears a section resembling Section 6 of the present Bill and its omission from the Code as ultimately enacted was due to a mere over-

Government by words or writing are now punishable only when they can be proved to amount to abetments of the offence of waging war against the Queen, and as this proof implies the actual existence of war, and must often be a matter of extreme difficulty, it seems desirable that some such provision should become part of the law of British India.

This was changed to—

124A. (Sedition).—Whoever by words, either spoken or written, or by signs, or by visible representation or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards Her Majesty or the Government, or promotes or attempts to promote feelings of enmity or ill-will between different classes of Her Majesty's subjects, shall be punished with transportation for life or any shorter terms, to which fine may be added, or with imprisonment which may extend to ten years, to which fine may be added, or with fine.

Explanation 1. The expression "disaffection" includes disloyalty, and all feelings of enmity or ill-will.

Explanation 2. Comments on the measures of the Government with a view to obtain their alteration by lawful means, without exciting or attempting to excite hatred, contempt or disaffection do not constitute an offence.

When the change was made Sir Griffith H. P. Evans suggested that instead of proceeding against sedition the Government should amend their law of defamation so as to enable them to prosecute papers defaming them for defamation. After the repeal of the Act of 1910 Government officers were encouraged, indirectly if not directly, to prosecute newspapers for comments on their actions and were helped with the ample resources of the Government. In 1924 Mr. N. C. Kelkar, Editor, *Kesari* of Poona was accused of contempt of court. A reference had been made

to the High Court by the Sessions Judge of Poona in a case against C. J. Walker on account of disagreement with the Jury who had returned a verdict of "not guilty." The Chief Justice and Mr. Justice Fawcett had accepted the Jury's verdict and discharged the accused. Thereafter the *Kesari* had made certain comments which were construed to have offended against law. Mr. Kelkar stated in Court that he considered that this was not merely a personal case but one that affected the profession to which he belonged. Mr. Kelkar was fined rupees five thousand.

The same year the *Bombay Chronicle* incurred the wrath of the authorities. Mr. Painter the plaintiff was the Magistrate and Collector of Dharwar at the time of a shooting incident in which the police fired on a crowd and killed some persons and wounded others. The *Chronicle's* comments on the action of the Magistrate were taken exception to and Mr. Painter instituted a suit claiming damages to the extent of one lakh of rupees. Mr. Justice Kemp admitted that he had no evidence before him of the circulation of the *Chronicle* but assessed damages at Rs. 15,000 with costs. ✓

In Bihar the *Search Light* was similarly prosecuted.

In Bengal a non-Indian officer of the Calcutta Police Force instituted a defamation suit against the *Servant* while in the case against the *Bangabasi* the plaintiff was an Indian officer of the Police Department. An interpellation in connection with the *Bangabasi* case elicited the interesting information that the Bengal Government had spent nearly Rs. 80,000 to redeem the reputation of a Police Officer drawing a salary of a hundred rupees or so a month. So great was their zeal to punish the *Bangabasi* that the Advocate-General, Mr. S. R. Das was sent to a mofussil sub-division town to conduct the case for the plaintiff.

In the *Servant* case summons was issued against and served on the Printer and Publisher before the process-fee had been deposited and the Government did not hesitate

to spend Rs. 12,968 in conducting the case for F. W. Kidd, Deputy Commissioner of Police, Calcutta.

When the original Section 124A was introduced in the Penal Code Sir James Fitzjames Stephen had said :—

Nothing could be further from the wish of the Government of India than to check, in the least degree, any criticism of their measures, however severe and hostile, nay, however disingenuous, unfair, and ill-informed it might be. So long as a writer or a speaker neither directly nor indirectly suggested or intended to produce the use of force, he did not fall within this section. This, however, must be coupled with a warning. The question on trials under this section would always be as to the true intention of a speaker or speakers, and this intention would have to be inferred from the circumstances of the case. The most bitter and unfair criticisms published by a newspaper in the common course of its business, might be perfectly compatible with the absence of any intention to advise resistance to lawful authority. Language, temperate in itself and justifiable as far as the express meaning of its terms went, might, if addressed to an excited mob, be the clearest proof of an intent to produce forcible resistance to authority. Whilst genuine criticism had nothing to fear from the proposed section, persons seditiously disposed must not suppose that they could evade its provisions by confining themselves to what, under other circumstances and in other persons, might be genuine criticism.

The circumscribing of the powers of the Press in the manner demonstrated in the cases referred to showed how that assurance was adhered to. Then came the several sedition cases against the *Forward* group of newspapers which were the organs of the Swarajya Party standing for non-violent non-co-operation.

And then within seven years of the repeal of the obnoxious Press Act of 1910 the Government of India have

again brought it into use—not with the sanction of the Legislature but by promulgating an Ordinance in exercise of powers which make people ask if H. R. H. the Duke of Connaught was serious when in opening the new Indian Legislature formed under the new Government of India Act, he said that in India “ the principle of autocracy has all been abandoned ” and “ its retention would have been incompatible with that contentment which had been declared by Her Late Majesty Queen Victoria to be the aim of British rule and would have been inconsistent with the legitimate demands and aspirations of the Indian people and the stage of political development which they have attained.”

This step was taken on the eve of the publication of the report of the Statutory Commission and after Lord Irwin had made the statement that he had been authorised on behalf of His Majesty's Government “ to state clearly that in their judgment it is implicit in the declaration of 1917 that the natural issue of India's constitutional progress, as there contemplated, is the attainment of Dominion Status.” We need hardly say that an Ordinance gagging the Press and the conferring of Dominion Status go ill together.

The reason put forward by Lord Irwin in promulgating the Ordinance is quoted below :—

The Indian Press Act, which was passed in 1910 with the object of preventing the dissemination of sedition and of incitements to violence, was repealed in 1922. It was suggested at the time that the Act was not wholly effective for these purposes and that in any case the political situation and the new constitutional outlook rendered its retention undesirable. It was believed that the Press, if left to itself, would be able to overcome those malignant influences which a part of it was subject.

2. On various occasions since 1922 the evil effects of writings in the Indian Press in promoting

a spirit of revolution and stirring up extreme hatred of the Government established by law in British India have been brought prominently to notice by certain Local Governments. It has been recognised that the anticipations formed in 1922 have not been fulfilled, but that on the contrary the tone of a certain section of the press has been growing almost steadily worse, with its immunity from effective control. The measure of the effectiveness of the Press Act has been shown very clearly by the remarkable accentuation since its repeal of those features, which it was intended to check. Prosecutions are from time to time instituted in the worst cases, but it has always been recognised that these provide only a partial remedy, and looked at broadly are ineffective to control the ceaseless output of extreme seditious and revolutionary propaganda.

3. Nevertheless my Government, looking to the constitutional developments that are anticipated, and confidently expecting that these would operate to remove many of the causes which underlie the extreme hostility of a section of the press, have consistently refused to deal merely with symptoms, while they are engaged in a search for more far reaching remedies.
4. The developments however since the initiation of the civil disobedience movement have made it necessary to approach this problem no longer as one of general policy, but as one that constitutes a serious and dangerous emergency. The civil disobedience movement, whatever may have been the professed object of those who launched it, is rapidly developing, as all reasonable men foresaw, into violent resistance to constituted authority. The riots at Calcutta and Karachi, the armed outbreak at Chittagong and the grave disturbances at Peshawar show clearly that the spirit of revolution fostered by the civil disobedience movement, is beginning to emerge in dangerous forms. Nothing at the present moment is

as the writings in the press, many inciting openly to violent and revolutionary action, others by consistent laudation of the civil disobedience movement, encouraging a spirit of lawlessness throughout the country. In these circumstances I have felt it my duty to promulgate an Ordinance which revives the powers of the Press Act of 1910, with certain amendments which the conditions of the present time appeared to require. The measure is not designed to restrict the just liberties of the Press or to check fair criticism of the administration. It is one of emergency, but the emergency is plain and my responsibility for dealing with it is equally plain. I trust that at this time all the more sober and stable elements in India, realising what must now clearly be seen to be the inevitable issue of this lawless movement, will unite with me and my Government in resisting the forces of anarchy and leading the country back into the paths of peace and orderly progress.

The reasons adduced are hardly convincing and the measure has justly been resented by the nationalist press of India.

How the law is likely to be a source of grave danger to newspapers was evident when the Chief Secretary to the Government of Bengal made himself the target of ridicule by issuing a notice on the keeper of the Indian Daily News Press to deposit the sum of Rs. 10,000 though he had no power under the law to do so. This will be evident from the following order of the Chief Presidency Magistrate, Calcutta, dated the 7th May, 1930. "It has been brought to my notice that two orders were served in error, there should only be one order for the press; only one amount should be demanded by me." In the hands of over-zealous officers it may become an engine of oppression inflicting injury on the freedom of the Press.

APPENDIX

APPENDIX A.

Act No. XXV of 1867.

(22nd March, 1867.)

AN ACT FOR THE REGULATION OF PRINTING-PRESSES AND NEWSPAPERS, FOR THE PRESERVATION OF COPIES OF BOOKS PRINTED IN BRITISH INDIA, AND FOR

THE REGISTRATION OF SUCH BOOKS.

Whereas it is expedient to provide for the regulation of printing-presses and of periodicals containing news, for the preservation of copies of every book printed or lithographed in British India, and for the registration of such books; It is hereby enacted as follows :—

PART I.

Preliminary.

1. In this Act, unless there shall be something repugnant in the subject or context,—

“book” includes every volume, part or division of a volume, and pamphlet, in any language, and every sheet of music, map, chart or plan separately printed or lithographed :

“British India” means the territories which are or shall be vested in Her Majesty or Her Successors by the Statute 21 & 22 Vict., cap. 106 (*an Act for the better government of India*)

“Magistrate” means any person exercising the full powers of a Magistrate, and includes a Magistrate of Police :

words in the singular include the plural and *vice versa* :

words denoting the masculine gender include females

And in every part of British India to which this Act shall extend “Local Government” shall mean the person authorised by law to administer executive Government in such part, and includes a Chief Commissioner.

2. (*Repeal of Act XI of 1835*) *Reb. by the Repealing*

PART II.

Of Printing-presses and Newspapers.

3. Every book or paper printed within British India shall have printed legibly on it the name of the printer and the place of printing and (if the book or paper be published) the name of the publisher and the place of publication.

4. No person shall, within British India, keep in his possession any press for the printing of books or papers, who shall not have made and subscribed the following declaration before the Magistrate within whose local jurisdiction such press may be:—

“I. A. B., declare that I have a press for printing at _____”.

And this last blank shall be filled up with a true and precise description of the place where such press may be situate.

5. No printed periodical work, containing public news, or comments on public news, shall be published in British India, except in conformity with the rules hereinafter laid down:—

(1) The printer and publisher of every such periodical work shall appear before the Magistrate within whose local jurisdiction such work shall be published, and shall make and subscribe, in duplicate, the following declaration:—

“I. A. B., declare that I am the printer, (or publisher, or printer and publisher) of the periodical work entitled———, and printed (or published, or printed and published, *as the case may be*) at _____”.

And the last blank in this form of declaration shall be filled up with a true and precise account of the premises where the printing or publication is conducted:

(2) As often as the place of printing or publication is changed, a new declaration shall be necessary.

(3) As often as the printer or the publisher who shall have made such declaration as is aforesaid shall leave British India, a new declaration from a printer or publisher resident within the said territories shall be necessary.

6. Each of the two originals of every declaration so made and subscribed as is aforesaid shall be authenticated

by the signature and official seal of the Magistrate before whom the said declaration shall have been made.

One of the said originals shall be deposited among the records of the office of the Magistrate, and the other shall be deposited among the records of the High Court of Judicature or other principal Civil Court of original jurisdiction for the place where the said declaration shall have been made.

The Officer in charge of each original shall allow any person to inspect that original on payment of a fee of one rupee, and shall give to any person applying a copy of the said declaration, attested by the seal of the Court which has the custody of the original on payment of a fee of two rupees.

7. In any legal proceeding whatever, as well civil as criminal, the production of a copy of such declaration as is aforesaid attested by the seal of some Court empowered by this Act to have the custody of such declarations shall be held (unless the contrary be proved) to be sufficient evidence, as against the person whose name shall be subscribed to such declaration, that the said person was printer or publisher, or printer and publisher (according as the words of the said declaration may be), of every portion of every periodical work whereof the title shall correspond with the title of the periodical work mentioned in the declaration.

8. Provided always that any person who may have subscribed any such declaration as is aforesaid, and who may subsequently cease to be the printer or publisher of the periodical work mentioned in such declaration, may appear before any Magistrate, and make and subscribe in duplicate the following declaration :—

“I. A. B., declare that I have ceased to be printer (or publisher, or printer and publisher) of the periodical work entitled——”

Each original of the latter declaration shall be authenticated by the signature and seal of the Magistrate before whom the said latter declaration shall have been made, and one original of the said latter declaration shall be filed along with each original of the former declaration.

The officer in charge of each original of the latter declaration shall allow any person applying to inspect that original on payment of a fee of one rupee, and shall give to any person applying a copy of the said latter declara-

ion, attested by the seal of the Court having custody of the original, on payment of a fee of two rupees.

In all trials in which a copy, attested as is aforesaid, of the former declaration, shall have been put in evidence, it shall be lawful to put in evidence a copy, attested as is aforesaid, of the latter declaration, and the former declaration shall not be taken to be evidence that the declarant was, at any period subsequent to the date of the latter declaration, printer or publisher of the periodical work therein mentioned.

PART III.

Delivery of Books.

9. Printed or lithographed copies of the whole of every book which shall be printed or lithographed in British India after this Act shall come into force, together with all maps, prints or other engravings belonging thereto, finished and coloured in the same manner as the best copies of the same shall notwithstanding any agreement (if the book be published) between the printer and publisher thereof, be delivered by the printer at such place and to such officer as the Local Government shall by notification in the official Gazette, from time to time direct, and free of expense to the Government, as follows, that is to say :

- (a) in any case, within one calendar month after the day on which any such book shall first be delivered out of the press, one such copy and,
- (b) if within one calendar year from such day the Local Government shall require the printer to deliver other such copies not exceeding two in number, then within one calendar month after the day on which any such requisition shall be made by the Local Government on the printer, another such copy, or two other such copies, as the Local Government may direct,

the copies so delivered being bound, sewed or stitched together and upon the best paper on which any copies of the book shall be printed or lithographed.

The publisher or other person employing the printer shall, at a reasonable time before the expiration of the said month, supply him with all maps, prints and engravings finished and coloured as aforesaid, which may be necessary to enable him to comply with the requirements aforesaid.

Nothing in the former part of this section shall apply to—

- (i) any second or subsequent edition of a book in which edition no additions or alterations either in the letter press or in the maps, prints or other engravings belonging to the book have been made, and a copy of the first or some preceding edition of which book has been delivered under this Act, or
- (ii) any periodical work published in conformity with the rules laid down in section 5 of this Act.

10. The officer to whom a copy of a book is delivered under the last foregoing section shall give to the printer a receipt in writing therefor.

11. The copy delivered pursuant to clause (a) of the first paragraph of section 9 of this Act shall be disposed of as the Local Government shall from time to time determine. Any copy or copies delivered pursuant to clause (b) of the said paragraph shall be transmitted to the British Museum or the Secretary of State for India, or to the British Museum and the said Secretary of State, as the case may be.

PART IV.

Penalties.

12. Whoever shall print or publish any book or paper otherwise than in conformity with the rule contained in section 3 of this Act shall, on conviction before a Magistrate, be punished by fine not exceeding five thousand rupees, or by simple imprisonment for a term not exceeding two years, or by both.

13. Whoever shall keep in his possession any such press as aforesaid, without making such a declaration as is required by section 4 of this Act shall on conviction before a Magistrate, be punished by fine not exceeding five thousand rupees or by simple imprisonment for a term not exceeding two years, or by both.

14. Any person who shall, in making any declaration under the authority of this Act, make a statement which is false, and which he either knows or believes to be false, or does not believe to be true shall, on conviction before a Magistrate, be punished by fine not exceeding five thousand rupees, and imprisonment for a term not exceeding two years.

15. Whoever shall print or publish any such periodical work as is hereinbefore described, without conforming to the rules hereinbefore laid down, or whoever shall print or publish, or shall cause to be printed or published, any such periodical work knowing that the said rules have not been observed with respect to that work, shall, on conviction before a Magistrate, be punished with fine not exceeding five thousand rupees, or imprisonment for a term not exceeding two years, or both.

16. If any printer of any such book as is referred to in section 9 of this Act shall neglect to deliver copies of the same pursuant to that section, he shall for every such default forfeit to the Government such sum not exceeding fifty rupees as a Magistrate having jurisdiction in the place where the book was printed may, on the application of the officer to whom the copies should have been delivered or of any person authorised by the officer in this behalf, determine to be in the circumstances a reasonable penalty for the default, and, in addition to such sum, such further sum as the Magistrate may determine to be the value of the copies which the printer ought to have delivered.

If any publisher or other person employing any such printer shall neglect to supply him in the manner prescribed in the second paragraph of section 9 of this Act, with the maps, prints or engravings which may be necessary to enable him to comply with the provisions of that section, such publisher or other person shall for every such default forfeit to the Government such sum not exceeding fifty rupees as such a Magistrate as aforesaid may, on such an application as aforesaid, determine to be in the circumstances a reasonable penalty for the default, and, in addition to such sum, such further sum as the Magistrate may determine to be the value of the maps, prints or engravings which such publisher or other person ought to have supplied.

17. Any sum forfeited to the Government under the last foregoing section may be recovered, under the warrant of the Magistrate determining the sum, or of his successor in office in the manner authorised by the Code of Criminal Procedure for the time being in force, and within the period prescribed by the Indian Penal Code, for the levy of a fine.

All fines or forfeitures under this Part of this Act shall, when recovered, be disposed of as the Local Government shall from time to time direct.

PART V.

Registration of Books.

18. There shall be kept at such office, and by such officer as the Local Government shall appoint in this behalf, a book to be called a Catalogue of Books printed in British India, wherein shall be registered a memorandum of every book which shall have been delivered (pursuant to clause (a) of the first paragraph of section 9) of this Act. Such memorandum shall (so far as may be practicable) contain the following particulars (that is to say) :—

- (1) the title of the book and the contents of the title-page, with a translation into English of such title and contents, when the same are not in the English language :
- (2) the language in which the book is written :
- (3) the name of the author, translator or editor of the book or any part thereof :
- (4) the subject :
- (5) the place of printing and the place of publication :
- (6) the name or firm of the printer and the name or firm of the publisher :
- (7) the date of issue from the press or of the publication :
- (8) the number of sheets, leaves or pages :
- (9) the size :
- (10) the first, second or other number of the edition :
- (11) the number of the copies of which the edition consists :
- (12) whether the book is printed or lithographed :
- (13) the price at which the book is sold to the public :
and
- (14) the name and residence of the proprietor of the copyright or of any portion of such copyright.

Such memorandum shall be made and registered in the case of each book as soon as practicable after the delivery of the copy thereof pursuant to clause (a) of the first paragraph of section 9.

Every registration under this section shall, upon payment of the sum of two rupees to the officer keeping the said Catalogue, be deemed to be an entry in the Book of

Registry kept under Act No. XX of 1847 (*for the encouragement of learning in the territories subject to the government of the East India Company, by defining and providing for the enforcement of the right called copyright therein*); and the provisions contained in that Act as to the said Book of Registry shall apply, *mutatis mutandis*, to the said Catalogue.

19. The memoranda registered during each quarter in the said Catalogue shall be published in the local Gazette as soon as may be after the end of such quarter, and copy of the memoranda so published shall be sent to the said Secretary of State and to the Secretary to the Government of India in the Home Department, respectively.

PART VI.

Miscellaneous.

20. The Local Government shall have power to make such rules as may be necessary or desirable for carrying out the objects of this Act, and from time to time to repeal, alter and add to such rules.

All such rules, and all repeals and alterations thereof, and additions thereto, shall be published in the local Gazette.

21. The Governor-General of India in Council may by notification in the Gazette of India, exclude any class of books from the operation of the whole or any part or parts of this Act.

22. (Continuance of parts of Act) Rep. by the Press and Registration of Books Act (1867) Amendment Act 1890 (X of 1890) section 7.

23. (Commencement) Rep. by the Repealing Act, 1870 (XIV of 1870).

APPENDIX B

Act No. XV of 1889.

AN ACT TO PREVENT THE DISCLOSURE OF OFFICIAL DOCUMENTS AND INFORMATION.

WHEREAS it is expedient to prevent the disclosure of official documents and information; It is hereby enacted as follows:—

1. (1) This Act may be called the Indian Official Secrets Act, 1889, and

(2) It extends to the whole of British India, and applies, (a) to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty and (b) to all Native Indian subjects of Her Majesty without and beyond British India.

2. In this Act, unless there is something repugnant in the subject or context—

(1) any reference to a place belonging to Her Majesty includes a place belonging to any department of the Government, whether the place is or is not actually vested in Her Majesty :

(2) expressions referring to communications include any communication, whether in whole or in part, and whether the document, sketch, plan, model or information itself or the substance or effect thereof only be communicated :

(3) " document " includes part of a document :

(4) " model " includes design, pattern and specimen :

(5) " sketch " includes any photograph or other mode of representation of any place or thing : and

(6) " office under Her Majesty " includes any office or employment in or under any department of the Government.

3. (1) (a) Where a person for the purpose of wrongfully obtaining information—

(i) enters or is in any part of a place belonging to Her Majesty, being a fortress, arsenal, factory, dockyard, camp, ship, office or other like place, in which part he is not entitled to be, or

- (ii) when lawfully or unlawfully in any such place as aforesaid, either obtains any document, sketch, plan, model, or knowledge of anything which he is not entitled to obtain, or takes without lawful authority any sketch or plan, or
- (iii) when outside any fortress, arsenal, factory, dockyard or camp belonging to Her Majesty, takes or attempts to take without authority given by or on behalf of Her Majesty any sketch or plan of that fortress, arsenal, factory, dockyard or camp, or,

(b) where a person knowingly having possession of, or control over, any such document, sketch, plan, model or knowledge as has been obtained or taken by means of any act which constitutes an offence against this Act at any time wilfully and without lawful authority communicates or attempts to communicate the same to any person to whom the same ought not, in the interest of the State, to be communicated at that time, or

(c) where a person after having been entrusted in confidence by some officer under Her Majesty with any document, sketch, plan, model or information relating to any such place as aforesaid or to the naval or military affairs of Her Majesty, wilfully and in breach of such confidence communicates the same when, in the interest of the State, it ought not to be communicated,

he shall be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

(2) Where a person having possession of any document, sketch, plan, model or information relating to any fortress, arsenal, factory, dockyard, camp, ship, office or other like place belonging to Her Majesty, or to the naval or military affairs of Her Majesty, in whatever manner the same has been obtained or taken, at any time wilfully communicates the same to any person whom he knows the same ought not, in the interest of the State, to be communicated at that time, he shall be liable to the same punishment as if he committed an offence under the foregoing provisions of this section.

(3) Where a person commits any act declared by this section to be an offence he shall, if he intended to communicate to a foreign State any information, document, sketch, plan, model or knowledge obtained or taken by

him, or entrusted to him as aforesaid, or if he communicates the same to any agent of a foreign State, be punished with transportation for life, or for any term not less than five years, or with imprisonment for a term which may extend to two years.

4. (1) Where a person by means of his holding or having held an office under Her Majesty, has lawfully or unlawfully either obtained possession of or control over any document, sketch, plan or model, or acquired any information, and at any time corruptly or contrary to his official duty communicates or attempts to communicate that document, sketch, plan, model or information to any person to whom the same ought not, in the interest of the State, or otherwise in the public interest, to be communicated at that time, he shall be guilty of a breach of official trust.

(2) A person guilty of a breach of official trust shall—

(a) if the communication was made or attempted to be made to a foreign State, be punished with transportation for life or for any term not less than five years, or with imprisonment for a term which may extend to two years, and

(b) in any other case be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

(3) This section shall apply to a person holding a contract with any department of the Government, or with the holder of any office under Her Majesty as such holder, where such contract involves an obligation of secrecy and to any person employed by any person or body of persons holding such a contract, who is under a like obligation of secrecy, as if the person holding the contract and the person so employed were respectively holders of an office under Her Majesty.

5. A prosecution for an offence against this Act shall not be instituted except by or with the consent of the Local Government or of the Governor-General in Council.

The above Act received the assent of His Excellency the Governor-General on the 17th October, 1889. The following were its objects and reasons:—

Statement of Objects and Reasons.

The object of this Bill is to re-enact for India, *mutatis mutandis*, the provisions of the Official Secrets

Act, 1889 (52 and 53 Victoria, c. 52), which has recently been passed by Parliament. That statute applies (see Section 6) to all acts made offences by it when committed in any part of Her Majesty's dominions, or when committed by British officers or subjects elsewhere, but the working in India of criminal law enacted by Parliament has not infrequently, notwithstanding the provisions of 37 and 38 Vict., c. 27, s. 3, been found to be beset with practical difficulty. Under these circumstances it seems desirable to take advantage of the saving for laws of British possessions contained in section 5 of the Statute and re-enact it for India with such adaptations of its language and penalties as the nomenclature of the Indian Statute Book requires.

Andrew R. Scoble.

The 9th October, 1889.

APPENDIX C

Act No. VII of 1908.

AN ACT FOR THE PREVENTION OF INCITEMENTS TO MURDER AND TO OTHER OFFENCES IN NEWSPAPERS.

WHEREAS it is expedient to make better provision for the prevention of incitements to murder and to other offences in newspapers; It is hereby enacted as follows:—

1. (1) This Act may be called the Newspapers (Incitements to Offences) Act, 1908.

(2) It extends to the whole of British India.

2. (1) In this Act, unless there is anything repugnant in the subject or context,—

(a) “Magistrate” means a District Magistrate or Chief Presidency Magistrate:

(b) “newspaper” means any periodical work containing public news or comments on public news;

(c) “printing press” includes all engines, machinery, types, lithographic stone, implements, utensils and other plant or materials used for the purpose of printing.

(2) Save as herein otherwise provided all words and expressions in this Act shall have the same meanings as those respectively assigned to them in the Code of Criminal Procedure, 1898.

3. (1) In cases where, upon application made by order of or under authority from the Local Government, a Magistrate is of opinion that a newspaper printed and published within the Province contains any incitement to murder or any offence under the Explosive Substances Act, 1908, or to any act of violence, such Magistrate may make a conditional order declaring the printing press used, or intended to be used, for the purpose of printing or publishing such newspaper is, or at the time of the printing of the matter complained of was, printed and all copies of such newspaper wherever found, to be forfeited to His Majesty, and shall in such order state the material facts and call on all persons concerned to appear before him, at a time and place to be

fixed by the order, to show cause why the order should not be made absolute.

(2) A copy of such order shall be fixed on some conspicuous part of the premises specified in the declaration made in respect of such newspaper under section 5 of the Press and Registration of Books Act, 1867, or of any other premises in which such newspaper is printed, and the affixing of such copy shall be deemed to be due service of the said order on all persons concerned.

(3) In cases of emergency or in cases where the purposes of the application might be defeated by delay the Magistrate may, on or after the making of a conditional order under sub-section (1) make a further order *ex parte* for the attachment of the printing press or other property referred to in the conditional order.

(4) If any person concerned appears and shows cause against conditional order, the Magistrate shall take evidence, whether in support of or in opposition to such order, in manner provided in section 356 of the Code of Criminal Procedure, 1898.

(5) If the Magistrate is satisfied that the newspaper contains matter of the nature specified in sub-section (1), he shall make the conditional order of forfeiture absolute in respect of such property as he may find to be within the terms of the said sub-section.

(6) If the Magistrate is not satisfied, he shall set aside the conditional order of forfeiture and the order of attachment, if any.

4. (1) The Magistrate may by warrant empower any Police-officer not below the rank of a Sub-Inspector to seize and detain any property ordered to be attached under section 3, sub-section (3) or to seize and carry away any property ordered to be forfeited under section 3, sub-section (5), wherever found and to enter upon and search for such property in any premises—

(a) where the newspaper specified in such warrant is printed or published, or

(b) where any such property may be or may be reasonably suspected to be, or

(c) where any copy of such newspaper is kept for sale, distribution, publication or public exhibition or reasonably suspected to be so kept.

(2) Every warrant issued under sub-section (1) so far as it relates to a search shall be executed in manner pro-

vided for the execution of search-warrants by the Code of Criminal Procedure, 1898.

5. Any person concerned who has appeared and shown cause against a conditional order of forfeiture may appeal to the High Court within fifteen days from the date when such order is made absolute.

6. Save as provided in section 5, no order duly made by a Magistrate under section 3 shall be called in question in any Court.

7. Where an order of forfeiture has been made absolute in relation to any newspaper the Local Government may, by notification in the local official Gazette, annul any declaration made by the printer or publisher of such newspaper under the Press and Registration of Books Act, 1867, and may by such notification prohibit any further declaration being made or subscribed under the said Act in respect of the said newspaper, or of any newspaper, which is the same in substance as the said newspaper, until such prohibition be withdrawn.

8. Any person who prints or publishes any newspaper specified in any prohibition notified under section 7 during the continuance of that prohibition shall be liable, on conviction, to the penalties prescribed by section 15 of the Press and Registration of Books Act, 1867.

9. All proceedings under this Act shall be conducted so far as may be in accordance with the provisions of the Code of Criminal Procedure, 1898.

10. No proceedings taken under this Act shall operate to prevent any person from being prosecuted for any act which constitutes an offence under any other law.

APPENDIX D.

Act No. I of 1910.

AN ACT TO PROVIDE FOR THE BETTER CONTROL OF THE PRESS.

WHEREAS it is necessary to provide for the better control of the Press; It is hereby enacted as follows:—

(1) This Act may be called the Indian Press Act, 1910.

(2) It extends to the whole of British India inclusive of British Baluchistan, the Santhal Parganas and the Pargana of Spiti.

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) “ Book ” includes every volume, part or division of a volume, and pamphlet, in any language, and every sheet of music, map, chart or plan separately printed or lithographed :

(b) “ Document ” includes also any painting, drawing or photograph or other visible representation

(c) “ High Court ” means the highest Civil Court of Appeal for any local area except in the case of the provinces of Ajmer-Merwara and Coorg where it means the High Court of Judicature for the North-Western Provinces and the High Court of Judicature at Madras respectively :

(d) “ Magistrate ” means a District Magistrate or Chief Presidency Magistrate :

(e) “ Newspaper ” means any periodical work containing public news or comments on public news: and

(f) “ Printing Press ” includes all engines, machinery, types, lithographic stones, implements, utensils and other plant or materials used for the purpose of printing.

3. (1) Every person keeping a printing-press who is required to make a declaration under Section 4 of the Press and Registration of Books Act, 1867, shall at the time of making the same, deposit with the Magistrate before whom the declaration is made security to such an amount not being less than five hundred or more than two thousand rupees, as the Magistrate may in each case think fit to require, in money or the equivalent thereof in securities of the Government of India.

Provided that the Magistrate may, if he thinks fit, for special reasons to be recorded by him, dispense with the deposit of any security or may from time to time, cancel or vary any order under this sub-section.

(2) Whenever it appears to the Local Government that any printing-press kept in any place in the territories under its administration, in respect of which a declaration was made prior to the commencement of this Act under section 4 of the Press and Registration of Books Act, 1867, is used for any of the purposes described in section 4, sub-section (1) the Local Government may by notice in writing require the keeper of such press to deposit with the Magistrate within whose jurisdiction the Press is situated security to such an amount, not being less than five hundred or more than five thousand rupees, as the Local Government may think fit to require, in money or the equivalent thereof in securities of the Government of India.

4. (1) Whenever it appears to the Local Government that any printing-press in respect of which any security has been deposited as required by section 3 is used for the purpose of printing or publishing any newspaper, book or other document containing any words, signs, or visible representations which are likely or may have a tendency, directly or indirectly, whether by inference, suggestion, allusion, metaphor, implication or otherwise—

- (a) to incite to murder or to any offence under the Explosive Substances Act, 1908, or to any act of violence, or
- (b) to seduce any officer, soldier or sailor in the Army or Navy of His Majesty from his allegiance or his duty, or
- (c) to bring into hatred or contempt His Majesty or the Government established by law in British India or the administration of justice in British India or any Native Prince or Chief under the suzerainty of His Majesty, or any class or section of His Majesty's subjects in British India, or to excite disaffection towards His Majesty or the said Government or any such Prince or Chief, or
- (d) to put any person in fear or to cause annoyance to him to deliver to any person any property or valuable security, or to do any act which he is not legally bound to do or to omit to do any act which he is legally entitled to do, or

- (e) to encourage or incite any person to interfere with the administration of the law or with the maintenance of law and order, or
- (f) to convey any threat of injury to a public servant, or to any person in whom that public servant is believed to be interested with a view to inducing that public servant to do any act or to forbear or delay to do any act connected with the exercise of his public functions,

the Local Government may, by notice in writing to the keeper of such printing-press stating or describing the words, signs or visible representations which in its opinion are of the nature described above, declare the security deposited in respect of such press and all copies of such newspaper, book or other document wherever found to be forfeited to His Majesty.

Explanation 1.—In clause (c) the expression “ disaffection ” includes disloyalty and all feelings of enmity.

Explanation 2.—Comments expressing disapproval of the measures of the Government or of any such Native Prince or Chief as aforesaid with a view to obtain their alteration by lawful means, or of the administrative or other action of the Government or of any such Native Prince or Chief or of the administration of justice in British India without exciting or attempting to excite hatred, contempt or disaffection do not come within the scope of clause (c).

(2) After the expiry of ten days from the date of the issue of a notice under sub-section (1) the declaration made in respect of such press under section 4 of the Press and Registration of Books Act, 1867 shall be deemed to be annulled.

5. Where the security given in respect of any press has been declared forfeited under section 4, every person making a fresh declaration in respect of such press under section 4 of the Press and Registration of Books Act, 1867, shall deposit with the Magistrate before whom such declaration is made security to such amount, not being less than one thousand or more than ten thousand rupees, as the Magistrate may think fit to require in money or the equivalent thereof in securities of the Government of India.

6. If after such further security has been deposited the printing-press is again used for the purpose of printing or publishing any newspaper book or other document containing any words, signs or visible representations which, in the

opinion of the Local Government, are of the nature described in section 4, sub-section (1), the Local Government may, by notice in writing to the keeper of such printing-press, stating or describing such words, signs or visible representations declare—

(a) the further security so deposited,

(b) the printing-press used for the purpose of printing or publishing such newspaper, book or other document or found in or upon the premises where such newspaper, book or other document is, or at the time of printing the matter complained of was, printed, and

(c) all copies of such newspaper, book or other document wherever found,

to be forfeited to His Majesty.

7. (1) Where any printing-press is, or any copies of any newspaper, book or other document are, declared forfeited to His Majesty under this Act, the Local Government may direct any Magistrate to issue a warrant empowering any police-officer, not below the rank of a Sub-Inspector, to seize and detain any property ordered to be forfeited and to enter upon and search for such property in any premises—

(i) where any such property may be or may be reasonably suspected to be, or

(ii) where any copy of such newspaper, book or other document is kept for sale, distribution, publication or public exhibition, or reasonably suspected to be so kept.

(2) Every warrant issued under this section shall, so far as relates to a search, be executed in manner provided for the execution of search-warrants under the Code of Criminal Procedure, 1898.

8. (1) Every publisher of a newspaper who is required to make a declaration under section 5 of the Press and Registration of Books Act, 1867, shall, at the time of making the same, deposit with the Magistrate before whom the declaration is made security to such an amount, not being less than five hundred or more than two thousand rupees, as the Magistrate may in each case think fit to require, in money or the equivalent thereof in securities of the Government of India.

Provided that, if the person registered under the said Act as printer of the newspaper is also registered as the keeper of the press where the newspaper is printed, the

publisher shall not be required to deposit security so long as such registration is in force.

Provided further that the Magistrate may, if he thinks fit, for special reasons to be recorded by him, dispense with the deposit of any security or may from time to time cancel or vary any order under its sub-section.

(2) Whenever it appears to the Local Government that a newspaper published within its territories, in respect of which a declaration was made by the publisher thereof prior to the commencement of this Act, under section 5 of the Press and Registration of Books Act, 1867 contains any words, signs or visible representations of the nature described in section 4, sub-section (1) the Local Government may, by notice in writing require the publisher to deposit with the Magistrate, within whose jurisdiction the newspaper is published, security to such an amount, not being less than five hundred or more than five thousand rupees, as the Local Government may think fit to require in money or the equivalent thereof in securities of the Government of India.

9. (1) If any newspaper in respect of which any security has been deposited as required by section 8 contains any words, signs or visible representations, which, in the opinion of the Local Government, are of the nature described in section 4, sub-section (1), the Local Government may, by notice in writing to the publisher of such newspaper, stating or describing such words, signs or visible representations, declare such security and all copies of such newspapers, wherever found, to be forfeited to His Majesty.

(2) After the expiry of ten days from the date of the issue of a notice under sub-section (1) the declaration made by the publisher of such newspaper under section 5 of the Press and Registration of Books Act, 1867, shall be deemed to be annulled.

10. Where the security given in respect of any newspaper is declared forfeited, any person making a fresh declaration, under section 5 of the Press and Registration of Books Act, 1867, as publisher of such newspaper or any other newspaper which is the same in substance as the said newspaper, shall deposit with the Magistrate before whom the declaration is made security to such amount, not being less than one thousand or more than ten thousand rupees, as the Magistrate may think fit to require in money or

the equivalent thereof in securities of the Government of India.

11. If, after such further security has been deposited, the newspaper again contains any words, signs or visible representations which, in the opinion of the Local Government are of the nature described in section 4, sub-section (1) the Local Government may, by notice in writing to the publisher of such newspaper stating or describing such words, signs or visible representations, declare—

(a) the further security so deposited, and

(b) all copies of such newspaper wherever found, to be forfeited to His Majesty.

12. (1) Where any newspaper, book or other document wherever printed appears to the Local Government to contain any words, signs or visible representations of the nature described in section 4, sub-section (1) the Local Government may, by notification in the local official Gazette, stating the grounds of its opinion declare such newspaper, book or other document to be forfeited to His Majesty, and thereupon any police-officer may seize the same wherever found, and any Magistrate may by warrant authorise any police-officer not below the rank of Sub-Inspector to enter upon and search for the same in any premises where the newspaper, book or other document may be or may be reasonably suspected to be.

(2) Every warrant issued under this section shall, so far as relates to a search, be executed in manner provided for the execution of search-warrants under the Code of Criminal Procedure, 1898.

13. The Chief Customs-officer or other officer authorised by the Local Government in this behalf may detain any package brought, whether by land or sea, into British India which he suspects to contain any newspapers, books or other documents of the nature described in section 4, sub-section (1) and shall forthwith forward copies of any newspapers, books or other documents found therein to such officer as the Local Government may appoint in this behalf to be disposed of in such manner as the Local Government may direct.

14. No newspaper printed and published in British India shall be transmitted by post unless the printer and publisher have made a declaration under section 5 of the Press and Registration of Books Act, 1867, and the publisher has deposited security when so required under this Act.

15. Any officer in charge of Post Office or authorised by the Post-Master-General in this behalf may detain any article other than a letter or parcel in course of transmission by post, which he suspects to contain—

(a) any newspaper, book or other document containing words, signs or visible representation of the nature described in section 4, sub-section (1), or

(b) any newspaper in respect of which the declaration required by section 5 of the Press and Registration of Books Act, 1867, has not been made, or the security required by this Act has not been deposited by the publisher thereof, and shall deliver all such articles to such officer as the Local Government may appoint in this behalf to be disposed of in such manner as the Local Government may direct.

16. (1) The printer of every newspaper in British India shall deliver at such place and to such officer as the Local Government may, by notification in the local official Gazette, direct, and free of expense to the Government, two copies of each issue of such newspaper as soon as it is published.

(2) If any printer of any such newspaper neglects to deliver copies of the same in compliance with sub-section (1), he shall, on the complaint of the officer to whom the copies should have been delivered or of any person authorised by that officer in this behalf, be punishable on conviction by a Magistrate having jurisdiction in the place where the newspaper was printed, with fine which may extend to fifty rupees for every default.

17. Any person having an interest in any property in respect of which an order of forfeiture has been made under sections 4, 6, 9, 11 or 12 may, within two months from the date of such order, apply to the High Court to set aside such order on the ground that the newspaper, book or other document in respect of which the order was made did not contain any words, signs or visible representations of the nature described in section 4, sub-section (1).

18. Every such application shall be heard and determined by a Special Bench of the High Court composed of three Judges, or where the High Court consists of less than three Judges, of all the Judges,

19. (1) If it appears to the Special Bench that the words, signs or visible representations contained in the newspaper, book or other document in respect of which the order in question was made were not of the nature described in section 4, sub-section (1) the Special Bench shall set aside the order of forfeiture.

(2) Where there is a difference of opinion among the Judges forming the Special Bench, the decision shall be in accordance with the opinion of the majority (if any) of these Judges.

(3) Where there is no such majority which concurs in setting aside the order in question, such order shall stand.

20. On the hearing of any such application with reference to any newspaper, any copy of such newspaper published after the commencement of this Act may be given in evidence in aid of the proof of the nature or tendency of the words, signs or visible representations contained in such newspaper which are alleged to be of the nature described in section 4, sub-section (1).

21. Every High Court shall, as soon as conveniently may be, frame rules to regulate the procedure in the case of such applications, the amount of the costs thereof and the execution orders passed thereon, and until such rules are framed the practice of such Court in proceedings other than suits and appeals shall apply, so far as may be practicable to such applications.

22. Every declaration of forfeiture purporting to be made under this Act shall, as against all persons, be conclusive evidence that the forfeiture therein referred to has taken place and no proceeding purporting to be taken under this Act shall be called in question by any Court, except the High Court on such application as aforesaid and no civil or criminal proceedings, except as provided by this Act, shall be instituted against any person for anything done or in good faith intended to be done under this Act.

23. (1) Whoever keeps in his possession a press for the printing of books or papers without making a deposit under section 3 or section 5, when required so to do, shall, on conviction by a Magistrate, be liable to the penalty to which he would be liable if he had failed to make the declaration prescribed by section 4 of the Press and Registration of Books Act, 1867.

(2) Whoever publishes any newspaper without making a deposit under section 8 or section 10, when required so

to do, or publishes such newspaper knowing that such security has not been deposited shall, on conviction by a Magistrate, be liable to the penalty to which he would be liable if he had failed to make the declaration prescribed by section 5 of the Press and Registration of Books Act, 1867.

24. Where any person has deposited any security under this Act and ceases to keep the press in respect of which such security was deposited, or being a publisher, makes a declaration under section 8 of the Press and Registration of Books Act, 1867, he may apply to the Magistrate within whose jurisdiction such press is situate for the return of the said security; and thereupon such security shall, upon proof to the satisfaction of the Magistrate and subject to the provisions hereinbefore contained, be returned to such person.

25. Every notice under this Act shall be sent to a Magistrate, who shall cause it to be served in the manner provided for the service of summonses under the Code of Criminal Procedure, 1898.

26. Nothing herein contained shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act.

APPENDIX E.

*Mr. Gladstone's Speech in the British House
of Commons (July 23, 1878).*

INDIAN VERNACULAR PRESS ACT.

Motion for an Address.

I rise for the purpose of moving that an humble address be presented to Her Majesty, praying that she will be graciously pleased to give directions that all proceedings which may be taken by the authorities under the Indian Vernacular Press Act be reported to the Secretary of State and laid before Parliament from time to time. I have not been encouraged by such communications as have reached me to hope that Her Majesty's Government will, as I had originally trusted they would have done, be disposed to accede to this Motion; but I may at least venture to express my hope that if the course they are about to take in reference to this Motion is dependent in any degree upon the tone and nature of this debate, there will be nothing in the character of the debate, nor in that of my own speech which will raise any difficulty on their part in acceding to this Motion. I must indeed take exception, in one respect, to an act of Her Majesty's Government; but that act was done by Lord Salisbury, who is no longer the responsible Minister for India and I do not feel it necessary for the reason, I shall state, to include any notice of that act in the Motion I have to submit to the House. I regret exceedingly the suddenness and the rapidity of Lord Salisbury's proceedings in this matter. A telegraphic despatch was addressed to him from India on the 13th of March, proposing an entire and immediate change in a fundamental branch of the law in India—because I cannot think that the law relating to the Press of India is less than a fundamental branch of the law relating to the liberty and the general conditions of the country. On the morning of the 14th of March, Lord Salisbury's reply, affirming and sanctioning the proposal to pass an Act of the kind was despatched from this country and was transmitted to India in sufficient time to permit the Act which is now under our consideration, to be passed into law and to bear the date of the 14th of March, only one day after the first official communication on this great subject had been made

to Lord Salisbury. This question of the liberty of the Vernacular Indian Press is felt to be a very important one. The liberty of the Press has subsisted in India for considerably more than 40 years and it was established there by no hasty or precipitate proceeding. It was in the year 1818 that Mr. Silk Buckingham in order to test the state of the question and to bring about the freedom of the Press in India, published a newspaper in that country. For a considerable time, he was permitted to continue the publication of that journal without any interference on the part of the Government. It was said, and as far as I can ascertain, it was said with truth, that the Marquess of Hastings—the then Governor-General of India—approved the liberty of the Press being established in that country, not that he was insensible to the fact that certain inconvenience must result from the abuse of that, as of every other liberty. In the spirit, however, as I conceive, of very wise statesmanship, he conceived that the advantages of a free Press very greatly outweighed its possible inconveniences, and accordingly he gave a practical sanction to the proceedings of Mr. Buckingham. After the departure of Lord Hastings and in the interval which ensued before the assumption of office by Mr. Canning, the permission to Mr. Buckingham to publish the newspaper was withdrawn and it accordingly ceased to exist. The effect of this proceeding was to draw much attention to the subject. Lord Amherst, who became Governor-General, was greatly occupied during his tenure of office with other matters, especially the Burmese War. Lord William Bentick, when he was appointed Governor General in 1827, resumed the consideration of the question and deliberately and distinctly expressed his approval of the course taken by Lord Hastings in the matter. In 1835 Sir Charles Metcalfe was Governor-General for a time and he was one of the very first, I believe, in mental rank of all the great statesmen whom India has produced. And among them all, I know not whether there was one who having been educated as he was amidst what I may call despotic circumstances and without practical experience of the working of free institutions, recognised this institution of the freedom of the Press in India as he did, as though he had had a seat in one of the Houses of Parliament. His authority was very high and the matter was carefully considered at that time by Lord Macaulay and the Members of the Legislative Council and it was after long consideration that the liberty of the Press was established in India. That the working of that liberty

has been satisfactory upon the whole, no one can doubt. In the very peculiar circumstances of the Indian Mutiny, Lord Canning doubtless found it necessary to restrain the liberty. But no one can be surprised or be disposed to complain of his conduct in that respect. It bore the marks of his general prudence and sagacity. He did not fall into the error of abolishing the liberty of the Press altogether—he merely suspended it for the time and he made no invidious or painful distinction between newspapers published in the vernacular language and in the English language. We have now got a law in India under which it is perfectly allowable for any man to publish in English an article, which article when translated into one of the native tongues, may draw down upon the head of the publisher the resentment of the Government and the man who gives publicity to that article, in a newspaper may be ruined. I may also observe, I think with justice, that all the annual Reports which have been placed in our possession with regard to the working of the Native Press Law have been Reports expressive of great satisfaction with its working. They have been made, I believe from year to year. Those of last year are not before us and the change which has taken place in the language of the Government is an entire and absolute change. It is to me a matter of the deepest regret that Lord Salisbury should have proceeded to sanction this sudden and secret proceeding—almost as if by a stroke of lightning, such is the velocity of the Act—and that he should have done this without the sanction of the Indian Council. That Lord Salisbury proceeded without the sanction of the Council of India would lead me into a province distinct from the merits of this question. I have no doubt that to pronounce a fair and complete judgment on the proceedings of Lord Salisbury, we should require to examine and ascertain with care what has been the habitual or ordinary proceedings of other Secretaries of State at a former period with respect to taking the Council of India into their confidence. I think that this matter, which is one of great importance, would be more conveniently considered in conjunction with another very important subject with it seems to me will have to receive at some period—and I hope at some not very remote period—the attention of Parliament—namely the manner in which the provisions of the Act of 1858 relating to the powers of the Council and the co-operation of the Council with the Secretary of State and the restraint exercised by the Council upon the proceedings of the

Secretary of State have worked under the several administrations that have been in power since the passing of this Act. Before the Act of 1858, it was the regular practice of Parliament to enquire from time to time into the working of the East Indian Government; and it seems to me that there will be great advantage from and strong public arguments of every kind for an examination of that kind with respect to what has taken place since 1858. With respect to the body by whom this piece of legislation was conceived and brought to maturity, it is impossible not to regret a manifest defect in the composition of that body. They were 16 gentlemen—I have no doubt distinguished and honourable men—brought together to consider a matter of the utmost delicacy as between the Rulers and the people. Unhappily there is not one of these 16 gentlemen who has ever, so far as I know, had the smallest practical knowledge of the working of the free institutions of this country. Lord Lytton, of whom I speak with personal respect and regard and in the liberality of whose mind and intentions I fully believe, received his education as a diplomatist at foreign courts and I do not recognise a single name,—I should be glad if I am mistaken—I do not recognise a single name—among the 15 that follow known to us in connection with the history of English politics. Now this is by no means a trivial or supererogatory remark; because it does happen that this question was brought under the notice of two men—and as far as I can remember of two men only—who had been conversant with home affairs, and British institutions. One of them was a very able gentleman—Sir Arthur Hobhouse—of whom I will not speak at length, because the able minute in which he recorded his opinion is not fresh, and has not immediate reference to the circumstances we are now considering. But I have very great satisfaction in referring to the other of these two distinguished gentlemen—namely the Duke of Buckingham—because as he has served as a Cabinet Minister in a Cabinet at home and so long in this and the other House of Parliament enjoyed the esteem and respect in an eminent degree of all who knew him and has maintained the character of an undeniable and unimpeachable Conservative politician, it is to me a matter of the greatest satisfaction that rising, as an Englishman should rise, above all Party differences, when principles rooted in the Constitution of this country are at stake, the Duke of Buckingham, like Sir Arthur Hobhouse, has recorded his opinion in a sense as strongly

as possible, adverse to the passing of the Indian Vernacular Press Act. At the same time I shall refrain from all hard words with respect to Lord Lytton and his Council. Lord Lytton has earned a title to my consideration quite independent of the policy of his proceeding. I confess I do not take an unfavourable view of his proceedings with reference to a recent judicial case in India, where he showed that such was his disposition to give weight and value to the personal rights of the Natives, that he exposed himself to criticisms on the part of those who attach, and justly attach, a high value to the independence of the Judicial Body, by something in the nature of an interference with judicial proceedings. I likewise learn that it is the desire of Lord Lytton to carry further, if he can, the principle of admitting eminent Natives into the Indian Council. It is therefore, my duty to consider this Act, entirely as an isolated Act and not as an Act indicating in any sense, a despotical disposition or high-handed designs on the part of the Government of India. I shall consider it as an isolated Act. The errors, the grievous errors which are involved in this proceeding are as follows.

In the first place, there is the haste and secrecy of the transaction. I cannot conceive what justification can be found for it. Her Majesty's Government are in a position in which I know they must experience difficulty and I sympathise entirely with those difficulties. They are bound to be loyal to the Governor-General of India unless and until they are prepared to recall him. I make therefore, no complaint against them. But I am sure it is necessary that it is a good policy that in measured, well considered and decided language we should allow the people of India to understand that there is a care for them in this House and that proceedings in themselves irregular and impolitic and adverse to liberty, will not be allowed to pass without notice. Now Sir, in the Government of India, I have the satisfaction of thinking that, difficult as is the task we have in hand, we have in good faith taken our stand upon the only ground that makes that task hopeful or possible—namely that we shall endeavour to govern India for the good of those in India and that however we may associate the retention of our Indian Empire with British interests, we shall not allow a consideration of British interests so to warp our minds as to divert it from that which we feel to be our first and highest duty—namely the direction of all our proceedings in that country by the best lights we possess and with all the assistance we

can get towards the promotion of the welfare of the people. It is no exaggeration to say that not only have we taken up that ground but that the people of India know and believe that we have taken up that ground. They have, or think they have, plenty of causes of complaint. I, for my part, cannot deny, that they have some causes of complaint. I am sorry to say, I regard this Press Act as one of the most salient among them. But as I observe, most of all from reading through extracts sent home in order to make a case for this Act—all these complaints in India appear to me to be particular complaints. They complain of what they think the misdeeds and errors of the Government just as we should complain and do complain of them in this country. When there is a proceeding we think wrong, or an Act passed which we think bad, we assume the liberty of complaining but we do not, because we complain of that Act, abandon the Government of the country or renounce our allegiance to the Throne. And so I find, if I rightly understand the strain of Indian feeling, that however loudly they may complain of the spirit of particular men in office, of the weight of particular taxes, of the neglect of particular works or of the operation of particular laws, yet there is no disposition to deny that our rule is beneficial to India; and I confess to my astonishment—to my gratified astonishment—I found an extract in which the writer contends that the hopes of India as she exists at present, lie in the continuance and not in the destruction of British Rule. Well, when you have made a progress so real and so considerable as that—when you stand necessarily on a footing of inequality and are not yet in a condition to apply freely to the whole of India the very first principles of civil government without considerable restraint, I think, if one thing is more obvious, than another, it is that whatever we do give we should not retract, and that when we have communicated to India the benefit which is perhaps the greatest of all those that we enjoy under our own institutions—namely the publicity of proceedings in which the nation is interested and the allowance of sufficient time to consider them at their several stages, to afford securities against wrong and error—it is deplorable in a case like this in India that the utmost haste and the closest secrecy should have been observed, not in amending or altering but in completely overturning, as far as the Native Press was concerned, a cardinal part of the legislation of the country. Again, I have already referred briefly to that

most unhappy distinction, which I am sure it is impossible to defend and which I greatly doubt, whether any Member of this House will defend, between the Native and the Anglo-Indian Press. It appears that on the face of these Papers so far as loyalty is concerned, taking as a test the dangerous and critical period of Lord Canning's Administration, the Anglo-Indian Press earned a very large share of penal notice which the Government had then to take of certain publications in the periodical Press. There is no distinction of merit, therefore, between the two. The distinction is in the audience. It is stated in those Papers that the Anglo-Indian Press is addressed to an intelligent public. Do you wish it to be understood that the Vernacular Press is addressed to a public which is not intelligent; that those who read the English tongue are safe and to be trusted, while those who only read the Native tongues are not? That seems the natural inference to be drawn from this proceeding; and it is to be deprecated, as it exhibits the hopeless contradiction in which the authors of this measure are involved. But the most unfortunate feature which the measure presents is the removal of Press prosecutions from the judicial establishments of the country, in order that they may be dealt with as matters of Executive discretion. I may say, that anything more trivial, more impotent than the pleas that are argued on behalf of this peculiar proceeding, I cannot conceive. There is again that unfortunate mixing up, which is not a blending, but a confusion of two subjects which ought to be kept totally distinct in the mind and procedure of the Indian Government. One of them is the publication of writings which are supposed to tend to create disaffection and the other the publication of writings which have no political character at all, but are of an entirely personal nature and intended to intimidate official persons, chiefly Natives, in the discharge of their duties. With regard to that last branch of the subject, I hear it said that the Native functionaries are not accustomed to the atmosphere of free countries, that they are not contented to move as we are, under a constant fire of the more or less adverse criticism of the Press. That consequently they are greatly hampered in the discharge of their duties by the constant and possibly in many cases libellous character of the articles published: and that the public mischief is done in that way. Now, if legislation had been addressed only to a point like that, although in our minds, we might have regarded it with some jealousy and suspicion, yet we should have

found that it was, to a great extent, an Indian question, and a question bearing on it this one redeeming feature that we should not have been interfering on our own behalf, if we made a stringent Press Law against libel of that description; but should have been interfering to maintain Native functionaries in a position where they could act with perfect independence. But it is most unfortunate to have mixed up this question—which is not a political question between us and India—with that which is above all others a political question of the utmost delicacy—namely whether it is wise for the Government to take into its own hands and out of the hands of the established legal jurisdiction, the power of determining what writing is seditious and what is not. Then the argument that is made for the abstraction of these matters from the Courts of Justice, is one which strikes at the root of the whole of our policy and at the best part of our proceeding in India. It is said—“Oh, no, we will not prosecute in the Court; for if we do that the prosecution will bring these men popularity and local notoriety and the mischief of the prosecution would be greater than that of submission to the evil,” and that is always joined most inconsistently with a loud profession—I believe a sincere profession—namely, the great mass of the Indian people are of undoubted loyalty to the Queen and to Great Britain. That is said and that I believe is true and is known to be true by those who say it. But if the great mass of the Indian people are sound and loyal, why are you not to allow prosecutions for disloyalty to take place in their sight and hearing? I do not think it is possible to find an answer to that question. This Act proceeds on suppositions, the very reverse of what our policy has long been—the very reverse of what I am convinced the policy of Lord Lytton himself will be; for it is only on the supposition that the great mass of the people are not loyal, but are disloyal that you can say it is dangerous for them to become acquainted with the matter of a prosecution for disloyalty. I am sorry to find in these papers reference to the Irish Press as a sanction and an example to guide Indian legislation. In the first place I am not prepared to say that our own Press Acts, when we have resorted to them under a sense of necessity, have entirely attained their end. I conceive it to be a very arguable question, whether the precise thing that has been done was exactly wise or not. But whether that be so or not, it had nothing to do with the action taken by the Viceroy of India. It was an Act essentially temporary which was

passed for the Irish Press; it was never intended to bring about a permanent change in the status of the Irish Press; and in the next place and what is more important and vital in this case, we did not restrain the Irish Press for mere disaffection but for the security of human life. (Murmurs). I see a gesture of dissent on the Treasury Bench; but I apprehend I am strictly correct in saying that, I will not say that we have never restrained the Irish Press from fear of disaffection. Far from it. But if we are to go back to the history of old proceedings in Ireland, I say they are to be quoted for the purpose of being avoided. I understand the reference to be entirely to the last proceeding as to the Irish Press; and in regard to that, I am right in saying that it grew out of the outrages in Westmeath and was not at all intended to maintain the position of the Government in the face of the people, but to maintain the sanctity and security of human life. Well, upon all these grounds, I think it is not immoderate to say that this measure is in the nature of an error to be deeply deplored. But now let us look to what is to be said as regards the pleas made on its behalf. The noble Lord (Lord George Hamilton) who was recently removed by a most well-deserved promotion from the office of Under-Secretary for India, with his accustomed courage, on the first arrival of this Act, with no doubt imperfect information, was inclined to defend it, on the ground that it was a mitigation of existing law. But in my opinion, the noble Lord failed in his defence. Certainly we had, already a stringent Press Law in India, I do not say it was too stringent, considering the peculiar nature and tenure of our power in that country. It is prohibited by law under very severe penalties to write in a newspaper anything that tends to excite disaffection against British Power in India. There is no doubt a clear definition of the word disaffection; but everything tending to disaffection before this unfortunate Act was severely punishable before the ordinary Courts. With that law, why was it necessary for us to stir? It is said it was done by the unanimous approval of the Council. This is not so. The only Native who sat in the Council expressly and carefully reserved his judgment. I have not troubled the House with citations; but I do not think I ought to make that remark without quoting the words. At page 19 of the Papers, it will be found that the Native Member of the Council said—"Yet that some sort of a check should be put on this liberty of the Press I cannot deny; but whether the provisions of the existing

law are not sufficient for the purpose is what I am not in a position to judge." Then he went on to say— "Out of deference to the authority of the officers of the Government, those responsible for the good government of the country, without giving any opinion with regard to the provisions of the Bill, I deem it my duty to give support to the action of the Government."

That is the opinion of the only Native Member of the Council, given in support of the Bill, but not of the matter of the Bill. The Indian Government have supplied us with a number of extracts from the Native Press, which I hope Hon'ble Members will read. I do not know what, by the use of a microscope, might not be discovered in those Papers. I find a great deal that is silly and frivolous along with a good deal that is permissible and a great deal that is positively useful; and upon the question of usefulness, I will hereafter make a quotation from the Duke of Buckingham. As to the material of sedition and disaffection I cannot conceive by what morbid asperity of view, the authorities of India have conjured up this phantom for themselves. Let me give you a summary, as given by Mr. Paul, who says he had in his hands 150 extracts from the Native Papers. I have those extracts, though the Government have reduced them to a smaller number. But here is the Advocate-General's account on which the Press Law is founded. He says that the reading of the extracts has satisfied him that these publications contain matter falling under the following heads:—

"1. Seditious libels, malicious and calumnious attacks on the Government, accusing it of robbery, oppression and dishonesty, and imputing to it bad faith, injustice and partiality."

These things are to be lamented, but there is nothing in them to justify a Press Law of an arbitrary character.

"2. Libels on Government officers.

"3. Contemptuous observations on the administration of justice, pointing to its alleged impurity and worthlessness."

A class of subject very desirable to leave open to discussion and all manner of remark, even when not well founded, because it would be of great assistance in taking care that anything which required improvement was duly looked after.

"4. Libels on the character of Europeans, attributing to them falsehood, cruelty and heartlessness."

But is it really to be said that a telegram is to be despatched from India on the 13th of March, an answer to be sent back on the 14th and a law to be made with closed doors, in the course of two or three hours, simply because there is a certain limited number of very insignificant newspaper writers who ascribe to Europeans the character I have indicated? Falsehood, deceit, cruelty and heartlessness are not qualities of the most amiable description. But they are qualities which some of us in this country are accustomed to have ascribed to us from day to day. Mr. Paul proceeds :—

“ 5. Libels on Christians and Christian Governments and mischievous tendencies to excite race and religious antipathies.”

As far as I can gather, the views of the Indian Press are views which really obtain considerable sympathy in portions of this country, for one of the great topics which seem to be favoured by the Indian writers seem to think that Her Majesty's Government has by no means been distinguished by a sufficient degree of loyalty to the Turkish cause and that is what they find fault with freely.

“ 6. Suggestions and insinuations which their authors believe fall short of seditious libels by reason of the absence of positive declarations.”

That is the highest count of the Advocate-General's indictment and it is equivalent to saying that the worst of all things they do, not in a moral but in a political sense, is that they make suggestions and insinuations which they believe to be of a legal nature and to be within the law. If the Advocate-General believes the writers have gone beyond that field, why does he not try the matter in a court of justice? One proposition is entirely beyond dispute and that is, that the first thing which had been required of all Governments when they have addressed themselves to the Houses of Parliament for the purpose of obtaining increased power for the enforcement of the law, has uniformly been to show that they have tried the existing law and found it insufficient. I believe that to be a rule—though it might be dangerous to make unqualified assertions—absolutely without an exception. But in India, where we have charge of the fortunes of 240,000,000 of people, it is thought enough to meet in those chambers and to make speeches about that abuse of liberty which is known in every country where liberty exists at all, and when the question of a new law is produced it is not attempted to be shown that it has been endeavoured to put the present law in

force. But on the contrary, reasons are shown why it should not be put in force—reasons, which if they have any force now, were more forcible and valid at the time the law was made. In the course of the last 45 years you have made great progress in India, you have drawn your hearts nearer to the natives and the hearts of the natives have been drawn nearer to you. But by this measure you are condemning with ten-fold force those who preceded you and that which has previously been done. Well, Sir, the Advocate-General says something more. I should like to see an Attorney-General in England, rising, when he was about to propose a restrictive law and making a statement of this kind—“ I cannot resist the temptation of reading a specimen of the inflated conception of Native excellence.” Here is the specimen—“ Are there not thousands of educated Natives before whose intelligence, judgment, courage, justice and moral conduct the abilities of the best civilians fall into insignificance, like the gleams of a candle before the resplendency of the sun? ” Is it possible that the Law Adviser in India could think that double distilled trash of this description is matter—is selected matter which should be laid before a legislative body gathered under pressure of a great public emergency? He goes on—“ Having attentively considered these extracts, I am, irresistibly led to the conclusion that it is intended by these publications to disseminate disaffection, to excite evil prejudices, to stir up discontent and to produce mischief of the gravest order—in short, to render the Government, its officers and Europeans generally, hateful to the people.”

Those words appear to me to indicate a great confusion of thought on the part of some at least of these legislators. They seem to me to confound the dislike which may be entertained and which may be explicable on many grounds of persons engaged in administering the Government of India with the disposition of the people towards the law. He says that the publications are intended to disseminate disaffection; but he also says that their authors believe they are not disseminating disaffection in the sense of the law. He joins together these two propositions.

The Chancellor of the Exchequer—That is only one out of a series.

Mr. Gladstone—It is no. 6, and it is his strongest. It bears no disaffection. If my Right Hon'ble Friend will point out another.

The Chancellor of the Exchequer—No. 1.

Mr. Gladstone—No. 1 reads—“ Seditious libels, malicious and calumnious attacks on the Government, accusing it of robbery, oppression and dishonesty and imputing to it bad faith, injustice and partiality.”

I read that before. You have got the law in India. Why do not you try it? Do not let there be mere bandying of words between the Right Hon'ble Gentleman and myself. I attach but little value to my own opinion—his may be worth more; but I say, why did you not go into the Courts and show what was disaffection and what was not? Unhappily, you determined to reverse the first rule of procedure in these cases and instead of proving that the existing law was insufficient you assumed that it was not, and on the ground of that assumption, took back the whole subject into the province of Executive—that is, of arbitrary control. Well, Sir, of these extracts which I have read, I will only say that I am totally unable to discover in them anything material worthy of the grave notice of the Government and I fall back upon the authority of the only man in India concerned in this subject, who has held office in this country—I mean the Duke of Buckingham. I regret to find an effort made to show mistrust of the Duke of Buckingham; and I think it is one of the most unfortunate passages of this official Report—mistrust of him, not personal, but of his authority in its application to this subject; because they say that they have got the assents of all the Local Governments in which there is to any extent a Native Press; and thus far they give you to understand that it is in the Presidency of Madras that there is no very great extent of Vernacular Press and accordingly the Duke of Buckingham is a sort of stranger to the case and has no sufficient competency to speak with authority upon it. But unfortunately, Sir, the case depends not upon the question in what part of India these articles are written, but upon the writings themselves. The whole case set out in the Papers was transmitted to the Duke of Buckingham. He was not asked to report upon the cases in the Vernacular Press in the Presidency of Madras calling for interference; he was called upon to read the extracts on which the legislation was founded and then to give his judgment, and what judgment did he give? One worthy of his rank, of his position, of his character and of his ancestry. He thinks that by this fidgety attempt to bolster up power by a law of an arbitrary character, the Government of India were not gaining strength, but were bringing upon themselves weakness. They were cutting off, not a

mischief, but a good which it was their business to cherish and which would increase the means of good government in India. Aye, even in many cases, it might be through the very folly and levity of the things written, but in which indications might be found of intelligence and right-mindedness. Here is his language—

“ I hold the Vernacular Press to be a useful indication of the under-currents which may be running through the mass of Indian population. But if any serious spirit of disaffection or hostility is increasing among the people, indications will float to the surface among the Vernacular papers as surely as the dross is thrown to the surface of molten metal. Systematic attempts to excite hostility or sedition, I would prosecute. But for this the present law provides in the Penal Code and to my mind sufficiently; and in emergency, should any such arise, there is the same power in the State to restrain the man, who writes treason, as the man who speaks it.”

I will not read further, except the few words in which he says, not of the Press of his own Presidency of Madras, but of the papers sent to him as the foundation of the Bill—

“ Reading the extracts which have been culled through 18 months to form this selection, I believe them all to be of the class, which Mr. Eden has well characterized as rubbish.”

And yet on account of this rubbish all the rules of procedure have been set aside, an amount of agitation and disquiet in India created, the House of Commons compelled to give its attention to the subject and opinions propagated that the English Government, after all, is not so sure of its position as it might be, or otherwise it would not resort to arbitrary measures—all I say, in consequence of a handful of rubbish which has passed through a score or two of papers in India, few of the writers in which papers are able to find the required deposit. Well, Sir, I do not think there is much more to say upon the case for the Bill. I have referred to the meetings which have been held in India. I have no adequate means of ascertaining their importance: but this I can say for them, that in the petitions they have presented, they have argued the case with a considered intelligence and a measured use of language, generally speaking, which causes their petitions and their strength of reasoning to compare very favourably with a great number of the speeches which were delivered in support of the Bill. I think I have said as

much as it is necessary to say on the subject of this most unhappy and unfortunate law and I hope I have kept my promise that while I should reserve any further judgment upon the proceedings of Lord Salisbury, I have not any charge to make against Her Majesty's Government. I have read the despatch of Lord Cranbrook, in certain parts of it, with satisfaction. I do not say that, as a whole, I could entirely subscribe to it; but that is quite another matter. Lord Cranbrook is the responsible Minister and he has to consider the course which he should take—not how to annul the law—that course I have not suggested and therefore I felt the necessity of his being supported. I have in my experience been placed in dilemmas of this kind and more especially with respect to Indian Government. Nearly the first question that fell to my lot to consider as an adviser of the Crown 35 years ago, was the question of the conquest of Scinde by Lord Elgin. That question came before the Cabinet of Sir Robert Peel immediately after the conquest had been effected. I think, I may say with safety, that there was not a single member of the Cabinet who approved the proceeding, but neither was there a single member who thought it could be reversed. I am therefore by no means disposed to call upon Her Majesty's Government for any strong measure which would have the effect of discrediting the Government of India in the face of the people of India. I feel keenly what they have done, but I feel, that they had before them a choice of difficulties and that it is for the interest of the people of India themselves that the Government of India should not be unnecessarily discredited. I therefore have considered very carefully what appears to me to be the proper counsel to offer to the House of Commons. This most serious matter has been brought before us, and I think it impossible for us altogether to put it aside. There is one way in which the mischief which has been done may be greatly mitigated and corrected without a withdrawal of the law, I am thankful for the modification which the Secretary of State has suggested; but that modification, very good in itself, certainly does not, as I know from direct communications, give any satisfaction at all to those who have moved in India against the law and could hardly be expected to do so. Nothing has been removed, except the censorship. The bond still remains which those writers are to give and which in many cases, it is totally impossible for them to give. The power of punishment remains—the power of inflicting cruelty by a perfectly irresponsible judgment re-

mains. Well, Sir, that being so, I say, it is perfectly impossible for the House to put aside the question and I have made a proposal which seems to me to demand recognition. What I propose is, that we should pray her Majesty that the proceedings taken by the authorities under the Act shall be reported to the Secretary of State and laid before Parliament from time to time. What is the objection to that proposal? I shall perhaps be told that it is not desirable to have the proceedings of the Executive Government in India made the subject of debate here. Unquestionably it is not. But if a Bill is passed that is dangerous in its character, if it greatly interferes with the liberty of the subject, if we are uncertain how the agents of the Government of India may give effect to the Bill, this House which is the great Inquest of the Realm cannot consistently with its duty relegate this subject into oblivion. We are bound to keep our eyes upon it; and I venture to say, we will do so. In my opinion, the mildest course we can pursue is to ask that the proceedings under the Act shall be reported. That is the most innocent and salutary check we can give to these proceedings—namely, the knowledge of those who conduct them that their countrymen at home are aware of them and will comment upon their merits. I am not acting without precedent. Colonial Acts of Parliament must be laid on the Table before they receive the Royal Assent or at least, are liable to be cancelled if an address be presented against them; the reason being, that it was thought well that the proceedings of the Colonial Legislatures should, if necessary, be brought under review and it was believed that the knowledge that they would be brought under review would tend to improve their character. Take the case of discipline in the Army. Every trial held, and every punishment inflicted, is regularly reported to this House and accounts of them are regularly laid upon the Table in the Annual Reports of the Army Department. Is it desirable that the House should even meddle at all in discipline of the Army except in very extreme cases? Certainly not, nor is it intended that the House should do so; but it is acknowledged that the House has a duty to perform, and that it is its duty to be aware that the authorities are acting in a proper spirit and we know that the existence of those provisions tends to keep within due bounds, the administration of the great powers which the management of the army requires. That, Sir, is the spirit in which my Motion has been conceived. I think I can see what will happen if such a Motion is not

allowed to pass. It will be taken on the part of some at least of the official authorities in India as a distinct approval by this House of the Indian Vernacular Press Law—as a distinct approval of the mass of proceeding which I have, perhaps, wearied you in proclaiming, but which was absolutely required to be made known to you as Representatives of the people of this country. Possibly you may have a substitute—you may have something better than my Motion. If so, I shall not be governed by self-love of the proceeding which, in innocence of intention, I have made, as to be unwilling to waive it for something which might be more effectual. But there is another inconvenience which, in my opinion, will happen, if this Motion is rejected. I think that the proceedings of the Indian authorities will undoubtedly—after they have received such a compliment from the House of Commons as the refusal by the vote of a majority to look into the consequences of this most singular and unprecedented Act—be less guarded and less temperate, in some cases, than they would be, if it were known among all the officers of the Government of India that the eye of Parliament was upon them. The consequence of that may be that you will have more aggravated cases of repression under the use of the power of the Act, than you would have if you had shown them that you recognised their interest and concern in the matter. Aggravated cases will arise and will come home by virtue of their very aggravation; they will attract the notice and sympathy of the Members of this House, accustomed to interest themselves in the affairs of India; and it is not an extraordinary opinion to hold that the effect of rejecting a Motion of this kind—which would tend to give regularity and moderation to the whole of the proceedings—may be not that you will keep the cases under the Act out of the hearing of Parliament but that you will have more and more serious cases and probably more and more discussion on the subject. These are the general grounds on which I propose the motion which I have presented to the House. I repeat most strongly, that I should exceedingly regret if discredit were to be thrown upon the Indian Government. I have faith and confidence in its general administration. I believe in its good intentions and in its general prudence and wisdom. I look upon this as an isolated error, and my sincere purpose and design are to offer a contribution towards keeping the consequences of that error within the narrowest possible bounds.

APPENDIX F.

VICTIMS OF PRESS ACT (1910).

Securities Forfeited During one Decade.

The following is taken from the special article on the Press Act contributed by Mr. L. A. Adwani to the 'Home Rule' in June, 1919:—

The Bombay Chronicle—English Daily. First security, some time back, Rs. 2,000; security demanded during last three months or so after forfeiture of first security, Rs. 10,000.

Remarks—Editor Mr. Horniman was deported, and paper suspended for nearly a month by the Directors; later issued under censorship with a security of Rs. 5,000, which has just been enhanced to Rs. 10,000.

The Amrita Bazar Patrika—Daily, Bi-weekly and Weekly. First security, some time back, Rs. 5,000; security, demanded during last three months or so after forfeiture of first security, Rs. 10,000.

The Tribune—English Daily. First security, during the last three months or so, Rs. 2,000.

Remarks—Publication suspended; Editor Mr. Kali Nath Roy who is respected all over India as a sober journalist tried of Sedition under Martial Law and sentenced to 2 years' rigorous imprisonment and a fine of Rs. 1,000.

The Punjabi—English Daily. First security during the last three months or so Rs. 2,000.

Remarks—Publication suspended.

The Hindu—English Daily, Bi-weekly and Weekly. First security during the last three months or so, Rs. 2,000.

Remarks—Banned from the Punjab and Burma.

Independent—English Daily. First security during the last three months or so, Rs. 2,000.

Remarks—Banned from the Punjab and Burma.

Young Patriot—English Weekly. First security during the last three months or so, Rs. 2,000.

Remarks—Publication suspended.

Hindvasi—Sindhi Daily. First security some time back, Rs. 2,000.

Remarks—Editor under trial for Sedition under sections 124 and 153 I. P. C. Paper suspended by order of the District Magistrate till the decision of the case.

Sind Samachar—Sindhi Weekly. First security during the last three months or so, Rs. 1,000.

Remarks—Publication suspended.

Sind Advocate—Sindhi Weekly.

Remarks—Security of Rs. 1,000 demanded, but order withdrawn on furnishing guarantees for good conduct.

Sanjya—Marathi Daily. First security during the last three months or so, Rs. 2,000.

Vijya—Hindi Daily. First security during the last three months or so. Security raised to Rs. 2,000.

Remarks—Censor appointed.

Swadesh Mitran—Tamil Daily. First security during the last three months or so Rs. 2,000.

Remarks—Security demanded but order reserved *sine die*; but lately ordered to deposit security.

Hindu Nasen—Tamil Daily. First security during the last three months or so, Rs. 1,000.

Remarks—Security demanded but order reserved *sine die*; but lately ordered to deposit security.

Desh Bakhtan—Tamil Daily. First security some time back Rs. 2,000. Security demanded during last three months or so after forfeiture of first security Rs. 10,000.

Protab—(Lahore) Vernacular Daily.

Remarks—Editor sentenced to 18 months' rigorous imprisonment and Rs. 500 fine in respect of certain articles on the Delhi incident.

Bhavisha—(Allahabad) Vernacular Daily. First security some time back Rs. 2,000; security demanded during last three months or so after forfeiture of first security Rs. 5,000.

Remarks—Security demanded 10,000; but ultimately made to deposit Rs. 5,000 on giving assurances of conduct.

Congress—Urdu Daily. First security some time back Rs. 500; security demanded during last three months or so, after forfeiture of first security Rs. 2,000.

Remarks—Censor appointed.

Raj Saki—(Calcutta) Vernacular. First security during the last three months or so, Rs. 1,000.

Akhwat—(Lucknow) Urdu Daily.

Remarks—Prohibited from the Punjab.

[It will be found from the above statement that 21 out of 24 newspapers and presses have been directly dealt with under the Press Act while the remaining three have been dealt with under other Acts.]

Sanklapa—Vernacular Daily. First security during the last three months or so, Rs. 1,000.

Remarks—Paid Rs. 1,000 in Government Promissory Notes but was compelled to pay Rs. 300 more as difference between the actual value and market rate.

Mehri Minroz Press—First security some time back Rs. 1,000. Security demanded during the last three months or so after forfeiture of first security Rs. 10,000.

Remarks—For printing and publishing Ali Brothers' letter to the Viceroy.

Taj Press—Printers and publishers of Julalpur. *Taj Vernacular Daily*. First security during the last three months or so, Rs. 1,000.

Remarks—Without assigning any reason or previous warning.

Rander Printing Press—Printers of 'Anavil Sevah' of Surat. First security during the last three months or so, Rs. 2,000.

Note—Besides these, some small vernacular papers in the Punjab and Delhi have been suppressed or as a result of restrictions imposed upon them have suspended publication or are still issued under censorship conditions.

To this list may be added the *Nationalist* (Madras Weekly : English) whose Security of Rs. 2,000 has just been declared forfeited.

APPENDIX G.

REPORT OF THE PRESS LAWS COMMITTEE (1921).

In accordance with instructions contained in the Home Department Resolution No. 534, dated the 21st March, 1921, we the members of the Committee appointed by the Government of India to examine the Press and the Registration of Books Act, 1867, the Indian Press Act, 1910 and the Newspapers (Incitements to Offences) Act, 1908, have the honour to report for the information of Government and such action as they may think desirable, our conclusions on the questions referred to us for examination.

2. These conclusions have, we may state, been reached after a careful survey of the political situation, and exhaustive examinations of witnesses who appeared before us and a scrutiny of voluminous documentary evidence including the valuable and weighty opinions of local Governments placed at our disposal by the Government of India as well as of the memoranda submitted to us by various members of the public. Many of these memoranda were sent in response to a general invitation issued by the Government of India to those interested in the subjects under discussion to communicate their views to Government for the information of the Committee. We have examined orally eighteen witnesses, all connected with the Press and we also invited eight other prominent journalists to give evidence; to our great regret, they were however either unable or, in some cases, unwilling to accept our invitation.

3. Of the Acts referred to us for examination, the Indian Press Act, 1910, is by far the most important and it will therefore be convenient if in the first place we record our conclusions in respect of that Act. This is the more desirable because our recommendations in respect of the other two Acts referred to us, must be largely dependent on our findings regarding this measure.

It is unnecessary to discuss in this report, the reasons which induced the Government of India to place the Indian Press Act on the Statute Book. Those who are interested in the subject will find the facts fully explained in the reports of the discussions on the bill in Council. It is apparent however that the main object of the Act was to prevent the dissemination of incitements to violence and of

sedition, although the scope of section 4 of the Act is much wider. Since 1910, however, circumstances have changed very materially and we have to consider the necessity for the continuance of this law in the light of a political situation entirely different from that in which it was enacted.

4. The chief questions that have to be examined in our opinion are, firstly, whether the Act has been effective in preventing the evil against which it was directed; secondly, whether legislation of this character is now necessary for the maintenance of law and order; and thirdly, whether on a comparison of the advantages and disadvantages which the retention of the Act would involve, its continuance is desirable in the public interest. We may say at the outset that on a careful consideration of these points, we are of opinion that the Act should be repealed.

5. As to the effectiveness of the Act, it is generally admitted that direct incitements to murder and violent crime which are specifically referred to in section 4 (1) (a) of the Act are rarely found in the Press to-day. This was not the case in 1910 so far as a certain section of the Press was concerned and it is the view of at least one local Government that the Press Act has contributed to the elimination of such public incitements. We are not, however, satisfied that the cessation of such incitements is due solely or even mainly to the Act or that in present conditions the ordinary law is not adequate to deal with such offences. Further, it must be admitted that in so far as the law was directed to prevent the more insidious dissemination of sedition, of general misrepresentations of the action of Government, of exaggerations of comparatively minor incidents, of insinuations of injustice and of articles intended to exacerbate racial feeling, the Act has been of little practical value, for we find that a section of the Press is at present just as hostile to Government as ever it was and that it preaches doctrines calculated to bring the Government and also occasionally particular classes or sections of the community into hatred and contempt as freely now as before the Act was passed. Moreover, we believe that the more direct and violent forms of sedition are now disseminated more from the platform and through the agency of itinerary propagandists than by the Press, and no press law can be effective for the repression of such activities. In our opinion, therefore, it must be admitted that the Act has not been wholly effective in securing the object which it was enacted to achieve. We

observe that one witness before us went so far as to say that it had both been futile and irritating.

6. Turning to the question of the necessity for such legislation we find that it was an emergency measure enacted at a time when revolutionary conspiracies, the object of which was directly promoted by certain organs of the Press, were so active as to endanger the administration. We believe that this revolutionary party is now quiescent, that the associations supporting it have been broken up and that many members of the revolutionary party have realized that the object which they had in view can, under present conditions, be achieved by constitutional means. Further, the political situation has undergone great changes since 1910 and the necessity for the retention of the Act must be examined in the light of the new constitutional position created by the inauguration of reforms. Many of us feel that the retention of this law is, in these circumstances, not only unnecessary but incompatible with the increasing association of representatives of the people in the administration of the country. We believe also that the malignant influence of seditious organs of the press will in future be, and in fact is already beginning to be, counteracted by the growth of distinct parties each supported by its own press, supplemented by the activities of a properly organised Bureau of Information, the value of which was admitted by many witnesses. It is true the scope of the Act is not limited to the prevention of sedition but it is not necessary for us to discuss in detail the subsidiary provisions included in section 4 of the Act as we believe that these provisions have seldom been used and that the evils against which they are directed can be checked by the ordinary law. We think therefore that under present conditions, the retention of the Act for the purposes for which it was enacted is unnecessary.

7. On an examination of the third aspect of the case, viz., the comparative advantages and disadvantages of retaining the Act, we find that, while many local Governments advocate its retention in the interests of the administration, on the other hand the Act is regarded with bitter hostility by nearly all shades of Indian opinion. Most of the witnesses examined before us believe it to be indefensible in principle and unjust in its application. It has been said that the terms of section 4 of the Act are so comprehensive that legitimate criticism of Government might well be brought within its scope that the

in its operation; that it has been applied with varying degrees of rigour at different times and by different local Governments and in particular that it has not been applied with equal severity to English-owned and Indian-owned papers. A general feeling was also apparent among the witnesses that the Act is irritating and humiliating to Indian journalism and that the resentment caused by the measure is the more bitter because of the great services rendered to Government by the Press in the war. Many witnesses indeed are of opinion that the Act is fatal to the growth of a healthy spirit of responsibility in the Press and that it deters persons of ability and independent character from joining the profession of journalism. Finally it is maintained that the Act places in the hands of the executive Government arbitrary powers, not subject to adequate control by any independent tribunal, which may be used to suppress legitimate criticism of Government and that such a law is entirely inconsistent with the spirit of the reforms scheme and the gradual evolution of responsible Government.

8. There is in our judgment great force in many of these criticisms. We find, as already noted, that the Act has not proved effective in preventing the dissemination of sedition and that it is doubtful whether it is necessary to retain it for the purpose of preventing incitements to murder and similar violent crime; further in view of the cogent criticisms made as to the principles and operation of the Act, we have come to the conclusion that it would be in the interests of the administration that it should be repealed. In making this recommendation, we have not overlooked the opinion expressed by various local Governments that the retention of the Act is desirable in the interest of law and order. We observe, however, that there is a considerable divergence of opinion among those Governments on this point, and while we realise that the views of those who are opposed to the repeal of the Act are entitled to great weight, and indeed that these views have been accepted by the Government of India frequently in times past, we are satisfied that there is a genuine popular demand for its repeal and we consider that in the altered circumstances created by the reforms, the advantages likely to be secured by repeal of this measure outweigh the benefits which could be obtained by its retention on the Statute Book.

9. In our examination of the question of the repeal

as to which, if any, of its provisions should be retained by incorporation in other laws. Various suggestions have been placed before us in this connection, some of greater and some of minor importance. Perhaps the most important of these is the question whether the dissemination of disaffection against Indian Princes through the Press of British India should be penalised in any way. We have been handicapped in our examination of this question by the very inadequate representation of the views of the Princes, many of whom were unwilling to allow their opinions to be placed before the Committee. We have however had the advantage of seeing some minutes submitted by them and of examining Sir John WOOD, the Secretary of Political Department. It has been argued that the Government of India is under an obligation to protect Indian Princes from such attacks, that the Press Act alone affords them such protection and that if it is repealed it is unfair, having regard to the constitutional position of the Government of India, *vis-a-vis* the Indian States, that the Press in British India should be allowed to foment disaffection against the rule of an Indian State. On the other hand, various witnesses have protested in the strongest terms against any such protection being afforded to the Princes. It is alleged that the effect of any such provision in the law would be to stifle all legitimate criticism, and deprive the subjects of such States of any opportunity of ventilating their grievances and protesting against mal-administration or oppression. We understand that before the Press Act became law, it was not found necessary to protect Indian Princes from such attacks, and we note that the Act, so far as the evidence before us shows, has only been used on three occasions for this purpose; we do not, in the circumstances, think that we should be justified in recommending on general grounds any enactment in the Penal Code or elsewhere for the purpose of affording such protection in the absence of evidence to prove the practical necessity for such provision of the law. Our colleague Mr. Asad Ali desires to express no opinion on this question.

10. We have also considered the question of vesting courts of justice with power to confiscate a Press if the keeper is convicted for the second time of disseminating sedition. Although Section 517 of the Criminal Procedure Code affords some faint authority for the enactment of such a provision in the law, we feel that it would operate inequitably, particularly in the case of large and valuable presses used not only for the printing of the particular

paper but also for other miscellaneous work. In the case of smaller presses the forfeiture of the press would probably not be an effective remedy and on a careful consideration of the facts we doubt the necessity for inserting any such provision in the law.

11. There is indeed only one provision of the Act which we think should be retained; namely, the power to seize and confiscate newspapers, books or other documents which offend against the provisions of section 124A of the Penal Code. If this power is retained the ancillary power of preventing the importation into British India, or transmission through the post of such documents, on the lines now provided for in sections 13, 14 and 15 of the Indian Press Act is a necessary corollary if the law is to be effective. The confiscation of openly seditious documents in no way, we believe, constitutes an interference with the reasonable liberty of the Press and the openly seditious character of some of the documents which are now circulated in India has convinced us of the necessity of retaining this power as a regular provision of the substantive law. The exact method by which this should be effected is we think a matter for the expert advisers of the Government of India to decide. We would however also provide for redress, in cases in which the owner of a press or any person interested in the production of any such document or in the possession of any particular copy of the document considers himself aggrieved by allowing such persons to apply to the High Court and challenge the seizure and confiscation of the document. We would also provide that when such an application is made the onus of proving the seditious character of the document should be on the Government. We think that the powers conferred by sections 13 to 15 of the Press Act might be conveniently incorporated in the Sea Customs Act and the Port Office Act so that the Customs and Postal Officers should be empowered to seize seditious literature within the meaning of section 124A of the Indian Penal Code subject to review on the part of the Government, and to challenge by any person interested, in the courts. We recommend that in this case and in the case of seditious leaflets seized under the conditions referred to in the earlier portions of this paragraph, the orders of the Government should be liable to be contested in the High Court.

12. It follows almost of necessity from what we have said above that we recommend the total repeal of the Newspapers (Incitements to Offences) Act, 1908. We may ob-

serve that this Act has not been used for the last 10 years.

13. As to the Press and Registration of Books Act, we recommend that this Act should be retained with the following modifications :—

- (1) that no person should be registered as a publisher or printer unless he is a major as defined by the Indian Majority Act;
- (2) that in the case of all newspapers, the name of the responsible editor should be clearly printed on the front sheet of the paper and that an editor should be subject to the same criminal and civil liability in respect of anything contained in the paper as the publisher and printer;
- (3) that the term of imprisonment prescribed in sections 12, 13, 14 and 15 should be reduced to six months;
- (4) that the provisions of section 16 of the Press Act should be reproduced in this Act.

We have also considered certain other matters of detail which are of a technical nature. We think they should be left to the expert department to deal with.

14. We append a summary of our conclusions :—

- (1) The Press Act should be repealed.
- (2) The Newspapers (Incitements to Offences) Act should be repealed.
- (3) The Press and Registration of Books Act, the Sea Customs Act and the Post Office Act should be amended where necessary to meet the conclusions noted below :
 - (a) The name of the editor should be inscribed on every issue of a newspaper, and the editor should be subject to the same liabilities as the printer and publisher as regards criminal and civil responsibility.
 - (b) Any person registering under Press and Registration of Books Act should be a major as defined by the Indian Majority Act.
 - (c) Local Governments should retain the power of confiscating openly seditious leaflets, subject to the owner of the press or any other person aggrieved being able to protest before a Court and challenge the seizure of any such documents in which case the local Government ordering confiscation should be called upon to prove the seditious character of the document.

(d) The powers conferred by sections 13 to 15 of the Press Act should be retained. Customs and Postal Officers

being empowered to seize seditious literature within the meaning of section 124A, Indian Penal Code, subject to review on the part of the local Government and challenge by any persons interested in the proper courts.

(e) Any person challenging the orders of the Government should do so in the local High Court.

(f) The term of imprisonment prescribed in sections 12, 13, 14 and 15 of the Press and Registration of Books Act should be reduced to six months.

(g) The provisions of section 16 of the Press Act should be reproduced in the Press and Registration of Books Act.

Tej Bahadur Sapru, *Chairman.*

Members.

W. H. Vincent,
Jamnadas Dwarkadas,
Sohan Lal,
T. V. Seshagiri Ayyar,
Shahab-ud-din,
Jogendra Nath Mukherjee,
Mir Asad Ali,
Iswar Saran.

Dated the 14th July, 1921.

A Short History of Indian
Materialism, Sensationalism
and Hedonism

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BY

DAKSHINARANJAN SHASTRI

WITH A FOREWORD BY

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FOREWORD.

This little book seeks to give an account of the origin, development and influence of what may be described as the purely intellectualistic movement in Indian speculation. The author has made a special study of the subject, and embodied the fruits of his labour in this book and in another which preceded it, giving a systematic exposition of the main tenets of Cārvāka Philosophy, with the help of such original texts as are still available. Both the books are very important to students of Indian Philosophy who wish to obtain first-hand information on the subject. The most interesting portions of the book are those in which the author attempts to connect the free thinking of the Cārvāka school with the anti-Veda attitudes of Jaina and Bauddha systems, and to trace the influence of that school on the Sahajia-Parakiya cult and on certain features of Tāntric and Vaishnava worship. If the author cares to pursue these points further and develop them in detail, he would contribute a very important chapter to the history of Indian Thought.

ADITYA NATH MUKHERJEE.

Dated 8th March, 1930.

PREFACE.

Oriental scholars are unanimous that the works on Materialism and Sensationalism in their relation to the Hindu system of Philosophy are very rare, and that this dearth of literature stands in the way of properly understanding Hindu thoughts and ideas in regard to these subjects both in this country and in the West. In the following pages I have attempted to present before the public a bird's eye view of the origin and development of Materialism and Sensationalism in India. I have been urged to make this humble effort not by the belief that my contributions to the knowledge on these subjects are likely to be of any considerable value, but by the hope that insignificant as they are they will serve to attract to the subject the attention of worthier scholars and call forth their energies. This short treatise has been designed to prepare the ground for a systematic study of Indian Materialism and I have spared no pains to make it as such. My labours will be amply rewarded if on the perusal of my humble work one single reader feels himself interested in the study of Indian Materialism, Sensationalism and Hedonism.

I have much pleasure in acknowledging here my indebtedness to Mahāmohopādhyāya Dr. Haraprasad Shastri, M.A., D.Litt., C.I.E., Mahāmohopādhyāya Dr. Bhāgabāt Kumar Shāstri, M.A., Ph.D., and Principal Gopinath Kavirāj, M.A., whose very interesting articles throw many new lights on the subject. I also express my gratitude to Dr. Mahendra Nath Sarkar, M.A., Ph.D., whose class room lectures on Psychology were of help to me. No less is my debt of gratitude to Professor

Shyama Charan Mukherjee, M.A., and Srijut Ramsankar Dutt for their valuable help in seeing the book through the press. My thanks are also due to Srijut Upendra Kumar Bose, Librarian, Sanskrit College, and his assistant, who gave me every possible help I needed and to the authorities of the Book Company, Calcutta, for the interest they have taken in the publication of this little book.

I take this opportunity to express my heart felt thanks to Dr. Aditya Nath Mukherjee, M.A., P.R.S., Ph.D., I.E.S., Darçanasāgar, Principal Sanskrit College who induced me to take up this task, gave me many valuable suggestions and has greatly increased the value of this little book by kindly writing a foreword to it.

DAKSHINARANJAN SHASTRI.

SANSKRIT COLLEGE,
The 31st March, 1930.

BIBLIOGRAPHY.

- Dacca University Bulletin, No. I.
Saraswati Bhaban Studies, Vol. II & III.
Tattva Sangraha Gaekwad Series.
Saddarçana Samuchchaya.
Sarvadarçana Sangraha.
The positive sciences of the Ancient Hindus.
Nyâyamanjarî of Jayanta.
Chaitanya and his age.
Sammati Tarkaprakarana.
History of Materialism—Lange.
An outline of Philosophy—Russels.
Modern Materialism—William Dougall.
Materialism : Has it been Exploded?
The Panjab Sanskrit Series I
Six Systems of Indian Philosophy—Maxmuller.
Vidwanmodatarangiñi.
Kusumânjali.
Advaitabrahmasiddhi.
The vivaraṇaprameyasangraha.
The Commentary on Bṛhatsamhitâ—Bhottotpala.
The Râmâyana.
The Mahâbhârata.
Naishadhacharitam.
Prameyakamalamârtanda.
Buddhacharitam by Asvaghosha.
Probodha Chandrodaya Nâtakam.
Angutharanikâya.
Āsvalâyana Sutta.
Milindapanha.
Indian Philosophy—Râdhâkrishnan.
The Epics—Hopkins.
Sarvamatasangraha.
The Problems of Hindu Philosophy.
Pre-Buddhistic Philosophy.
Sarvasiddhântasangraha.
The Pūrva Mīmāṃsâ System.
The Vishnu Purâṇam.
The Padma Purâṇam.

Arthaçāstra of Koutilya.

L. de la Vallee Poussin—Materialism (Indian).

A Sketch of Indian Materialism—Tucci.

Nānāprabandha.

Fellowship Lectures—Mahāmohopādhyāya Chandrakānta

Tarkālankār and Mahāmohopādhyāya Durgācharan

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A Short History of Indian Materialism, Sensationalism and Hedonism

INTRODUCTION.

Indian materialism has passed through four stages of development. In its first stage it was a mere tendency of opposition. It called in question all kinds of knowledge, immediate as well as mediate and all evidence perception as well as inference. It denied the authority of even the Vedas. In that period, its name was Bārhaspatya. In its second stage, *Svabhāvavāda*, recognition of perception as a source of knowledge and the theory of the identification of body with the self, were incorporated into it. In that stage, it took the form of a system of philosophy. However low its position may be, in the rank of philosophical systems, it can by no means be denied that, at that remote period of Indian history, it was the only system of philosophy, worthy of its name. That period was the Renaissance Period of Indian Materialism. In that period flourished famous materialists like Ajita Kecakambalin, Kambalāsvatara and Purāṇa Kāçyapa. In that stage it came to be known as *Lokāyata*. In its third stage, an extreme form of hedonism, which was due, perhaps, to the corruption of freedom of thought—social, religious and political, formed the most important feature of this school. Gross sensual pleasure superseded bliss or contemplative joy and licentiousness replaced liberty.

Devils occupied the seats of angels. As a consequence of this impact of corruption and misunderstanding, *chārvākism* originated. In that stage this school preached—'Eat, drink and be merry, for, to-morrow we may die.' The reaction to this extreme form of licentiousness was destructive to the very vitality of this school. From that time this extreme form of materialistic school leaned towards spiritualism. So long it had maintained that the body was the self. In that period, being severely attacked by the spiritualists, it gave up the theory that there was no self apart from the body and tried, gradually, to identify the sense organs, breath, and the organ of thought with the self. Before that the materialists had affirmed that inference was not a means of knowledge. But in this stage they accepted at first Probability and then even Inference, though in a restricted form, as a source of true knowledge. Philosophers, like Purandara, were the advocates of this form of Indian materialism. In its fourth stage, it came to be at one with the Buddhists and the Jains in opposing the Vedicists and got the common designation *Nāstika*. A *Nāstika* is one who condemns the Vedas—*Nāstiko Veda-nindakah*. The texts, added in the appendix with evidences of their genuineness, record some of the views of these different stages in a blended form. As the literature of this school is now entirely lost, except what has reached us in fragments, we are quite unable to give here, verbatim, all the original *Sūtras* of this school which represent its various aspects and phases. But there are passages both in *Sūtra* and *sloka* form which embody in substance these different stages of the Lokāyata school. We can have a complete systematic work of the materialists of India if we gather them together in a sympathetic manner.

Tradition ascribes to Bṛhaspati the first treatise of this school and there is no reason for rejecting

this view. It is evident from the Sūtras extant and quoted under Brhaspati's name that he was not a mythical figure. He was an historical personage. But it is very difficult to ascertain who this Brhaspati was. It is probable that the conception of this school first dawned on Brhaspati, the preceptor of the gods, who is regarded by scholars like Professor Belvālkar as the first founder of this Bārhaspatya system. If we be authorised to give the credit of founding this system to more men than one then we should like to mention the names of Ajita Keçakambalin, Chārvāka and Purandara as the second, third and fourth founders respectively of the Lokāyata, Chārvāka and Nāstika systems. We know from the Mahābhāshya of Patanjali that Bhāguri was one of the expounders of the Lokāyata dogmas. Not a single Sūtra attributed to Bhāguri of the Lokāyata school having been recovered we can not give him any position in these stages of development of Indian Materialism and Sensationalism. We shall deal, now, in the following pages, with these four distinct steps of evolution of Indian Materialism more elaborately.

EVOLUTION OF MATERIALISM AND SENSATIONALISM IN INDIA.

In ancient India, the necessities of life being abundantly provided for by nature, the struggle for existence was not very keen. The people's tastes were not nice. In order to escape from the heat of the tropical sun, they took up their abode in the shady groves or in the caves of mountain valleys. Their peace of mind was not disturbed by political strife. In the absence of the art of writing the people were a stranger to literary ambition, nor were their energies called forth by art or science. There was no literature except what could be retained in memory. The metaphysical and religious problems formed, almost the only subjects of speculation. They meditated on how and why the world was in which they lived. What were they? Whence came they? Whither went they? What had they to do? They made an endeavour to answer these questions in their own way, and thus laid the foundation of philosophical enquiries in India. These queries are recorded in the Vedas, the oldest literature of mankind still extant. These earliest attempts can not properly be called philosophical systems, rigidly consistent and calmly reasoned. They are mere tendencies scattered and unsystematic like landmarks in an ocean. After a long course of development, from the first hesitating and imperfect stage of tendencies, they became perfect. Amongst these re-arranged, systematic, consistent calmly reasoned, perfect systems of Indian philosophy materialism can be counted as very old. Some go so far as to count it as the oldest and adduce, among others, the following reasons in support of their opinion. It is a fact

that all other schools, in their respective systems, try to refute the truths established by this school, thus admitting its priority. It is also a fact that the word Darçana in its primary sense means perception. In its secondary sense it means the Çāstra which is as good an authority as perception. This emphasis on perception reminds us of the materialists and there are scholars who maintain that the word was first originated by the followers of Bṛhaspati. It was from them that the word was borrowed by other schools. This fact induces them to establish the priority of this Darçana to all other Darçanas. Scholars are, also, bold enough to declare that the materialistic school is the only original school of philosophy. All other schools were originated, simply, for the sake of refuting and destroying this school whose teachings according to them were detrimental to the best interests of mankind. Others, again, do not go so far. It may be, say they, as old as other schools of philosophy, but not older. Materialism is preached no where as a doctrine of philosophy, except as a re-action against some perverted ideas or practices. The materialists of India, namely, Bṛhaspati and his followers, do not pretend to lay down a constructive system of philosophy of their own. They try to refute foolish orthodoxy of other schools. This, in their opinion, proves that the system of Bṛhaspati can not be the first system. It is rather the last. It raises objections against the views of all other systems and pre-supposes the existence of all other schools, thereby.

But all systems of philosophy are the growth of years, nay, of centuries. The systems which we possess of the different schools of philosophy, each distinct from the other, are rather the last summing up of what had been growing up among many generations of isolated thinkers and can not claim

to represent the very first attempts at a systematic treatment. A large mass of philosophical thought must have existed in India long before there was any attempt at dividing it into well defined departments of systematic philosophy or reducing it to writing. But such a growth must have required a great length of time. So it is probable that during that long period the views of one system were discussed in another. During that long period anything could be added and anything left out. Subsequently each system reached the form in which we possess it. It is not improbable that the Lokāyata school of philosophy, being developed as the first system of philosophy, raised objections against the views of other schools which were even then mere tendencies and which took shape as systems later on. Thus, although, as mere tendencies almost all philosophical thoughts are contemporaneous, as systems they belong to different ages. The school of Bṛhaspati is regarded as the weakest school of philosophy in comparison with other schools. The law of evolution or gradual development proves that the earliest school is the weakest and the latest the strongest. If the Materialistic school be the weakest, it is probable that it is the earliest also.

THE FIRST STAGE.

Vitandā.

Originally, this school of Bṛhaspati meant Vitandā or casuistry and nothing else. In it Vitandā was essential. With its impatience of all authority, it tried to refute the views of other schools. It was, in its original stage, without any constructive element and without any positive theory to propound. It was negative and destructive. This negative aspect of this doctrine finds expression in the Vedas themselves. From the earliest Vedic times, there were people who denied

the existence of even the Vedic deities. The Vedic hymns pointedly refer to scoffers and unbelievers. Those hymns, which are traditionally ascribed to Bṛhaspati, son of Loka, contain the first germs of protest against a mere verbal study of the Veda and emphatically declare that a man, who tries to understand the Veda, is far superior to a mere sacerdotal priest. The Maṇḍūkā hymn is a panegyric of frogs who are described as raising their voices together at the commencement of the rains like Brahmin pupils repeating the lessons of their teachers and this celebrated hymn on frogs is a satire, says Professor Maxmuller, upon the Vedic priesthood, or better upon the system of hymn chanting. Yāska clearly tells us that those who merely memorise the texts, without knowing the meaning, do not see the real form of the Veda and that such people are deluded, in as much as the way to attain the summum bonum is not revealed to them. In various brāhmaṇas mere knowledge of a performance has been mentioned as having the same effect as the performance itself. In the Chhandogya Upanishad it is stated that a performance accompanied by knowledge, produces a better result than a performance without knowledge. Jaimini, in his Pūrva mīmāṃsā system, recording this opposition devotes an entire chapter to drawing the conclusion that study consists not only in learning by heart the letter of the Veda but also in clearly understanding its spirit. Traces of an opposition to the religion of the Vedas appear in the Vedas and in later works. In Aitareya Āraṇyaka we find—'Why should we repeat the Veda or offer this kind of sacrifice!' Later on the very authoritativeness of the Vedas was questioned. Opposition was the only duty of the followers of Bṛhaspati and they did it from the very beginning of their career. They opposed the Vedas and the practice of repeat-

Bārhas-
patya.

ing them without understanding their meaning. But all these represent only the opposing, destructive or negative aspect of the Bārhaspatya system. And it is well-known that a system ceases to have any great interest and even value without a constructive element, without a positive theory to propound. So the doctrine of the followers of Bṛhaspati appeared to be incomplete without any positive element in it. It felt the necessity of a positive element. Everybody knows that necessity is the mother of invention. Bārhaspatya in its very early stage found out the means of being complete. So long under the designation Bārhaspatya it admitted no authority other than its own. Now, in its second stage, in explanation of the why of an event or product it accepted the doctrine of *Svabhāva*. This doctrine of *Svabhāva* maintains that 'the effects are self existent and are produced neither by different things as causes nor by themselves inasmuch as no cause can be found for the filament of the lotus or the eye-like marks on the peacock's tail. If it can not be found it certainly does not exist. Such is the case with this diversified universe. Similarly, feelings like pleasure, pain, etc., have no causes, because they appear only at times'. This doctrine of *Svabhāva* had been in vogue in independent forms. In course of centuries this doctrine, like many other doctrines, lost its independence altogether and came to be affiliated to the Bārhaspatya system. The consequence of this gradual assimilation has been a blending of thoughts. The followers of Bṛhaspati became at one with, and the earliest representatives of, the extreme form of *Svabhāva vāda*. From this time, in this view, the rejection of causal principle, the rejection of good and evil consequences of actions, formed its most important feature. The product comes into existence without any cause.

This materialistic view was emphasised by Bṛhaspati in Vedic times. 'In the first age of the gods the existent was born of the non-existent—*Asatah Sadajāyata*. The Svetāsvatara Upanishad contains a nominal enunciation of some of the most popular theories current in its times in explanation of the origin of the universe and Naturalism forms one of this number—*Kālah Svabhāvo Niyatiryadichha*, etc. Up till then it was an independent doctrine and the Bārhaspatyas were merely the oppositionists. Bṛhaspati, with a lofty enthusiasm, flung away the fetters of religion that he might be righteous and noble. Some of the verses of the Vedic hymns ascribed to Bṛhaspati are very noble in thought. Whatever may be said of his followers, his own teachings were of an elevated character. Bṛhaspati had many followers and all of them were independent thinkers raising objections against the current superstitions. It is perhaps for his freedom of thought that he was regarded as the priest—the adviser,—the counsellor of Indra, the king of the gods.

But this state of things changed very soon. A re-action against the school of Bṛhaspati appeared on the stage. Perhaps the negative or destructive element of the doctrine was responsible for this re-action. The Vedic literature, posterior to the Mantras is disfigured by filthy history and anecdotes in which the pious sages poured out vials of their wrath on the devoted heads of those early oppositionists, i.e., Bṛhaspati and his followers. The Taittiriya Brāhmaṇa relates an interesting anecdote which runs as follows. 'Once upon a time Bṛhaspati struck the goddess Gāyatrī on the head. The head smashed into pieces and the brain split. But Gāyatrī is immortal. She did not die. Every bit of her brain was alive'. Some scholars have found a very valuable truth behind this anecdote. They

find an allegorical meaning here. Gayatri is the symbol of Hinduism. Bṛhaspati tried to destroy it by introducing opposition. But Hinduism is eternal. It was not destroyed. In Maitrāyaṇa Upanishad we find another anecdote—Bṛhaspati having assumed the shape of Çukra brings forth false knowledge for the safety of Indra and for the destruction of the Asuras. By it the Asuras show that good is evil and evil is good; and they say that this new law, which upsets the Vedas, should be studied. Here Bṛhaspati is painted as a deceiver—a hypocrite. The Mahābhārata records a story of this period relating how Bṛhaspati the sceptic had a long discussion with Manu, one of the founders of the sacrificial cult and was in the end converted to the latter's view point. Another anecdote records—'The reason why I was born a jackal' says a character 'is that I was a blamer of the Vedas, a reviler and opposer of priests, an unbeliever and a doubter of all things'. In another place it records—'The ignorant and unbelieving man who has a soul of doubt is destroyed; neither this world nor the next exists, nor happiness for him who has a soul of doubt.' In another place of the Mahābhārata which records past events, an unbeliever is threatened with a sudden enlightenment hereafter—'the devil in hell will soon change your ideas on that subject.' The worst, that is said of Bṛhaspati's teaching, is that it is drawn from a study of the female intellect which is full of subtilty and deceit. The Vishṇupurāṇa records—that a number of Daityas, one day, in ancient times, began to practise severe penances according to the injunctions of the Vedas. This caused great apprehension to Indra. At his prayer Māyāmoha was created who preached to the demons the pernicious doctrines of Bṛhaspati not for their benefit but for their destruction. They having been gradually overpowered by that folly, became

enemies to Brāhmanas, gave up their duties and were averse to the study of the Vedas. Then, as they had strayed from religious observances, Indra killed them. Almost similar is the account recorded in the Padmapurāna. All human institutions prosper through opposition. As a re-action against the opposition of Brhaspati and his followers, the Vedic schools were then more extensively engaged in popularising the Vedic creed of life by means of the most elaborate and thorough-going presentations and expositions of their Vedic doctrines. The result was the production of the six Vedāngas the Śrīṭis the Epics and such other helping works. Never has religion flourished with such luxuriance and in such wide variety, from the purest to the most abominable shapes, as in this period of Indian cultural history. A dark shadow fell upon the oppositionists—the independent thinkers. All independent line of thinking became for hundreds of years to come an impossibility through the powerful influence of various schools of the Vedicists.

The
Vedāngas.

THE SECOND STAGE.

The state of things turned, however, through the influence of Naturalism. Opposed by the strong advocates of the orthodox community the Lokāyatikas returned with the affiliation of naturalism or Svabhāvavāda. Neither of these two doctrines Lokāyata and Svabhāvavāda accepted the good or evil consequences of actions. The Lokāyata school, which was so long a mere tendency, with the incorporation of naturalism, formed a philosophical system. Thus originated the first Darṣana or the Lokāyata Darṣana. Perception was emphasised in the very name of this newly built-up system, i.e., Darṣana. So long the Bārhaspatyas did not admit any authority what-

Naturalism
and
Perception.

Lokāyata.

soever. Now, in its new shape, the school accepted the authority of perception. Perception became the only criterion of existence. Whatever was not perceived was held to have no existence at all. The causal principle was rejected, because, sensuous perception is not an evidence in support of its existence. For mere perception of two events, which stand isolated and self-contained, is not sufficient to establish between them a causal relation. 'To ascertain whether a given antecedent condition has the character of a true cause it is really necessary to find out with certainty the elements of invariability and of relevancy involved in such a notion. But this certitude can never be arrived at'. The universal propositions can not be established by our limited perceptions. Perception presupposes actual contact of the object with the perceiving organ and is thus necessarily confined to the present. It is a case of here and now. It does not extend to the past or the future and is thus unable to establish universal connection of things. In other words sense perception can give us only particular truths. But knowledge of particular facts can not give us knowledge which is universally true. Therefore perception cannot give us universal relation. Nor can universal relation be established by Inference alone. For, the inference, which yields a universal relation as its conclusion, cannot work unless it pre-supposes another universal connection as a necessary pre-condition of its possibility and that again another and so on. In other words, the process of reaching a universal conclusion is always like arguing in a circle. *Vyāpti* is derived from *Anumāna* and *Anumāna* again from *Vyāpti*. Thus even inference in itself is not sufficient to produce a universal proposition. Nor is the universal relation supplied by testimony. For, testimony involves inference. Comparison is equally unable

to establish a universal relation. Comparison only establishes the relation of a name to something that bears that name. Now, such relation of the name and of the named is a particular relation, whilst we are in search of an unconditional universal relation. Thus, the universal relation, which is indispensable to all inference, is not given by any of the so-called sources of knowledge. Therefore, universal relation cannot, by any means, be established. As inference is not possible without universal connection and universal connection is unattainable the Lokāyata as a system discarded, in its earlier stages, inference as a source of knowledge.

It rejected ether as an element, because, ether can not be known by perception and it maintained that the four elements of earth, air, fire and water are the original principles of all things. The four elements, in their atomic condition,* when mixed

* The theory that matter consists of "atoms", *i.e.* of little bits that can not be divided, is very old. But in its old shape it was only a speculation. The evidence for what is called the atomic theory was derived from chemistry, and the theory itself, in its nineteenth-century form, was mainly due to Dalton in Europe. It was found that there were a number of 'elements' and that other substances were compounds of these elements. Compound substances were found to be composed of molecules, each molecule being composed of 'atoms' of one substance combined with atoms of another or of the same. A molecule of water consists of two atoms of hydrogen and one atom of oxygen; they can be separated by electrolysis. It was supposed, until radio-activity was discovered, that atoms were indestructible and unchangeable. Substances which were not compounds were called elements. The discovery of radio-activity led to the conclusion that what had been called 'atoms' were really complex structures, which could change into atoms of a different sort by losing a part. After various attempts at imagining the structure of an atom, physicists were led to accept the view of Sir Ernest Rutherford, which was further developed by Niels Bohr.

together in a certain proportion and according to a certain order, become transformed into an organism.

Evolution of
conscious-
ness.

Consciousness is a function of the body. For the manifestation of consciousness, body is an indispensable factor. Consciousness does not inhere in particles of matter. When these particles come to be arranged into a specific form, in a manner not yet scientifically explicable, they are found to show signs of life. Life and consciousness are identical. Our thinking power is destroyed with the dissolution

In this theory, all matter is composed of two sorts of units, electrons and protons. All electrons are exactly alike, and all protons are exactly alike. All protons carry a certain amount of positive electricity, and all electrons carry an equal amount of negative electricity. Protons repel each other and electrons repel each other, but an electron and a proton attract each other. Every atom is a structure consisting of electrons and protons. The hydrogen atom, which is the simplest, consists of one proton with one electron going round it as a planet goes round the sun. The electron may be lost, and the proton left alone, the atom is then positively electrified. The great merit of Bohr's theory was that it explained why elements have the Spectra they do have, which had, before, been a complete mystery. According to this theory of atomic structure 'an atom' with its electrons is a system characterised by certain *integers* all small, and all capable of changing independently. The newer theory has been put forward in 1925, mainly by two German physicists, Heisenberg and Schrödinger, owing to them, the last vestiges of the old solid atom have melted away, and matter has become as ghostly as anything in a spiritualist séance. Broadly speaking, it describes the atom by means of the radiations that come out of it. This newer theory confines itself to what is empirically verifiable namely radiations; as to what there is where the radiations come from we can not tell, and it is scientifically unnecessary to speculate. The mainpoint for the philosopher in the modern theory is the disappearance of matter as a "thing." It has been replaced by emanations from a locality—the sort of influences that characterise haunted rooms in ghost stories.

—Russell.

of the elements from whose combination it is evolved. Consciousness is produced from the body which is endowed with life and vital air. Without sensation no consciousness is possible. When the body perishes no consciousness can remain. It must perish also. So there is nothing to transmigrate. The body, consciousness and sense organs are momentary. Mind is merely the product of a combination of elements, just as, some acid eruptions or wines are results of chemical combinations. The four elements when combined produce or manifest the mind. There is no other reality than the four *Bhutas*. The instinctive movements and expressions of new-born babes are due to 'external stimuli as much as the opening and closing of the lotus and other flowers at different hours of the day or night, or the movement of iron under the influence of load stone. In the same way the spontaneous generation of living organisms is frequently observed, *e.g.*, the case of animalcules which develop in moisture or infusions, especially under the influence of gentle warmth or of the maggots or other worms which in the rainy season by reason of the atmospheric moisture, are developed in the constituent particles of curds and the like, which begin to live and move in so short a time' It is an indisputable fact that sensations and perceptions can arise only in so far as they are conditioned by a bodily mechanism. But, it would not be so were not the body the receptacle of consciousness. The properties of particular preparations of food and drink, conducive to the development of the intellectual powers, afford another proof in favour of the fact that consciousness is a function of the body. Points and evidences of correspondence between mind and body—correspondence between the Psychical and Nervous processes—and correspondence between mind and brain, the seat of mind, are not rare. The most

definite aspects of this correspondence are—correspondence in quantity—the correspondence in change, correspondence in growth and development, correspondence in inheritance and correspondence in quality. When communication is cut off between the brain and any other part of the body owing to the nerves of that part being diffused, there is no longer any feeling or sensation connected with that part. Psychological experiments prove measurable interval of time between the application of stimulus and the corresponding sensation. Prolonged thought and intense emotion produce the sensation of fatigue and exhaustion in the brain and if carried further produce pain and disorder. Increase of mental work is accompanied by an increase of brain-work. Intense mental activity is followed by a casting off of a kind of brain substance known as phosphorus. Comparison of the brains of different creatures and different races of men and of different individuals shows that there is a connection between intelligence and the size, weight and complexity of the brain. Generally speaking the larger the brain, in relation to the rest of the body, the more the intelligence. So the Lokāyatas say that Mind is only a form or product of the body. The ultimate reality is matter. Consciousness is a function of the body. As contraction is the function of muscles, as the kidneys secrete urine, so and in the same way does the brain generate thoughts, movements and feelings. Mind, therefore, has no substantial reality of its own, but, springs out of the vibrations of the molecules of the brain. When the molecular activity of the brain sinks below a certain level generally known as the threshold of consciousness, consciousness disappears, mind ceases to exist as in sleep. When, again, it rises above a certain degree consciousness re-appears. Conscious life is not a life of continuity. It is coming out of

**The ultimate
reality
is matter.**

and again going into nothing. The hypothesis of a continuous stream of consciousness is a myth of the Divines and the Theologians. This theory is some times known as the Theory of automatism—mind is merely Epiphenomenon or by-product. But there is a difficulty in establishing this theory. The spiritualists raised an objection against the newly built-up materialistic system. The objection is this. As the body is declared to be the agent of all actions it should be held responsible for their natural consequences. But this is impossible. The particles which form the body are always in a state of flux and the body which performs an action at one moment does not persist at the next to feel its re-action. It is on the other hand undeniable that the body suffers change. Otherwise they could not have different sizes. To this, the reply of the Lokāyatikas is this. The Lokāyata system does not admit the existence of *Karmaphala* or the consequence of good or evil actions. The experience of pleasure and pain comes by chance. Nature is all powerful. Moreover, recognition proves the identity of the body through all its changing states. There is another difficulty. The spiritualists advance another objection against the materialists. The objection is put in the following manner. The theory of matter is unable to account for the facts of memory and recognition. Necessity of thought demands that memory and original experience which gives rise to it should be referred to one and the same conscious subject. But this identity of reference would be possible only when the subject is fundamentally an unchangeable unity. This difficulty is removed by the Lokāyatikas in the following manner. The traces left by previous experiences are capable of being transmitted from the material cause down to its direct product, an analogous instance being the transference of the

odour of musk to the cloth in contact with it. But the general answer, of this school to every why is the doctrine of Svabhāva. Everything happens through the influence of Svabhāva which is all-powerful. It is Svabhāva or law of nature that the consciousness is a function of the body and the body is the self. The Lokāyatikas refuted the theory of Paraloka—or previous and future births as there was no reality existing before birth or after death. The four 'bhutas' or atoms of primary elements are the only realities. Mind is the production of these elements. So it cannot be maintained that the mind at death passes on to another body. Mind in different bodies must be different. The consciousness of a body which has already perished cannot be related to the body which comes into being. One mind cannot produce another mind after total annihilation. The theory that the foetus is endowed with consciousness cannot be asserted. Without sensation no consciousness is possible. All knowledge is derived from sense experience alone. All knowledge is posterior to and derived from experience. The sense organs cannot revive sensations when they are not in existence. Therefore the foetus cannot be endowed with consciousness. No power is possible without a recipient. When the body perishes consciousness cannot remain as there is no recipient of consciousness. With the destruction of the body, consciousness, also, must perish. If you hold that the previous, present and future births are nothing but particular conditions of the stream of consciousness which according to you is eternal the Lokāyatikas would say that the chain of consciousness is not an entity and a condition that can be predicated only in respect of an entity cannot therefore be proved. A future existence of an entity which is non-existent cannot be predicated. With this line of argumentation the Lokāyatikas

of that period rejected the existence of future or previous births. The Lokāyatikas of that stage also maintained that there was no soul apart from the body. If there be any soul it is only the living principle of all organisms. It exists so long as our body exists and ceases to exist when the body ceases to exist. It is the body that feels, sees, hears, remembers and thinks. In sayings like 'I am fat,' 'I am lean,' 'I am dark by 'I' we evidently mean the body. Fatness, leanness or darkness reside only in the body. Such phrases as 'my body' are metaphorically used. Just as a knave might induce an innocent person to accept glass and such other worthless materials in exchange for precious stones so has the Āruti misled the innocent devotee by making him believe that the soul is distinct from the body, displacing his inborn, and therefore the right belief that the body and the soul are identical. As nothing like soul exists after death to go to the next world there is no necessity of admitting the existence of such a place. With the denial of Karmaphala this school denied the existence of the universal mysterious agency called Fate or Adṛishta or Daiba. It denied the existence of merits or demerits acquired in our previous existence. In answer to the objections that fate must be admitted as the cause of the differences and determinations of the phenomenal world Bṛhaspati's followers bring forward the doctrine of Svabhāva or spontaneous generation of things according to their respective natures. So there is no use practising virtue and avoiding sins. Religion is as harmful as opium intoxication. Prayer is the hope of men who are weak, without will power to do anything; worship is an insincere egoism to save one self from the tortures of hell; prophets are the greatest liars among men. The Vedas are no authority. There

The
existence of
Fate denied.

The Vedas
attacked.

are mantras in the Vedas which do not convey any meaning whatsoever ; some mantras are ambiguous ; some are absurd ; some are contradictory ; some repeat what is already known. As regards the other portions of the Vedas we always find discrepancies and contradictions among them. Cases are not rare where a line of action prescribed by one text is condemned by another. Again, they speak of results that are never realised. Some portions are rejected by the Vedicists themselves as interpolations. There are proper names and epithets as well as foolish statements like the ravings of a mad man. Hence the Vedas are not only human compositions but even worse. The buffoon, the knave, and the demon—these are the three authors of the Vedas. All the obscene rites commended for the queen in the horse sacrifice have been invented by knaves. So also the custom of giving presents to priests and that of eating flesh have been commended by night-prowling demons. If it were possible for the sacrifices to make one reach heaven after the performances have ceased, the performers themselves have perished and the requisites have been used up, then the trees of a forest burnt down by fire might produce abundant fruit. The exercises of religion and the practices of asceticism are merely a means of livelihood for men devoid of intellect and manliness. Therefore the so-called sacred books, the three Vedas, have been composed by rogues and can command no authority. A *Putreshti* sacrifice performed for the birth of a child may yield either of the two results—positive and negative which is doubtful. When a child is born the knaves say that it is due to the power of their incantations uttered in performing the rites. When a child is not born they explain the event as being due to the rites being incomplete in some way or other. The priests say that a beast

slain in a sacrifice will itself go to heaven. How is it that they do not kill their own old fathers in a sacrifice in order to send them directly to heaven? If the offerings in a funeral ceremony may produce gratification to beings who are dead, then in the case of travellers, when they start it is needless to give provisions for the journey. All these ceremonies were ordered by the Brahmins as a means of their livelihood. They are worth no better than that. Hence, our religious ceremonies our endeavour to propitiate the gods, to satisfy them by prayers and offerings are vain and illusive. Religion is the invention of individuals desirous of deceiving their fellow men in order to further their own selfish and ambitious motives. So let us eat, drink, be merry, for to-morrow we die. As the consequence of this kind of thinking, Kāma or fulfilment of desire, became the summum bonum of human life. They were in search of the supreme bliss or contemplative joy, which was available in freedom only. They maintained that there is no particular place named heaven. Even the Vedas themselves doubt the existence of a world beyond. If a man may go to another world after death why may he not come back again perturbed by the love of his friends and relatives? When once the body is reduced to ashes how can it ever go to another world? When we die, everything ends there. We do not enter into a region of pain or of darkness unrelieved by a single ray of light. That God is the judge, does not stand to reason, because, in that case partiality and cruelty on the part of God will be indispensable. If God visits us with the evil consequences of our sins He becomes our enemy for nothing. Therefore it is better not to have a God than to have a cruel and partial God. So there is not even such a thing as God, the Supreme author and governor of the world, an omniscient

spirit. The senses cannot reach Him, *Adṛṣhta*, principle of causality, and inference itself have been denied. The Vedas reveal no signs of infallibility. How can we ascertain that an all-knowing, all-pervading and all-powerful spirit exists? Nature and not God, is the watch word of our School.

THE RENAISSANCE PERIOD.

With this enlightened credo the Lokāyatikas laid aside the traditional life of religion and settled down to strain every fibre of their being, so long frittered away for heaven's sake, for working out their immediate earthly welfare. The result of this movement was an aspiration for freedom. By freedom they meant all-round freedom—freedom for the individual as well as for society; freedom for man as well as for woman; freedom for the rich as well as for the poor; freedom for all individuals and for all classes. They exhorted all to cast off all the shackles which had bound them for ages and to march shoulder to shoulder towards freedom. The wonderful consequence of this struggle for freedom was the rise of Buddhistic culture. Buddha's views against the vedic sacrifices, the memorising of the vedic mantras and fruitless repetition to retain them in memory, the caste system, the authority of the Vedas and the worship of the deities, the magic practices and the mortifications and other ascetic practices—have their counterpart in the views of Lokāyata. It is perhaps for the reason that Buddhism was greatly influenced by the Lokāyata School that we find in later accounts of Lokāyata the doctrines of Buddha and Chārvāka almost amalgamated and the name Chārvāka sometimes applied to Buddha. India had been seething with free thinking and Buddha was the product of this freedom. No man ever lived so godless yet so god-

like a life. But the people were not satisfied merely with social and religious freedom. Their aspiration was for political freedom also. This aspiration was realised in the rise of Chandra Gupta and his grandson Asoka who brought the jarring states of India under one rule and set up the Mouryya Empire. Politics became incorporated with the Lokāyata School, which ignored *Ānvikshikī* and *Trayī*, the sciences dealing with the supersensuous, and appreciated *Daṇḍanīti* and *Vārtā* Coercion and Economics, as the only branches of knowledge deserving special cultivation. The earthly king became the only god. So ldug, Kāma or pleasure was considered to be the only good of human life. Now Artha or material advantage, was added to it. As the Lokāyatikas captured the hearts of the cultured and the common people, they became earnest in working out their immediate earthly welfare. The result of this movement was the generation and propagation of different arts and sciences. Vātsyāyana keeps records of some sixty-four names of Indian fine arts which flourished probably in this Renaissance period of Indian materialism. Kambalāsvatara, Ajitakeçakambalin and many other materialists flourished and wrote their works on Indian materialism in this period. The Sāmāna phalasutta keeps the following records of Ajita's view. There is no such duty as the giving of alms or sacrifice or offering. There is neither fruit nor result of good and evil deeds. There is no such thing as this world or the next. There is neither father nor mother nor beings springing into life without them. There are, in the world, no recluses or Brahmans who having understood, and realised by themselves alone both this world and the next make their wisdom known to others. A human being is built up of four elements. When he dies the earthy in him returns and relapses to the earth, the fluid to the water, the

Politics.

Fine arts.

Ajita's view. heat to the fire and the windy to the air. The four bearers take his dead body away ; till they reach the burning ground men utter forth eulogies but there his bones are bleached and his offerings end in ashes. It is a doctrine of fools, the talk of gifts. It is an empty lie, mere idle talk when men say there is prophet therein. Fools and the wise, alike, on the dissolution of the body are cut off, annihilated and after death they are not.' This Ajita flourished during the life-time of Buddha. Up to that time Politics was not incorporated with the Lokāvatika. So there is no trace of politics noticeable in the teachings of Ajita. In later accounts, specially in the record preserved by Krishṇa Miçra, it is mentioned very distinctly. Krishṇa Miçra gives almost a perfect account of the doctrines of the Lokāyata School, formed in that period. His account contains almost all the elements belonging to the teachings of this School. "Lokāyata is always the only çāstra. In it, only perceptual evidence is authority. The elements are earth, water, fire and air. Wealth and enjoyment are the objects of human existence. Matter can think There is no other world. Death is the end of all."*

THE THIRD STAGE.

This prosperity and success of the Lokāyata system ended in corruption and misunderstanding. Extreme form of freedom gave birth to licentiousness. Supreme bliss was transformed into sensual pleasure. Enjoyment of pleasure—gross sensual pleasure—became the only end of human life. Licentiousness became predominant in the country. India lost its previous supremacy—freedom of society, freedom of

* लोकायतमेव शास्त्रम् । पत्यहमेव प्रमाणं । पृथिव्यपनेजी वायव
 सत्त्वानि । अर्धकामी पुरुषार्थी । मुताश्वेव चेतवन् । नास्तिपरलोकाः-
 दृष्टनीतिरेव विद्या । अत्रैव वात्तानामवधि । धूर्तं प्रज्ञाप कथी ।

religion and freedom of polity. People became slaves of their senses. Elevated teachings of Bṛhaspati became absorbed into the eroticism of his wicked followers. Gratification of the senses became the only good of this School. Let us enjoy pleasure and pleasure alone. Pleasure is the only thing which is true and good. The only reasonable end of man is enjoyment. We know pleasure is never pure, never free from pain. How then can pleasure be the highest end of life? But because there is pain and because pleasure is mixed with pain should we therefore reject our life? Should we fling away sheaves of paddy rich with the finest white grains because they are covered with husk and dust? Should we refrain from plucking lotuses as there are thorns in them? Shall we not take fish because there are bones and scales? Should we exclude rice from our meal only for the trouble it will give in husking? Who will not soothe his mind and body in ambrosial moonlight though there are spots in the moon? Shall we not enjoy the pleasant breeze of summer, because, there is slight dust in it? Shall we abstain from sowing in a ploughed land watered by rain, lest the water on its surface should become muddy? Should we not prepare food for fear of beggars? Unmixed happiness is not available in this world ; yet we cannot overlook the least bit of it. In wordly life we smile on the weal of our dear ones and weep in their woes. If the laughing face of a son or the lustre of a delightful daughter can impart to us celestial happiness why will not their death or their attack with some fatal disease find us overwhelmed with grief? If the presence of a beloved wife makes a heaven of this earth, her departure will surely leave us in eternal darkness. Thus what gives you pleasure now will cause your pain another time. We cannot totally get rid of troubles even when we have no tie of

Pleasure,
the only
good.

affection in this wide world. The heart of a man who has none to call his own in this populous world, is but depressed, full of misery and dry as a desert. He must not be a common man, who even in such conditions can maintain peace of mind. But even a man who is quite aloof from all social ties cannot escape occasional mishaps *viz.*, disease and accidents. The sudden attack of an ailment can make a total change in our happy state of affairs. And, when health goes, it takes away pleasure with it. The loveliness of a moonlit night, the cool breeze at day break, the beauty and scent of flowers, the melodious songs of sweet birds—none of these can please a man when he is not in health. You may remain jolly even without a friend. But bodily pain is sure to render you feeble and restless. Besides, we are in terrible distress by occasional appearance of cyclone and thunderstorm, sudden attack of a ferocious animal, or, the undesirable occurrence of famine, drought or deluge. Still we must say that this world of ours is not full of troubles. True, there is sorrow everywhere ; in kings' palaces and beggars' huts, in the high souls of the learned and the superstitious minds of the illiterate, in the beautiful mansions of the luxurious and the dark caves of the sages. Sleep in your house or walk outside, enter the temple or hide in the forest, run to the burial place or wherever you like,—no where can you escape misery and pain. Still we must say that the amount of pleasure in this world is greater than that of pain. If such be not the case, why do people so earnestly desire to live and become frightened at the name of death? Tell them to renounce this world, and they will at once exhibit utter reluctance. For, how is it possible to bid adieu to this pleasant world which is the abode of joys and luxuries? How delicate are the green

leaves of the spring, and how lovely is the rose!
Is not the sunshine a glorious thing? And—

“The moon doth with delight
Look round her when the heavens are bare ;
Waters on a starry night
Are beautiful and fair.”

If sorrows were more frequent than delight, men would have escaped misery by suicide. Most men are unwilling to die ; and hence it is evident that in human affairs pleasure has a larger sphere of influence than pain. It is also to be remembered that happiness is at its best only when experienced by contrast with misery ; and hence, it may be said that existence of troubles in the world has a certain necessity. Blessings of rest can be fully enjoyed only after hard labour. The ever healthy man cannot comprehend the ease and comfort of having a sound body and a sound mind. If you are to receive full satisfaction in your diet, suffer from hunger first. The more you sustain the agony of thirst, the greater will be your delight in drinking cool water. You fear a dreadful night with heavy rainfall and terrific thunderstorm when dark and dense clouds have covered the whole sky, and all the trees and houses have been blown away by the furious wind. But after such tedious hours, when the sun with celestial beauty appears for the first time on the eastern horizon of the bright sky dispersing the lingering darkness and unfolding all the lotuses of the earth will you not look more pleasant than ever? The same thing happens when two lovers meet after long separation. They have long been tormented by the heart-rending affliction, and they have shed constant tears and breathed out many a long sigh. Now, their re-union will produce a heavenly bliss which an ever-happy couple cannot have any idea of. Perpetual happiness may be desirable, but it is

practically unbearable. What pleases you now, will be disgusting after constant use. Even a palatable dish cannot but bring satiety if we are to take it daily. Variety of taste is needed, pungent, astringent, and bitter flavours should be interchanged with sweets. So, it is foolishness, no doubt, to overlook pleasure only on the ground that it is not constant owing to the intervention of pain. Therefore, a man should do that which yields pleasure in the end. Even sages like Vyāsa tell you that one should fulfil the desire of a woman who is overcome with passion. The moon-god, the lord of the twice-born, enjoyed very eagerly the wife of his preceptor Bṛhaspati, the founder of our School. Everybody knows the story of Indra, the god of gods, and Ahalyā the wife of Gotama. Hence, there is no need of restraining sexual appetite. Enjoy all sorts of pleasure, according to your own desire. Where is unanimity among the great men in accepting the interpretations of the Ṛṣiti and the Smṛiti? An intelligent interpretation should not be rejected if it favours the enjoyment of pleasure. The sage Pāṇini who says in '*Tṛtiyā apavarge,*' that the third sex will be engaged in finding out means of salvation is necessarily of opinion that the other two sexes should enjoy sensual pleasures. Carry out the commands of Kāma which even gods like Brahmā could not transgress. The Vedas, too, are nothing but the commands of the gods. Then why do you show more respect to the latter? Forbear from all disparaging and contemptuous remarks about women in order that you may hope to have the company of the most excellent of the deer-eyed beauties in heaven. Exert yourself for pleasing your beloved and indulge your own inclinations. These are the only roots of the tree of happiness. 'Pleasure is the good'—is the cry of nature. The animals know no other principle of action than pleasure. Children are

sensitive to pleasure only. The grown up man, the apparently grave and sober, all seek and pursue pleasure ; the virtuous man enjoys pleasure in the cultivation of virtue and even those who refute the statement that pleasure is the object of desire, find pleasure in such refutation.

“Whatever the motive, pleasure is the mark ;
 For her the black assassin draws his sword ;
 For her dark statesmen trim their midnight lamps ;
 For her the saint abstains, the miser starves ;
 The stoic proud for pleasure, pleasure scorns ;
 For her affliction's daughter grief indulge ;
 And, find, or, hope, a luxury in tears ;
 For her, guilt, shame, toil, danger we defy ;”

Therefore, pleasure is the highest good of human life. The only good of life is the individual's own pleasure. We should fully enjoy the present. To sacrifice the present to the future, is unwarranted and perilous. The present is ours. The past is dead and gone. The future is doubtful. The present is all that we have. Let us make the most of it. With this credo the Lokāyatikas of that remote period of Indian history preached and practised the theory of the extreme form of hedonism, according to which sensual pleasure is the only end of human life. Here, in this stage of Indian **Chārvāka**. Materialism, the School of the Lokāyatikas in addition to its old names Bārhaspatya and Lokāyata got the designation Chārvāka. The word means entertaining speech. It is derived from *charva*, chewing, grinding with the teeth, eating, swallowing virtue and vice. “While you live drink, for once dead you never shall return.” “As long as he lives let a man live happily ; after borrowing money, let him drink ghee.” The propagation of this eroticism was the first step towards downfall of the elevated system of Lokāyata which was considered so long

The
Buddhists
and the
Jains.

as the only system of Philosophy in India. In this stage of Indian Materialism the Buddhists and the Jainas came to the field of philosophy to preach spiritualism. In their first appearance they pretended to be the successors of the old heretics, *i.e.*, the followers of Bṛhaspati, by directing their attacks mainly against the doctrines of sacrifice as actually preached and practised in the Vedic School. They became, like the Lokāyatikas, very popular for the time being, as the minds of the people were still then captured by Materialistic doctrines. But as time went on the state of things began to change. The Chārvākas came to know what these new comers really were. They led their opposition against the orthodox Buddhists and Jainas as they previously did against the Vedicists. The result of this opposition was that the Lokāyatikas met with opposition from the side of the Vedicists as well as from the side of the Buddhists and the Jainas. By this simultaneous attack from various sides they were for the first time pushed to the corner. The philosophers of the Vedic Schools now became very strong being aided by the spiritualistic doctrines of the new heretics—the Buddhists and the Jainas, and took the field as successors of the sages of old and repelled the attacks on the permanent principles of spirituality. As time passed, these Vedicists appeared on the field one after another in order to oppose the heretics in general—both old and new—the Lokāyatikas, the Buddhists and the Jainas. They opposed the materialistic views of the old heretics and the anti-vedic doctrines of the new heretics. The pioneer of these advocates of the orthodox Vedic Schools was perhaps the sage Gotama, who adduced very strong arguments against the theory of *Dehātma vāda* or the theory, which preaches that the body is the Self, of the old heretics and establishes the theory that the body is different from the soul. Then came Kaṇada who made an

The six
orthodox
schools.

endeavour to refute the theory of Svabhāvavāda or Naturalism of the old heretics and propagated the theory that the diversity of creation is not possible for svabhāva which is unconscious. The diversity, according to Kaṇāda is produced from the atoms, which are unconscious, through the will of God in agreement with the doings of the previous births. After him Kapila, who is regarded by some as representing the oldest tendency of philosophy, came to the field and formulated his arguments in favour of Dualism for which the field had already been prepared by his predecessors. Then came Patanjali who propagated the theory of Yoga and tried to establish the theory of the existence of God. When, through the influence of these teachers the mass mind was almost inclined towards spiritualism and belief in the transmigration and spiritual nature of soul took almost complete possession of the mass mind of India, Jaimini appeared and made an attempt to establish by argumentative discussions that the Vedas are infallible and authoritative, that Karma or action is more powerful than even God, if there be any, that for the sake of the purification of mind the performance of Karma is indispensable. When through the influence of Jaimini, the minds of the people became prepared, by performing duties, sanctioned by the Vedas, for conceiving the spiritualistic soul, and the influence of anti-Vedic doctrines and tendencies was, for the time being, almost removed from the mass mind, Vyāsa came to the field and preached Spiritualistic or idealistic philosophy. Lokāyata, being thus opposed by these strong enemies, grew impatient and leaned towards spiritualism. This stage may be called the second or the middle stage of its downfall. In this stage it admits, gradually, the identification of self with the sense-organs, the principle of life and with mind shaking off its old doctrine of Dehātmanvāda or

Lokāyata
leaned
towards
spiritualism.

the doctrine of the identification of Self with the body. The first view or the doctrine of the identification of Self with the sense organs, is based on the facts that consciousness and bodily movements, follow from the initiation of the senses and that the judgments expressed in 'I am blind' showing the identity of the self with the sense-organs are universally accepted as valid. Still opposed by the spiritualists it maintains that the vital principle itself is really the source of intelligence as the senses depend for existence and operation on it. When this view too was attacked its sponsors came to maintain that consciousness is a quality of the mind. The other organs are only the means of indeterminate sense-knowledge. It is mind alone that introduces the element of determinateness. More over, mind controls by its power of volition the outer-organs and may persist and function singly even when the latter happen to be absent. Therefore the mind is the true self. All these have been recorded by Sadānanda in his Adwaita Brahma Siddhi 'Sadānanda speaks of four different materialistic Schools. The chief point of dispute is about the conception of the soul. One School regards the soul as identical with the gross body, another of the senses, a third with breath, and the fourth with the organ of thought.' On the other hand, the Lokāyatikas had so long maintained that perception is the only source of knowledge. Now being severely attacked by its opponents, who maintained the authority of inference, it showed for the first time its leaning towards admitting inference as a source of knowledge. In the first step it said that for practical purposes *probability* was sufficient. At the sight of smoke rising from a certain place there arises in the mind a sense of the probability of fire and not of its certainty. This is enough for all practical purposes. For this end there is no need to assume the existence

of a distinct kind of evidence, called *Inference*. When further pushed to the corner this school said that the followers of this school were prepared to accept inference as a means of right knowledge as it was useful in our daily life. But the mechanical form of inference as proposed by the Buddhists and others can by no means be considered a medium of right knowledge as it is thoroughly impracticable for daily use. In other words, there are two classes of Inference—one class inferring something restored in future and the other class inferring what has already taken place. The inference about what is past is accepted and the inference about what has not been perceived such as Paroloka, God, Soul is rejected. Purandara flourished, in this period, as an advocate of the Chārvāka school. Çankara Kamalaçila, Abhayadeva, Jayanta and the unknown author of Sarvamata Sangraha record his views. Being pushed, further, to the corner, this school accepted, in this stage, even ether as an element. Guṇaratna keeps its record.

FOURTH STAGE.

But every action has its reaction. The opposition of the Vedicists against the Materialists was not without its re-action. As they were supported by the Buddhists and the Jains in their attack on the Vedic sacrifices, the old heretic oppositionists became very powerful. They got their general name Nāstika, in this period. Vedic rites proper were gradually more or less pushed to the background. New scriptures were then in course of preparation, fully adapted to the needs, tastes and tendencies of the changing times but not entirely divorced from all connection with the Vedas. Voluminous Tāntrik and Paurāṇic works grew up in this period and satisfied the needs of the times. As these Schools were originated for satisfying the needs of the people of different mentalities

Nāstika.

The
Tantras
and the
Purāṇas.

elements of different nature were expressly visible in them. As representatives of the old heretic School, whose influence was still then predominant in the country, they included and adopted the popular doctrines regarding indulgence of the senses, and as successors of the spiritualistic schools, they gave them an esoteric purpose and thus modified them to some extent. Since then, the period of the great Hindu revival after the fall of Buddhism, India has been popularly Vedic *i.e.* Paurāṇic and Tāntric in her broad outlook. For this reason, perhaps, in the centuries after Christ we meet with very few names of Lokāyata Philosophers, though the system must have been in existence even so late as the time of Haribhadra; Guṇaratna; Çāntarakshita; Kamalaçla; Siddhasena; Abhayadeva; Krishṇamisra; Sriharsha; Jayanta; Sadānanda; Mādhavāchāryya etc. who have criticised its theories in their works. It was Çankara and his school who did not even consider the Chārvāka school as a system of philosophy, although, in Sarva Siddhānta Sangraha he maintains that by adopting only those means which are seen such as agriculture, the tending of cattle, trade, politics and administration etc. a wise man should always endeavour to enjoy pleasures, here, in this world. It was with Çankara and his school, that the great reaction proceeded against Indian Materialism which in Mādhavāchāryya, who considered the Lokāyata system as the lowest system of philosophy, secured the most decided victory.

CONCLUSION.

Just as Plato, one of the spiritualistic thinkers of the west, in his fanatical zeal would have liked to buy up and burn all the works of Demokritos the father of western materialism, so it is probable that these advocates of the vedic orthodoxy, in their fanatical zeal collected and destroyed the original

works of Bṛhaspati School of Philosophy, the extreme materialistic system of India. As the Buddhistic and the Jaina Schools were spiritualistic in essence they did not meet with total annihilation. Or, it may be, that for a considerable time, the views of this school became feeble and unpopular after which they lost their independent existence and became absorbed into other schools of spiritualistic philosophy. Although the works of Bṛhaspati were destroyed, the continuity of the influence of his school was at no period completely broken.

We have already seen that the Lokāyatikas got the designation Nāstika as they became at one with the Buddhists. Some of the sects of the degenerated Buddhists, in which laxity in sexual morals was one of the features, became gradually affiliated to the Lokāyata school. One of these sects was the Kāpālika sect. The Kāpālikas are a very ancient sect. They drink wine, offer human sacrifices and enjoy women. They strive to attain their religious goal with the help of human corpses, wine and women. They are dreaded by all for inhuman cruelties. Bhababhuti, Kṛṣṇa Miśra and Kavikarṇapūra refer to such Kāpālikas in their respective works the Malatimādhavam, the Probodhachandrodayam and the Chaitanyachandrodayam. Those who have read Bankim Chandra's Kapālakūṇḍalā can not forget the fierce Kāpālika bent upon woman sacrifice. Bṛhaspati of Arthaśāstra fame says that the Kāpālika is alone to be followed for the purpose of attaining pleasure.

Formerly, this Kāpālika sect flourished in The
an independent form. In course of time it be- ^{Kāpālikas.}
came weak and lost its independence. Probably the
inhuman cruelties or the dreadfulness of the sect
brought about its ruin. As Kāma or the enjoyment
of sensual pleasure was the goal of this sect it

came gradually to be affiliated to the Nāstika form of the Lokāyata school according to which the summumbonum of human life is, as shown before, the enjoyment of gross sensual pleasure. Thus the Kāpālikas, like the Assassins, became the solitary historical example of a combination of materialistic philosophy with cruelty, lust of supernatural power and systematic crime. Or, it may be that the followers of orthodox schools, through bitter contempt, identified the Lokāyatikas with the fierce Kāpālikas, as in previous cases the Vedicists used freely the terms of abuse like 'Bastard' 'incest' and 'monster' with regard to the Lokāyatikas. At the time of Bṛhaspati, the author of Arthaśastra, these Kāpālikas were a distinct sect. In Guṇaratna's time we find them identified with the Lokāyatika school which had already become a hated name in the country.

The Lokāyatikas were a creed of joy, all sunny. Through their influence, at that period of Indian history the temple and the court, poetry and art, delighted in sensuousness. Eroticism prevailed all over the country. The Brahmin and the Chāṇḍāla, the king and the beggar, took part with equal enthusiasm in Madanotsava, in which Madana or Kāma was worshipped. References to this festival are not rare in works of poets like Kālidāsa, Biçakha Datta and Sreeharsha. 'Dance and song, flower and the red powder *fag*, swinging and playing all these created an atmosphere of light amusements from which all sterner laws of sexual ethics were dismissed for the time being and men and women mixed indiscriminately, the green trees wearing red apparel, as it were, owing to profuse *fag* that filled the whole atmosphere over which the April sun threw its gaudy purple rays.' They assimilated the element of sexual romance from the Kāpālikas. The essential feature of this romance is

—love for one, with whom one is not bound in wedlock.

As a reaction against this practice of sexual romance Vaishṇavism made its appearance and the Madanotsava festival was replaced by Dolotsava. In Mandanotsava the doctrine relating to sense-indulgence must have been favourably received by a large number of people. To counteract this evil, the orthodox school of the Vaishṇavas included and adopted the popular doctrines regarding indulgence, but gave them an esoteric purpose and thus modified them to some extent. For this reason we find that this Dolotsava has retained the light pleasures and gay amusements of Madonotsava in many respects, and the Vaishṇavas have given these festivals a far more sober character in respect of sexual freedom.

But the ever flowing current of the Lokāyatikas did never remain suspended for a considerable period of time in Indian cultural history. It made its way in the teeth of all obstacles. After the great Brahmanic renaissance the Lokāyata sect took shelter under different forms in different parts of India. In Bengal, an old sect of the Buddhist Mahāyāna school chiefly concerned with sexual romance gave up its independent existence and like the Svabhāvavadins and the Kāpālikas became at one with the Nāstika Lokāyatikas and the Lokāyatikas on their part incorporated themselves with that community. The old element of sensualism of the festival Madonotsava of the Nāstikas, a sanction for the gratification of grosser pleasures, is still found to linger in this sect. The name of this sect is the Sahajia sect. The very name Sahajia reminds us of the doctrine of Svabhāva of the old heretics. The three chief physical appetites of man are eating and drinking where by his body is sustained and sexual intercourse whereby human life

is propagated. Considered in themselves they are natural and harmless. So the Sahajias say 'there is no wrong in the eating of meat and drinking of wine nor in sexual intercourse for these are natural inclinations of men.'

The
Sahajias.

We can gather the following facts from 'Chaitanya and his age' by Rai Dinesh Chandra Sen Bahadur, about the Sahajias of Bengal. In the meetings of the Sahajias men and women take their seats indiscriminately without any scruple and with full freedom. The Chāṇḍāla cooks the food and the Brahmins take it without hesitation. Unless hunger is appeased the Sahajias can not pray. Large plates full of eatables are brought on the bed spread before the members. Men and women sit there and eat them freely. In their joy women put food into the mouth of men and the latter are not slow in returning the attention, and the house rings with merry laughter. They consider the Vedas and other holy scriptures to have been manufactured by worldly men for their own selfish ends. They have no regard for the Brahmins. They entertain no respect for either the priestly class or for their elders. Women care nothing for their husbands. They revolt openly against the Brahmins, the Vedas and the Hindu society. Most of the songs of the Sahajias are about boats, trades, mortgages, farming and a hundred other topics of rustic interest or Lokayātrā. They set forth canons and theories with a boldness which is really amazing. Caste, rank in society or orthodoxy of views are out of the question in their society. They entertain the utmost freedom in thought, in religious and social matters. They are absolutely beyond the prejudices and conventions of the ordinary people. The Sahajias allow the indiscriminate mixing of men and women. The motto of a Sahajia woman is—'he who will capture our

heart, we will belong to him.' If the man of her love wants her body she must give it. - She must give her all without reserve. The Sahajias do not believe in the established ideals of womanhood represented by Sita, Sāvitrī and the Suttees who burnt themselves with their dead husband in days gone by, as living examples of absolute devotion. These wives of Hindu scriptures and epics were actuated by hopes of getting rewards in the next life and praises from society in this for their chaste life. To the Sāhajias love is religion. They believe that Deha or material human body is all that should be cared for and their religious practices are concerned with the union of men and women. The famous Bengali poet Chandidās was a follower of this cult. But Chaitanya apprehending its corruption and misuse declared himself in clear language against all sexual romance. The Sahajias did not believe in human soul and in anything beyond the pleasures of the present moment. They believed in *Deha* and in nothing else. On one occasion some Brahmins of the orthodox community were performing *tarpana* in the river Ganges. This was the custom of taking handfuls of water from the river and throwing them down, by which acts they believed the thirst of their departed ancestors would be allayed. One of the founders of the Sahajia cult saw this and taking handfuls of water like them threw them on the bank. This act attracted the attention of the Brahmins who asked him the reason for doing so. The Sahajia replied—'If your water will go to your departed forefathers who are far away mine ought to go to my vegetable garden which is only a mile from here and certainly not so remote as the land of the dead.' This sect raised objections against the superstitions and conventions of the orthodox schools. Extreme lawlessness characterised this sect.

All these views of the Sahajia Lokāyatikas remind us of the old heretics. Most of the views of the Nāstika Chārvāka or Lokāyatika of this form are recorded by Professor Chiranjib Bhattacharyya of Bengal in his famous work Vidwanmodataranginī. In his account of the Nāstika school we find a blending of several independent doctrines like Bārhaspatya, Svabhāva, Bauddha, Jaina and Kāpālika. The orthodox community amongst the Buddhists the Jains and the Hindus were bitterly hostile to the supporters of these views of the Sahajia Lokāyatikas in every stage of their development. This is perhaps why its followers tried by all means to hide their societies from the public view. For this reason perhaps the Sahajias hold their meetings in secret. All their old books being destroyed by their opponents, the orthodox schools, they now have a particular language in circulation amongst themselves named the Sāndhya-bhāshā, a language which is not understood by people outside the pale of their own society. But thus hidden like owls at daylight, the Lokāyatikas of the Sahajia sect of Bengal could not fight long with the orthodox communities.

After the Brahmanic revival, in the age of Chaitanya they were seeking shelter, and, in Bengal, Birabhadra, son of Nityānanda gave them a shelter and converted them to Vaishṇava faith. This conversion, however, does not mean much. They merely cried aloud the names of Chaitanya and Nityānanda and there ended all their connection with Vaishṇavism. They adopted the Vaishṇava creed merely for expediency's sake, in order to have some status in the society which had rejected them altogether. Although, with the revival of the Brahmanic form of Vaishṇavism, the Lokāyatikas became very weak and identified themselves with the Vaishṇavas, yet the school of free-thinking did not

die out in India. It lives not amongst a few but amongst thousands to-day. They are not guided by the spirit of Hindu Renaissance. They have now included the Bible, the Koran and even the Grantha Saheb of Guru Nānak. Recently a movement of absolute freedom is visible in every department of Indian life—social, political and religious. The advocates of free-thinking of this age are no doubt the successors of the old heretics—the Bārhaspatyas. ^{The} They have now taken complete possession of the ^{Svarājist} mass mind of India. ^{and the} They constitute the bulk of the ^{Hindu} cultured. ^{missionis} They are the Svarājists and the Hindu missionists. They cherish every hope and aspire to those bright days which India once had under the influence of this Lokāyatika school, some centuries before the birth of Christ. Others, again—specially, those who belong to the orthodox community—apprehend the reappearance of the dark days India passed through when licentiousness replaced liberty and the enjoyment of gross sensual pleasure the highest bliss or contemplative joy.

And—"We can never hope that a time will come, when materialism will altogether vanish away from the face of the earth; we can never hope that a time will come, when, man, however perfect his mind may be, however perfect his education may be, will be more influenced by the unseen than the seen, will be more influenced by the eternal than the temporal."

APPENDIX.

The genuineness of some of the Lokāyata-Sūtras rescued from obscurity.

The following Sūtras are attributed to Bṛhaspati, the founder of the Lokāyata School, and in them we find the statements of the Chārvākas quoted verbatim.

- (१) पृथिव्यप्तेजीवायुरिति तच्चानि
- (२) ततसमुदाये शरीरेन्द्रिय-विषय-संज्ञा
- (३) तेभ्यश्चैतन्यमे
- (४) क्लिप्तादिभ्योमदशक्तित्वत्
- (५) काम एवैकः पुरुषार्थः
- (६) अनुमानमप्रमाणम्
- (७) चैतन्य विशिष्टः कायः पुरुषः
- (८) मरणमेवापवर्गः

Of these eight Sūtras the first four are quoted by Bhāskarāchāryya as the Sūtras of Bṛhaspati of the Lokāyata school of philosophy. The first three are also quoted by Kamalaçila in his Commentary on the Tattvasaṅgraha and also by Guṇaratna in his Tarkarahashyadīpika.* The third and second part of the fourth and the seventh are quoted by Çankara

* Vide Brahma Sūtra Bhāshya of Bhāskarāchāryya and Çankara (III. 3. 53.—तथाच बाह्यस्थानि स्वादि) and the Panjikā of Kamalaçila (Goekwad's Oriental Series, p. 520 तथाच तेषां स्वम्. From the context it is clear that the pronoun तेषां refers to the Lokāyatikas) Vide also the commentary of Guṇaratna (on Sloka 84) of Saddarçana Samuchchaya.

in his commentary on the Vedānta Sūtra. The fifth, seventh and eighth are quoted by Sadānanda in the Advaita Brahmasiddhi as the sutras of Bṛhaspati.*

The fifth Sūtra is quoted by Nilakantha (in his Commentary on the Gīta) as belonging to Bṛhaspati of the Lokāyata school.* The sixth Sūtra is collected from the Commentary on the Sammati Tarkaprakaraṇa named Tattvabodhavidhāyini of Abhaya-devasuri.† The seventh aphorism is quoted (in the Commentary on the Gīta) by Āṛidhara as belonging to Bṛhaspati of the Lokāyata school.‡

We know from the Panjikā of Kamalaçila on Çloka 1864 of the Tattvasaṅgraha* and from other similar sources that a Çloka sometimes came to be called a Sūtra. We also know that works in a mixed style of Sūtras and verses are not rare in the field of Sanskrit Literature. The existing editions of Vātsyāyana's Kāmasūtra and Kautilya's Artha Çāstrā may be mentioned as instances to the point. They are written in a mixed style of Sūtras and Çlokas, the substance of the Sūtras being sometimes summarised in the Çlokas. Mādhavāchāryya in his Sarvadarçanasāṅgraha follows this mixed style of prose and verse when giving the Chārvāka view. In view of the facts, cited above, it will not be far from the truth to say that Bṛhaspati of the Lokāyata school also wrote his 'sūtra-work' in a mixed style of Sūtras and verses and that the verses quoted by Mādhava as belonging to Bṛhaspati are genuine i.e. they belong

* तथाच वाईस्यस्यि सुवाचि.

* Vide XVI. 11.—तथाच वाईस्यस्यम् सुवम्

† Vide Gujrat Puratattva series Vol. I., p. 70— तथाचि

इस्यस्यि सुवम्

‡ Vide XVI. 11.—तथाच वाईस्यस्यम् सुवम्

§ तथाच सुवम् कायादेवेति ।

to the lost Sūtra-work of Bṛhaspati. These verses are quoted below.

बृहस्पतिनाप्युक्तम्—

न स्वर्गो नापवर्गोवा नैवात्मा पारलौकिकः
 नैववर्णाश्रमादौनां क्रियाश्च फलदायिकाः ॥ १ ॥
 अग्निहोत्रं त्रयोवेदास्त्रिदण्डं भस्मगुणहनं ।
 बुद्धिपौरुषह्रीनानां जीविका धाटनिश्चिता ॥ २ ॥
 पशुश्चेन्निरुतः स्वर्गं ज्योतिष्टोमे गमिष्यति ।
 स्वपिता यजमानेन तत्र कक्षान्नहिंस्यते ॥ ३ ॥
 मृतानामपि जन्तूनां आहं चेत् तृप्तिकारणं ।
 निर्वाणस्य प्रदोषस्य स्त्रेहः संवहं येच्छिखाम् ॥ ४ ॥
 गच्छतामिह जन्तूनां व्यथं पाथेय कल्पनम् ।
 गेहस्थ-कृत-आहं न पथि तृप्तिरवारिता ॥ ५ ॥
 स्वर्गस्थिता यदाहृष्टिं गच्छेयुस्तत्रदानतः ।
 प्रासादस्योपरिस्थानामत्र कक्षान्नदोयते ॥ ६ ॥
 यावज्जीवेत् सुखं जीवेद् ऋणं कृत्वा घृतं पिवेत् ।
 भक्षीभूतस्य देहस्य पुनरागमनं कुतः ॥ ७ ॥
 यदि गच्छेत् परं लोकं देहादेशं त्रिनिर्गतः ।
 कक्षाद्भूयो नचायाति बभ्रुस्त्रेहसमाकुलः ॥ ८ ॥
 ततश्चजीवनोपायो ब्राह्मणैर्विहितस्त्रिह ।
 मृतानां प्रेतकार्यार्थाणि नलन्यदुविद्यते क्वचित् ॥ ९ ॥
 तयो वेदस्य कर्तारो भण्ड-धूर्त-निशाचराः ।
 जर्भरी तुफरीत्यादि पण्डितानां वचः स्मृतं ॥ १० ॥
 अश्वस्यावहं शिञ्चन्तु पत्नीशास्त्रं प्रकौर्त्तितम् ।
 भण्डैस्तद्वत् परं चैव शास्त्रं जातं प्रकौर्त्तितम् ।
 मांसनां खादनं तद् वन्निशाचरसमोरितम् ॥ ११ ॥

इति

Mention may also be made here of some sūtras, ascribed to the Lokāyata school. They are not directly attributed to Bṛhaspati. On the other hand, there is no strong reason to prove that they do not belong to the work of Bṛhaspati. There are Sūtras quoted in some places as belonging simply to the Lokāyata or Chārvāka school, while in other places the same sūtras are attributed to Bṛhaspati.

Again, there is no ground for supposing that all these sūtras belong to Bṛhaspati ; for we know the names of other sūtrakāras of the Lokāyata school, namely Chārvāka, Purandara, Kambalāsvatara and Bhāguri.

In any case, there is no reason to believe that they are not the Lokāyata-sūtras. They may safely be collected as being the genuine Sūtras of the Lokāyata school.

The said Sūtras are the following :—

- (१) न धर्मांश्चरेत्
- (२) एष्यत्फलत्वात्
- (३) सांश्रयिकत्वाच्च
- (४) कोच्छवालिो हस्तगतं परगतं क्षुथ्यात्
- (५) वरमद्य कपोतः श्वो-मयूरात्
- (६) वरं सांश्रयिकान्निषकादसांश्रयिकः कार्षापणः
- (७) शरीरेन्द्रिय संघात एव चेतनः चित्रज्ञः
- (८) काम एव प्राणिनां कारणम्
- (९) परलोकिनोऽभावात् परलोकाभावः
- (१०) इहलोक परलोक शरीरयोर्भिन्नत्वात् तद्वतयो-
रपि चित्तयोर्नैकः सन्तानः
- (११) एतावानेव पुरुषो यावानिन्द्रियगोचरः
- (१२) प्रत्यक्षमेवैकं प्रमाणं

The first six Sūtras are ascribed by Vātsāyana in his Kāmasūtra to the Lokāyata school.* The seventh Sūtra is a quotation by Madusūdana in his Commentary on the Gīta, and it is stated to belong to the Lokāyata school.† The eighth Sūtra is found as a quotation by Çankarāchāryya in his Commentary on the Gīta. There it is referred to as an extract from the work of the Lokāyata school.‡ The ninth Sūtra is quoted in the Commentary on the Tattvasangraha as belonging to the Lokāyata school § This Sūtra is also quoted in the Commentary on the Sammati Tarkaprakaraṇa in the same form and as belonging to the same Lokāyata school.¶ The next two Sūtras are found quoted in the Commentary on the Tattvasangraha as an extract from the work of the Lokāyata school.* The last Sūtra stated above is quoted in the Commentary on the Sammati Tarkaprakaraṇa as belonging to the work of the Chārvāka school.† We are tempted to add here another Sūtra in Çloka form of the Svabhāvavādins who are later on identified with the Lokāyatikas and the Chārvākas. This verse originally belonged to the standard work of the Lokāyata school. The verse is this :—

कः कन्टकानां प्रकरोति तैश्चरं
विचित्रभावं मृगपक्षिणाञ्च ।

* Vide Kāmasūtra I., 2. 25—30.

† इति लौक्यायतिकाः.

‡ इति लौक्यायतिकदृष्टिरियम्

§ तथाहि तस्यैतत् सूत्रम्. From the context it is evident that the pronoun तस्य refers to the Lokāyata school.

¶ Gujrat Puratattva series, p. 71.

* Gaekwad's Oriental series, p. 523.

† Gujrat Puratattva series, p. 73.

मायुर्थे मिदोः कटुतां च निम्बे
स्वभावतः सर्वमिदं प्रवृत्तम् ॥

In addition to the above, we find some other Sūtras of the Lokāyata school which are directly attributed to persons other than Bṛhaspati. This proves that Bṛhaspati was not the only worker of this school. After him there must have been many workers in the field. There is, therefore, no strong evidence for the supposition that these Sūtras are not equally genuine. These Sūtras are—

- (१) प्रमाणस्यागौणत्वादानुमानादर्थनिश्चयोदुल्लेभः
- (२) कायादेव ततोश्चानं प्राणापानाद्यधिष्ठिताद्-
युक्तां जायते
- (३) सर्वत्र पर्यनुयोग पराण्येव सूत्राणि बृहस्पतेः

Of these three Sūtras the first is quoted in the Commentary on the Sammati Tarkaprakaraṇa as belonging to a work of the Lokāyata school and is attributed to a philosopher of the name of Purandara. § Perhaps, this Purandara was the author of a later sūtra work of the Lokāyata school in which the views of Bṛhaspati were expounded. The next sūtra is quoted in the Tattvasaṅgraha—as belonging to Kambalāsvatara, one of the earliest writers of the

‡ Bhattotpala's commentary on Bṛhatsamhitā, Saddarṣanaḥ Samuchchaya Vritti of Guṇaratna, Dallana's commentary on Sūcruta, Chapt. I.

§ *Vide* The Sammati Tarkaprakaraṇa of the Gujra Purātattva series Vol. I., p. 70—एतच्च पौरुन्दरं सूत्रम्. Most probably this Purandara is identical with Purandara mentioned in the Commentary of Kamalaçila and referred to in the Tattvasaṅgraha of Sāntarakshita. From the foot note of the page we know that this Purandara is mentioned also in the Syādbhādaratnākara.

)Lokāyata system.* Perhaps, this Kambalīsvatara was another expounder of the system like Purandara. The last sutra is quoted in the Commentary on the Sammati Tarkaprakaraṇa—as a saying of the Chārvākas.†

From what has been said above, we may reasonably believe that all these passages are the statements of the Chārvākas quoted verbatim and they are equally genuine although compared with the vast ocean of Barhaspatya sūtras now lost, they are but a few drops.

* Vide p. 521—वशाच स्वं - कायादिवेति कम्बलाश्वरोदितमिव ।

† Vol. I., p. 69—एव चार्वाकैरभिहितम्

Extracts from some of the opinions on Prof. Dakshinaranjan Shastri's Chārvāka Shashti.

Professor F. W. Thomas (Oxford) writes :—

We can hardly now hope to recover any original treatise of the school and we must therefore be grateful to you for giving us a collection of the most important passages where its statements are quoted verbally or in substance. The introductory essays also are in my view well informed and instructive.

Professor Louis dela Vallie Poussin (Brussels) writes :—

Your Chārvāka Shashti is a good piece of work and deserves praise both for Sanskrit and philosophical skill. The subject is one of the most obscure and interesting. I find, with pleasure, that you mention some facts and opinions which had escaped my notice.

Professor Keith (Edinburgh) writes :—

Your work appears to be very carefully carried out.

Professor Rapson (Cambridge) writes :—

It is an ingenious reconstruction of the tenets of the Lokāyata system.

Mahāmohopādhyāya Dr. Gangānāth Jhā (Vice-Chancellor, Allahabad University) writes :—

It is a most interesting compilation and bears evidence of great industry.

Mahāmohopādhyāya Professor Kuppaswami Shastri M.A., I.E.S. (Madras) writes in an article (Recent work in Indian thought. The New Era, December, '28) :—

It may not be out of place to refer in this connection to the somewhat amusing attitudinisation which one cannot help noticing in an interesting and useful compilation by Mr. Dakshinaranjan Shastri, M.A. which was published in Calcutta last month under the name of Chārvāka Shashti.

Professor Rādhākrishnan (Calcutta University) writes :—

Those who wish to study Indian Materialism from Sanskrit sources will find the book extremely useful. The New Era, Nov., 1928.

Principal Gopinath Kaviraj, M.A., (Benares) writes :—

The author has spared no pains to make his compilations thorough and useful. There is no doubt that this contribution to the study of Lokāyata Philosophy will find an honoured place in the history of Indian thought.

Professor Dhirendramohon Dutt, M.A., P.R.S., (Patna) writes :—

চার্কাকের মত সম্বন্ধে ধারাবাহিক কোন নিবন্ধ অপেক্ষিত বাহির হয় বাই।
আপনি বিভিন্ন স্থান হইতে চার্কাকের মত সংলব্ধ করিয়া এবং ইংরাজী